

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING & DEVELOPMENT CONTROL COMMITTEE**

DATE: **14th MAY 2014**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **APPEAL BY MR. J. WOODCOCK AGAINST THE DECISION OF FLINTSHIRE COUNTY COUNCIL TO REFUSE PLANNING PERMISSION FOR THE CHANGE OF USE FROM AGRICULTURAL TO CARAVAN PARK WITH 27 SPACE INCLUDING THE CONVERSION OF SHED INTO CAMPSITE AND FISHING FACILITIES, CONVERSION OF BARN INTO SITE MANAGERS DWELLING, FORMATION OF AN ACCESS, CONSTRUCTION OF FISHING POOLS PARKING AND ANCIALLRY WORKS AT LAND OPPOSITE STAMFORD WAY FARM, STAMFORD WAY DISMISSED**

1.00 APPLICATION NUMBER

1.01 050839

2.00 APPLICANT

2.01 MR J WOODCOCK

3.00 SITE

3.01 LAND OPPOSITE STAMFORD WAY FARM, STAMFORD WAY, EWLOE, DEESIDE

4.00 APPLICATION VALID DATE

4.01 24TH MAY 2013

5.00 PURPOSE OF REPORT

5.01 To inform Members of the Inspectors decision in relation to an appeal into the refusal of planning permission for the 'Change of use from agricultural to caravan park with 27 spaces including the conversion of shed into campsite and fishing facilities, conversion of barn into site

managers dwelling, formation of an access, construction of fishing pools, parking and ancillary works. The application was refused by Planning and Development Control Committee on 9th October 2013 contrary to officer recommendation. The appeal was determined by way of written representation. The Appeal was DISMISSED.

6.00 REPORT

6.01 The Inspector stated that the application site was located in 'green barrier' as defined by the Flintshire Unitary Development Plan (UDP) and reiterated the restrictions for development in green barriers set out in Policy GEN4 of the UDP and in Planning Policy Wales Edition 6 (PPW).

6.02 He considered that the main issues were;

- Whether the proposal would be inappropriate development in the green barrier; and
- Whether there are other considerations which clearly outweigh the harm to the green barrier, thereby justifying it on the basis of very exceptional circumstances.

6.03 Green barrier

The Inspector considered whichever category of development the proposed use would fall as listed in policy GEN4 the main considerations are whether it would maintain openness of the green barrier and would not conflict with the purpose of including land within it. In the case of GEN4, the development should not contribute to the coalescence of settlements, and unacceptably harm the open character and appearance of the green barrier.

6.04 The Inspector notes that openness is an important attribute of green barriers and in this case the sloping field of the appeal site has an expansive an open character. Apart from two retained outbuildings the remainder of the field is free from built development. The proposal would involve a significant engineering operation to form two large ponds, the creation of hard-standings for caravan pitches and a considerable area would be taken for the formation of access roads and parking pools. The activity associated with the use for fishing purposes would be year round, the café would be open throughout this period, and the caravan use would be active for some 8 months of the year. None of these uses could be regarded as maintaining openness or not unacceptably harming the open character. The change to the open character would be irreversible and permanent in terms of the coverage of the site and the associated activity would significantly diminish openness of the current site.

6.05 The Inspector refers to the fact that the Appellant contends that a rural location is essential for the use, but the Inspector considered that it is no more essential than any other location within or located outside the green barrier. The use does not have an essential requirement to be

located on the appeal site. He therefore concluded that the primary functions of the use are regarded as inappropriate development in the green barrier in conflict with PPW and GEN4. Whilst green barriers can provide opportunities for access to the open countryside and provide opportunities for outdoor sport and recreation, these functions are dependent upon the test of inappropriateness and impact on openness. In his view, the proposal as a whole would not accord with one of the purposes of a green barrier which is to safeguard the countryside from encroachment. Given the conclusions on the use, the other components of the facility would be an ancillary function of that use, the manager's dwelling and the café/reception building. However, the extent of the coverage of proposed extensions to these buildings would on their individual impact fail to maintain openness and would also be regarded as inappropriate development in the green barrier.

6.06 Other considerations

The Inspector acknowledges that inappropriate development should not be granted planning permission except in very exceptional circumstances where other considerations clearly outweigh the harm which such development would do to the Green Belt or green wedge. Green Belt and green wedge policies in development plans should ensure that any applications for inappropriate development would not be in accordance with the plan.

6.07 The Inspector refers to the fact that the Appellant has not provided a detailed case that other considerations would clearly outweigh the harm to the green barrier by inappropriate development, other than indicating that tourism and sport and leisure enterprises are appropriate alternative uses and the assertion that the business case provides a firm basis to grant permission for a rural based enterprise bringing economic benefits and employment, designed to meet a tourism need and bring about biodiversity enhancement and additional landscaping. While the Inspector recognises that PPW and aligned technical advice notes encourage a diverse rural economy, seek to meet the needs/demands of tourism/sport and recreation, encourage biodiversity and landscaping, but only in respect that these objectives are consistent with the UDP and PPW in relation to green barrier policies.

7.00 CONCLUSION

7.01 In the Inspectors view, the balance of the argument which is purported to be in favour of the proposal does not clearly outweigh the harm to the green barrier. The arguments put forward on need, tourism and economic benefits, biodiversity and the benefits of additional landscaping would not add weight in favour of the proposal and would not diminish the substantial weight against the development by reason of inappropriateness. He therefore considered individually and cumulatively these other considerations and these do not clearly

outweigh the harm by reason of inappropriateness. He therefore concludes that the proposal is unacceptable having regard to the strict control over development in the green barrier contained in national and local policies. For the reasons given above, and having regard to all other representations submitted, the Inspector concluded that the appeal should be DISMISSED.

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