



Appeal Decision

Site visit made on 17 December 2024

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 10 January 2025

Appeal Ref: APP/U2750/W/24/3347754

Spring Valley Caravan Park, Lightfoots Road, Scarborough YO12 5NP

- 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 Robert Ward, on behalf of TJR Properties Ltd, against the decision of North Yorkshire Council.
 - The application Ref is ZF24/00267/FL.
 - The development proposed is change of use to caravan site, siting of 6No residential units and associated development.
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Decision

1. The appeal is allowed and planning permission is granted for change of use to caravan site, siting of 6No residential units and associated development at Spring Valley Caravan Park, Lightfoots Road, Scarborough YO12 5NP in accordance with the terms of the application, Ref ZF24/00267/FL, subject to the following conditions:
 - 1) The development hereby permitted shall be carried out in accordance with drawing nos:

DRWG No. 01 Revision A (Location Plan),

DRWG No. 02 (Site Plan),

DRWG No. 03 (Additional Units (05/01260/FL As Built. (Retrospective)),

DRWG No. 04 Revision A (Road Elevation),

(01) PROPOSED FLOOR PLANS AND ELEVATIONS OF CHALETS,

(02) PROPOSED VIEW FROM ROAD OF CHALETS,

(03) PROPOSED SITE PLAN WITH LANDSCAPING.
 - 2) Notwithstanding the approved drawings and the proposed landscape mitigation measures as detailed within Figure 6 Landscape Principles Plan contained within the Landscape and Visual Impact Assessment Ref. D360/V1/AG/December 2023, a detailed landscape masterplan for the site indicating tree, hedgerow and landscape planting shall be submitted to the Authority within one month from the date of this decision. The agreed scheme of landscaping shall be carried out in its entirety within a period of six months beginning with the date on which the landscape masterplan is agreed, or within such longer period as may be agreed in writing with the Local Planning Authority. All trees, shrubs and bushes shall be maintained by the owner/s of the land on which they are situated for the period of five

years beginning with the date of completion of the scheme and during that period all losses shall be made good as and when necessary, unless the Local Planning Authority gives written consent to any variation.

- 3) Each chalet bungalow plot with a dedicated parking space within its curtilage shall be provided with an electrical socket capable of charging electric vehicles within six months from the date of the decision.

Preliminary Matters

2. In the banner heading I have set out a truncated form of the description of development in the application form, omitting that which is unnecessary to accurately describe the scheme.
3. On 12 December 2024, a revised National Planning Policy Framework (the Framework) was published. Both main parties have been given an opportunity to provide comments on the revised Framework and the implications for this appeal. I will refer to the revised Framework where necessary below.
4. At the time of my site visit I saw that the development has commenced, and the appeal site is already occupied by the residential units. The appeal is therefore considered retrospectively.

Main Issues

5. The main issues are:
 - The effect of the development on the character and appearance of the site and surrounding area, including its landscape character; and
 - Whether the appeal site provides a suitable location for the development, with regard to the Council's spatial strategy.

Reasons

Character and appearance

6. The appeal site and wider caravan site comprises a relatively narrow strip of land that curves around the adjacent hillside, following the contours of the land. The existing caravan site to the northeast is occupied by 13 large log cabin style units, oriented with the narrowest elevation facing the internal access road. The wider site is bounded on all sides primarily by fields and vegetation. On the opposite side of Lightfoots Road is a contemporary housing development comprised of a mixture of detached and semi-detached two storey dwellings. The site sits midway up a valley, with the land rising immediately behind the site and falling towards the southeast.
7. The valley is predominantly characterised by sloping grassland interspersed with sporadic tree and shrub planting. A dense band of woodland runs along the side of the valley to the west. The area is heavily enclosed due to its topography, which shields the development from most long-distance views. Longer distance views from the southeast are seen in the context of other development on the urban fringes of the town and are partially obscured by intervening vegetation.
8. Notwithstanding this, the appeal site is clearly visible in closer views from within the valley itself, particularly from Lightfoot's Lane to the east, and the

public footpath to the west. As the footpath ascends through the adjacent woodland however, views of the site are appreciably screened by the dense tree cover. Moreover, the landscape in this area is not devoid of development, with several large industrial and commercial units to the east, and an existing caravan site located on higher ground to the south, both visible from the site and surrounding area. The residential development to the north is also visible within the setting of the site from certain vantage points, as are the existing log cabin units adjacent.

9. I recognise that the orientation, light colour finish, contemporary design and materials of the units contrasts with that of the existing log cabins. However, caravans and chalets of varying designs and colours are clearly visible across the valley and can be found in the immediate area. Moreover, the units are not significantly larger than the existing log cabins, and their orientation limits the depth of the site and responds more appropriately to the contours of the land.
10. The shallow depth of the site, the single storey height of the units and their position nestled into the valley side limits the impact on the surrounding landscape and, in the context described above, the development does not appear unduly obtrusive or incongruous.
11. Notably, the submitted Landscape and Visual Impact Appraisal¹ (LVIA) found that while the development directly affects a small, localised change on the surrounding landscape character area, this is contained by the surrounding landform, with no significant visual effects experienced by local residential properties nor users of the local footpath, bridleway, highway or rail networks.
12. The appeal scheme includes proposals for additional soft landscaping, illustrative details of which are contained within the LVIA. This would include planting of native hedge and hedgerow trees around the western and northern boundaries of the site, a block of native scrub along the southern boundary, enhanced site boundaries and wildflower meadow areas, along with retention of existing vegetation. I am satisfied that, subject to final details to be agreed by planning condition, this would serve as an enhancement to the landscape setting of the site and be sufficient to adequately mitigate any adverse visual impacts of the development.
13. The development therefore does not have a harmful effect on the character and appearance of the site and surrounding area, including its landscape character. It is in accordance with Policies DEC1 and ENV7 of the Scarborough Borough Local Plan July 2017 (the Local Plan). These policies, among other provisions, seek to protect and enhance the distinctiveness or special features that contribute to the landscape character of a particular area, and ensure that all development is of good design, including by reflecting and responding positively to the local environment and context, in terms of its scale, form, height, layout, materials, colouring, fenestration and architectural detailing.

Whether the appeal site provides a suitable location for the development

14. Policy HC1 of the Local Plan supports new opportunities for housing development within existing settlements and on allocated sites. It also indicates however that where there is no longer a demonstrable supply of sites to fully meet the 5-year supply of housing land, sustainable housing sites that

¹ Landscape and Visual Impact Appraisal For Luxury Leisure Parks LTD Ref: D360/V1/AG/December 2023

would both make a positive contribution to the housing land supply and would be well related to the development limits of settlements will be supported, provided proposals comprise sustainable development and are consistent with the Local Plan. Such proposals will not be required to comply with Local Plan Policy ENV6 but must be of a scale that respects the size of the settlement it relates to and its position within the settlement hierarchy.

15. The appeal site is not within an existing settlement and is not identified as an allocated housing site within the Local Plan. At the time of its decision, the Council could demonstrate a 5-year supply of housing, and therefore, no exception to Policy ENV6 was considered to apply. However, the Council has since confirmed that the current housing land supply is 3.3 years. This is a significant shortfall below the required 5-year supply.
16. The site is located adjacent to the development limits of Scarborough, a large town at the top of the settlement hierarchy set out in Local Plan Policy SH1. The scale of the development is modest relative to the size of Scarborough's urban area and its position in the settlement hierarchy. The site's proximity to the urban area provides relatively good access to local services, amenities and public transport. It provides 6 dwellings, adding to the supply of housing in this area. As set out above, its impact on the character and appearance of the area is acceptable, subject to the proposed soft landscaping.
17. The appeal scheme therefore represents sustainable development on a sustainable housing site that would make a positive contribution to the housing supply and would be well related to the development limits, consistent with the Local Plan.
18. The appeal site thus provides a suitable location for the development, with regard to the Council's spatial strategy. I have not identified any conflict with Policy HC1 of the Local Plan which, among other provisions, seeks to encourage new opportunities for housing development that accords with the Local Plan. Policy HC1 does not require compliance with Policy ENV6 in circumstances where there is no longer a demonstrable supply of sites to fully meet the 5-year land supply requirement. In respect of this main issue, I have therefore also not identified any conflict with Policy ENV6 which, among other provisions, seeks to protect the character of the open countryside.

Other Matters

19. The Council considers that the ecological value of the land prior to the development may have been low-moderate and accept that the ecological impact of the development is likely to have been limited. Based on the evidence, the proposed soft landscaping measures to be secured by planning condition would be sufficient to ensure the development provides a biodiversity enhancement, in line with Policy ENV5 of the Local Plan.

Conditions

20. The Council has suggested conditions should the appeal be successful. I have considered these and amended where necessary to accord with the Planning Practice Guidance and the tests for conditions set out in Paragraph 57 of the Framework.
21. In addition to the soft landscaping condition referred to above, it is necessary to specify the approved plans as this provides certainty.

22. A condition is also required to secure an electrical socket capable of charging electric vehicles, in accordance with Policy DEC2 of the Local Plan.

Conclusion

23. The appeal scheme adheres to the development plan as a whole and there are no other considerations that would outweigh this finding. Accordingly, for the reasons given, the appeal succeeds.

Ryan Cowley

INSPECTOR