



Appeal Decision

Site visit made on 19 November 2024

by Peter D. Biggers BSc Hons MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 December 2024

Appeal Ref: APP/U2750/W/24/3351387

Cliffe Meadows Holiday Park, Turnham Lane, Cliffe, Selby, North Yorkshire YO8 6NQ.

- 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 Edward Finney against the decision of the North Yorkshire Council.
 - The application Ref is ZG2024/0567/FUL
 - The development proposed is to replace 5 of the approved tourer pitches with static lodges.
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Decision

1. The appeal is allowed and planning permission is granted to replace five of the approved tourer pitches with static lodges at Cliffe Meadows Holiday Park, Turnham Lane, Cliffe, Selby, North Yorkshire YO8 6NQ in accordance with the terms of the application, Ref ZG2024/0567/FUL, and the plans submitted with it, subject to the conditions in the attached schedule.

Preliminary Matter

2. I have been referred to the fact that the static currently on the appeal site is there unlawfully. Whilst I note this, my responsibility is to determine the appeal to site the 5 static caravans within the appeal site and the lawfulness or otherwise of the static currently sited there is not a matter for me to determine.

Main Issue

3. The main issue is whether the substitution of static caravans for touring caravans would constitute an intensification of use giving rise to an adverse impact on the character and appearance of the site and the open countryside.

Reasons

4. The appeal site lies on the south side of Turnham Lane on the edges of Cliffe and outside the settlement boundary. It forms part of the wider Cliffe Meadows Holiday Park which currently is permitted to contain 5 statics and 30 touring caravans. The appeal site occupies the second row i.e. immediately behind the statics that front onto Turnham Lane and is on the higher part of the site which fall to the south.

5. At the time of my visit there was one static at the west end of the appeal site (reportedly a test static to show the design) and 3 touring caravans within the appeal site. The balance of the holiday park on the lower part of the site was also well-occupied by touring caravans.
6. Cliffe is a secondary village as identified in the *Selby District Core Strategy* (SDCS) and development limits for the village have been designated. The site sits outside of the development limits and therefore in open countryside. It is agreed between the parties that the principle of the caravan park in this location is not in dispute as evidenced by the fact that permission for the holiday park is already in place.
7. The proposal would see the replacement of 5 tourers with 5 statics on the appeal site. I acknowledge that in terms of the average size of touring caravans the statics would be slightly larger. However, the statics proposed on the appeal site would be smaller in height and width to those in the first row of the park along Turnham Lane. Moreover, when the extent of additional awnings, etc., that are typically used in association with touring caravans, is taken into account, the difference in scale between touring vans and the proposed statics would not be significant.
8. In addition, touring caravans are usually finished in white or pale colours and on the raised part of the site, where the appeal site is located, such colourings would appear prominent. The statics, provided the final colour treatment was conditioned so that the Council could agree an appropriately recessive colour, would be no more impactful on this high ground than touring vans.
9. It has been put to me that the switch in type of caravan would be an intensification of use on the site and constitute more permanent development encroaching into open countryside where the development plan strictly controls permanent development, appearing more urban as a result. However, it is common ground that the statics meet the definition of a caravan and therefore are not permanent in the sense that a dwelling would be. Moreover, the Council's suggestion that the proposal would introduce more permanent structures on the site encroaching further into the countryside, when otherwise in the off-season the number of caravans would be much fewer, is not borne out by evidence from the site visit. At the time of my visit in mid November (i.e. low season) the section of the holiday park used for tourers was well filled, including 3 within the appeal site. There is nothing to suggest that under the existing planning permission the plots on the appeal site would not be fully occupied by touring caravans. Indeed, given the location of the site on the higher part of the site close to the road it is highly likely that tourers would be on the plots within the appeal site the whole year in exactly the same way as would be the case with the statics. In this context I am not persuaded that the switch in type of caravan would be further encroachment as suggested.
10. I turn now to the impact the substitution of van types would have on the surroundings of Turnham Lane and the open countryside.
11. Approaching the site from the east and from the village, given the fact that the holiday park is screened from the road by hedging and there is already an existing line of larger statics immediately adjacent to the lane the visual impact of a second row of smaller statics would be minimal. I acknowledge that from the west, coming into the village, the view is more open and the second row of statics would be more easily seen. However, the statics would be set at a lower

level in the site to the first row along the lane and, as stated above, I am not persuaded that the visual appearance of a line of touring caravans, already permitted, would in real terms be significantly different. Provided the landscaping that is shown proposed on Plan 02C for the appeal site is implemented and a condition can secure this, the visual impact of the statics viewed from approaches along the lane would be acceptable.

12. I acknowledge that inward views from the south of the site are open ones across a more or less flat, agricultural landscape. However, the landscape is not identified as a locally important landscape in the *Selby District Local Plan* (SDLP) and is dominated by the cooling towers of the Drax Power Station.
13. In views of the site, for the reasons above, namely the largely white colouring of the touring caravans and the fact that the holiday park is even at this time of year almost fully taken up with caravans, I am not persuaded that the switch of 5 plots from tourers to statics would have any significant additional impact. However, this would be subject to controlling the colour treatment of the statics and ensuring the landscaping is implemented but these matters could be controlled by conditions.
14. SDCS at Policies SP18 and SP19 seeks to protect and enhance the environment and secure a design quality that has regard to the open countryside but for the above reasoning I am not persuaded that the switch of caravan types would have any greater impact. Policy SP19e) requires developments to incorporate landscaping as an integral part of design but, as already stated, this is already proposed and its implementation can be conditioned.
15. Although the Council has referred to Policy RT11 of the SDLP relating to serviced and non-serviced accommodation this is not directly relevant to the proposal as the development is outside development limits and does not fall within the categories listed. Instead it is Policy RT12 that would be relevant. This does require caravan sites not to have significant adverse impacts on the open appearance of the countryside. However, as this caravan park already exists and for the reasons given above, the switch of caravan types would have no conflict with the policy. Accordingly, I am satisfied that the proposal would have no additional adverse impact on the character and appearance of the site and its countryside setting.

Other Matters

16. I have been invited to conclude that there is no need for the proposed statics. However, the appellant has put forward a business case that the statics are more attractive to holidaymakers and I have no evidence to dispute this. In any event, the issue is whether the switch would be acceptable in terms of use and visual impact and I have addressed these points above. The fact that occupiers of the statics would be reliant on private cars to make trips to services etc would be no different to the situation with regard to touring caravans, where holidaymakers occupying a touring van would be equally reliant on their cars.

Conclusions and Conditions

17. I have considered the matters before me and for the reasons above I conclude that in this case the switch of 5 touring caravan pitches plots to static caravan pitches would be acceptable. The appeal is allowed and permission is granted.

18. The Council has proposed a number of conditions in its appeal questionnaire. I have considered these in the light of the advice in the Framework and *Planning Practice Guidance*. A condition requiring development to be carried out in accordance with the submitted plans is necessary in the interest of certainty.
19. In order to control the number of static caravans on the site at any one time it is necessary and reasonable to include a condition to this effect. However the Council's proposed wording for this condition needs to make clear that the site is that the subject of the permission and not the total caravan park.
20. A further condition is required to control the occupancy of the statics. As this location is not one where Local Plan policy would allow permanent residential use to be permitted it is necessary for a condition to control the use of the statics to holiday use only and for the site owner/operator to retain a register as evidence that this is the sole use of the site.
21. In order to protect the living conditions of neighbouring occupants on Turnham Lane it will be necessary to attach a condition to control the times over which any caravans can be brought onto or off the site or moved around within it and the times at which guests may arrive. However the Council's proposed wording refers to all vehicles and I am not satisfied this is either enforceable or reasonable as it would restrict the right of guests to return to the site later or to leave in an emergency without breaching the condition. The condition needs to relate more specifically to caravan movements, deliveries and guest arrivals and departures.
22. Two further conditions are necessary to control the provision of and discharge from the surface and foul water drainage systems to avoid flood and pollution risk.
23. Finally, although not proposed by the Council two additional conditions are required. A landscaping implementation condition is required to ensure the statics are assimilated into the landscape and whilst proposals are shown on Dwg 02C there is no stipulation regarding implementation or maintenance of the proposed landscaping. Secondly in order to avoid any adverse visual impact it is appropriate that the Council should have control over the proposed colour treatment of the statics which is not stipulated on the plans. As both these are proposed new conditions the parties have been consulted on them.
24. Both the Council and appellant accept the condition relating to colour treatment. In respect of the proposed landscaping condition the Council makes the point that as Drawing No 02C relates to landscaping on the whole site the condition would need to be clear that it relates to the appeal site. The Council also proposes that as Drawing No 02C does not provide detail of the intended tree planting that this should also be a requirement of the condition. Accordingly, I have amended the wording slightly. As these would be small factual changes that are necessary and not unreasonable I have not consulted the parties further.

P. D. Biggers

INSPECTOR

Schedule of conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 04B Location Plan; 03A Proposed Lodges; 02C Proposed Site Plan (as applicable to the site the subject of this permission); EWE/3067/03 Drainage Plan.
- 3) There shall only be a maximum of 5 static caravans on the site the subject of this permission at any one time. These shall be limited to the positions shown on the approved plans.
- 4) The static caravans hereby approved shall be occupied for holiday purposes only and not be occupied as a person's sole, or main place of residence and the owners/operators of the site shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.
- 5) All caravan movements onto and off the site including movements within the site, deliveries, and arrivals and departures of guests for the static caravans shall be restricted to between 08:00 and 21:30 hrs daily.
- 6) The surface water and foul sewage drainage works shall be constructed in accordance with the following documents:-
 - a) Drainage Layout Plan – EWE/3067/03 Revision 0 – dated 13 May 2024 by EWE Associates Ltd
 - b) Drainage Assessment – Draft Rev0 – dated 13 May 2024 by EWE Associates Ltd

For the avoidance of any doubt, the discharge rate from the whole site shall not exceed 1.5 litres per second. Any changes to the scheme must be approved by the Local Planning Authority, in consultation with Ouse & Derwent Internal Drainage Board, and then implemented to the reasonable satisfaction of the Local Planning Authority before the development is brought into use.
- 7) No piped discharge of surface water from the application site shall take place until works to provide a satisfactory outfall, other than the existing local public sewer, for surface water have been completed in accordance with details submitted to and approved in writing by the Local Planning Authority.
- 8) Within two months of the date of this decision, details of the sizes, numbers and species of trees and hedging to be planted within the site the subject of this permission and in accordance with Cliffe Site Plan 02C – Proposed shall be submitted to the Local Planning Authority for approval in writing.

In accordance with these details, and as specified in Cliffe Site Plan 02C – Proposed, (as applicable to the site the subject of this permission), all tree and hedge planting, seeding or turfing shall be carried out in the first planting and seeding season following the siting of the statics on the site and before the statics are brought into use. Any trees or plants which within a period of 5

years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.

- 9) Prior to the static caravans being brought onto site details of the proposed colour treatment and finish of the caravans shall be submitted to the Local Planning Authority and approved in writing. Thereafter the static caravans shall be finished in the approved colouring.