



Appeal Decision

Hearing held on 13 January 2009

The Planning Inspectorate
4/11 Eagle Wing
Temple Quay House
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Temple Quay
Bristol BS1 6PN

by **Susan Heywood** BSc(Hons) MCD
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an Inspector appointed by the Secretary of State
for Communities and Local Government

Decision date:
23 January 2009

Appeal Ref: APP/W9500/A/08/2079439

Land adjoining Fox & Rabbit Public House, Nr Pickering, YO18 7NQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Andrew Harrison against the decision of North York Moors National Park.
- The application Ref NYM/2008/0314/FL, dated 21 April 2008, was refused by notice dated 17 June 2008.
- The development proposed is the siting of 8 timber clad holiday caravans (chalet) and 1 Warden's caravan (chalet).

Decision

1. I dismiss the appeal.

Reasons

2. The main issue in this appeal is the effect of the development on the character and appearance of this part of the National Park.
3. Planning Policy Statement 7: 'Sustainable Development in Rural Areas' confirms that National Parks have the highest status of protection in relation to landscape and scenic beauty. The North York Moors Local Development Framework Core Strategy Development Policy 16 allows for developments of small scale caravan, camping and chalet sites subject to a number of criteria. It was accepted by the parties at the hearing that the proposal would meet criteria 3 and 5 of that policy, relating to the impact on the road network and the permanency of the buildings. I shall therefore examine the proposal in relation to the remaining criteria.
4. The justification to the policy advises, at paragraph 8.29, that the provision of more than 6 units is rarely likely to be acceptable. The policy states that such developments will only be permitted where the site is located within an area of well established woodland or forest. It goes on to say that sites should be physically and functionally linked to an existing business and that the scale of the development, design of the structures and levels of activity should not adversely affect the special qualities of the National Park.
5. The proposed development would be for 9 units and would not be within an area of well established woodland, a fact acknowledged by the appellant. The appeal site comprises two fields separated by a substantial hedge. The caravans would be located on the easternmost field. This field is relatively flat and although it is surrounded by trees and hedges, there is little planting within the field itself.

6. The vegetation along the boundaries and that which separates the two fields is well established and, particularly in the summer months, would provide good screening for the caravans in views from the north, west and east. However, the belt of trees and shrubs on the southern edge of the field within which the caravans would be located is not as dense as that on the other boundaries. As such, clear views of the caravans would be gained from various points along the footpath which runs along that boundary.
7. I acknowledge that the site is close to the existing built development at the Fox and Rabbit Public House, the Fox and Rabbit Farm and adjoining farm buildings. I also note that the field to the south east is used for up to 5 touring caravans, although this use is seasonal. However, the boundary vegetation serves to visually separate the appeal site from the built development and touring caravan site to the south. Consequently, the appeal site is viewed as forming part of the open landscape to the north. I do not therefore consider that the site is physically linked to the development to the south. I note that when viewed from the A169, Dalby Forest forms the backdrop to the site. However, the site is some distance from the edge of the forest and to my mind is not seen as forming part of it.
8. I note that the sizes of the caravans can vary, but having regard to the measurements provided at the hearing by the appellant, I consider that the caravans would be large and dominant features. Because of their size and the number of units proposed, I consider that they would be visually intrusive, despite their timber cladding, when viewed from the footpath to the south. This visual impact would be exacerbated by the holiday paraphernalia such as outdoor seating, clothes drying facilities, bikes and so on which are often stored outside such caravans whilst in occupation. These aspects of the use would be visually incongruous in the surrounding landscape. Accordingly, I consider that the presence of caravans on the site all year as proposed would result in the extension of development into the open countryside and the loss of the open character of the easternmost field.
9. I acknowledge that additional landscaping would be provided to supplement the existing boundary vegetation. However, I consider that this would take some time to mature and become an effective screen along the southern boundary. In addition, in my opinion planting should be seen as being complementary to a well conceived and acceptable land use rather than being used to camouflage the harmful impact of unacceptable development.
10. I accept that the caravans would be privately owned, resulting in a lower occupancy rate than caravans used for fleet lettings. Nevertheless, the activity generated by the development, in terms of vehicle movements and the activities of the occupiers of the caravans, would harm the tranquil nature of the appeal site and surrounding landscape to the north.
11. The appellant claims that there would be a functional relationship between the proposed development and the Fox and Rabbit pub. Whilst I accept that occupiers of the caravans are likely to use the facilities at the pub, this would not necessarily always be the case. I consider this potential relationship would be somewhat tenuous and would not be sufficient to indicate that there would be a functional link between the proposed development and the existing business use to the south west.

12. For the above reasons, I conclude that the proposed development would fail to comply with criteria 1, 2 and 4 of Development Policy 16 of the Core Strategy. The proposal would harm the character and appearance of the National Park in this location and would be contrary to national advice on the protection of the landscape and scenic beauty in such areas.
13. I have had regard to the appeal decision (ref: APP/W9500/A/06/2018295) which granted planning permission for 8 holiday lodge homes elsewhere in the National Park. The Inspector in that case describes the development (at para. 8 of the decision) as involving "*the replacement of 20 motor homes/touring caravans and up to 15 tents with 8 chalets in a more confined area*". He concluded that the proposal before him would be an environmental improvement. He also considered that the site was "*well-screened and easily absorbed into the local environment*" and "*barely visible from public viewpoints*". I consider that the circumstances of that case are significantly different to those in the appeal before me.
14. I note that support is given for sustainable tourism development in Core Policy H of the Core Strategy and in the Government's '*Good Practice Guide on Planning for Tourism*'. However, the Good Practice Guide states that in considering proposals for caravan and chalet parks, the objective of providing adequate facilities and sites must be weighed against the need to protect landscapes and environmentally sensitive sites. In this case, I consider the harm caused to the character and appearance of the National Park to be of over-riding importance.
15. For the reasons given above I conclude that the appeal should be dismissed.

Susan Heywood

INSPECTOR

APPEARANCES

FOR THE APPELLANT:

T M Bond
A Harrison

Charles F Jones & Son for the Appellant
Appellant

FOR THE LOCAL PLANNING AUTHORITY:

P Sutor

Planning Consultant on behalf of National Park
Authority

DOCUMENTS

- 1 National Park Authority letter of notification of hearing and circulation list
- 2 Extract from Flintshire UDP Deposit Draft, submitted by Appellant
- 3 Breakdown of economic benefits, submitted by Appellant
- 4 Document containing Inspector's decisions / report, submitted by Appellant
- 5 Appeal decision, submitted by National Park Authority