

## Appeal Decision

Site visit made on 29 June 2016

**by John Dowsett MA DipURP DipUD MRTPI**

**an Inspector appointed by the Secretary of State for Communities and Local Government**

**Decision date: 03 August 2016**

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**Appeal Ref: APP/Y2736/W/16/3147098**

**Bulmer Farm Lodges, Riggs Road, Ryton, Malton YO17 6SA**

- 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 & Mrs J & B Cuthbertson against the decision of Ryedale District Council.
  - The application Ref: 15/01385/FUL, dated 26 November 2015 was refused by notice dated 22 February 2016.
  - The development proposed is change of use of the farm lodge from 32 lodges for holiday use and manager's accommodation to 16 pitches for residential use and 16 pitches for holiday use and manager's accommodation.
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### Decision

1. The appeal is dismissed.

### Main Issues

2. The main issues in this appeal are:
  - Whether the site is a suitable location for housing having regard to the development plan and the principles of sustainable development; and
  - The effect of the development on highway safety

### Reasons

#### *Suitability of the site for housing*

3. The appeal site presently has planning permission for 32 holiday lodges although this permission had not been fully implemented at the time of my site visit. Not all of the internal access roads and hard standings for the lodges had been completed, and there were only 10 lodges present on the site. The planning permission for the site allows the lodges to be occupied all year, although not as permanent residences.
  4. The site is located in the countryside, outside any identified settlement. Policy SP1 of the Ryedale Plan – Local Plan Strategy 2013 (RLP) establishes a settlement hierarchy for the area which seeks to focus new development in the Principal Towns and Local Service Centres. Elsewhere the Policy is permissive of development which is necessary to support a sustainable, vibrant and healthy rural economy and communities. The Development Plan recognises that there are economic benefits that arise from tourism which justified the development of the site as holiday accommodation in a location where general occupancy residential development would not normally be permitted.
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5. Paragraphs 7 and 8 of the National Planning Policy Framework (the Framework) set out the three dimensions to sustainable development; economic, social and environmental, and state that these are mutually dependent.
6. The appellants suggest that the proposed development would contribute to the longevity of the current leisure use, providing an economic benefit. However, this is not elaborated on and it is difficult to see how a reduction in the number of holiday lodges would be beneficial to the business. The development would not create any new, or additional, construction related jobs over and above those that would be created by implementing the original planning permission. Whilst there would be some additional spending in the local economy, as a result of permanent residents buying goods or services not required by those using the lodges as holiday homes, this would only be a slight uplift and would represent no more than a limited economic benefit.
7. In terms of the social aspect of sustainable development, supporting strong vibrant and healthy communities and the need to provide a supply of housing to meet current and future needs, the Council have more than 5 years housing land supply. The level of housing land supply is not disputed by the appellants. The appellants suggest that the proposal would provide smaller scale, two bedroom, housing, but no evidence has been submitted to support the contention that there is a local need for housing of this type. As the housing land requirement is already met, the proposal does not provide a benefit in this respect. Due to its location outwith any settlement, the proposal would make, at best, only a very limited contribution to any local community.
8. The site is located approximately 5.7 kilometres from the centre of Malton where a range of shops and services are located. Whilst there are no public transport links near the site, Malton would be accessible by cycle mainly using lightly trafficked roads. These roads are narrow and unlit, and combined with the distance involved, this may deter cyclists, particularly during the winter months. Consequently, the proposal would not, in my opinion, promote sustainable modes of travel or reduce the likely need for vehicular transport, in particular the private car.
9. The proposal does not satisfy the social or environmental dimensions of sustainable development and, as the three dimensions are mutually dependent, it would not represent sustainable development as set out in the Framework.
10. RLP Policy SP2 sets out how new housing is to be delivered in the area, and is permissive of the change of use of tourist accommodation to residential use. However, this specifically excludes caravans, cabins and chalets and the proposal does not meet any of the other criteria in the policy.
11. I conclude that the proposed development would be a not be a suitable location for housing having regard to the principles of sustainable development. The scheme would not meet the requirements of RLP Policies SP1 and SP2, which seek to direct new residential development to sustainable locations and manage the delivery and distribution of new housing.

*Highway safety*

12. The highway network in the vicinity of the appeal site comprises of narrow, single track roads with passing places. The access to the site is also a single

track road, approximately 600 metres long, with only one formalised passing place.

13. Neither party has submitted any detailed technical evidence in respect of trip generation from the site. The Council suggests that a holiday lodge would generate 2 to 3 daily vehicle movements and a residential use 6 to 9 daily movements, although it is not explained how these figures are arrived at. The appellants suggest that the current planning permission is not restricted in terms of vehicle movements and that the occupancy of the lodges for residential use would not generate any more or less trips than holiday occupancy.
14. The network of minor roads in the area is very lightly trafficked and the alignment and geometry of the roads results in low average speeds. Even taking into account the higher number of vehicle movements estimated by the Council, whilst the development would potentially result in a slightly greater number of vehicle conflicts, I do not consider that, given the generally low numbers of vehicles using the road network in the area and the low average speeds, this increase would be so severe as to warrant refusing planning permission on this ground.
15. I therefore conclude that the proposed development would not cause harm to the safe operation of the highway network in the vicinity of the appeal site and complies with the relevant requirements of RLP Policy SP20 which seeks to ensure that new development does not have a detrimental impact on highway safety and traffic movement.

### **Other matters**

16. I note the point that the appellants make regarding the lack of visual impact resulting from the proposal. The existing planning permission allowed for development of the same form on the site, and I am satisfied that the proposed development would not materially change this situation. I also note that the Council have not raised any concerns in this respect. However, this does not alter my findings on the main issues.

### **Conclusion**

17. I have found that the proposed development would not cause harm to the safe operation of the highway network in the vicinity of the appeal site. Nonetheless, this does not outweigh the unsuitability of the site for permanent residential development which is, of itself, sufficient reason to refuse planning permission.
18. For the above reasons, taking into account all other matters raised, I conclude that the appeal should be dismissed.

*John Dowsett*

INSPECTOR