

# EDWARDSON ASSOCIATES

*Planning & Diversification Consultants*

Development Management Officer  
City of York Council  
West Offices  
Station Rise  
York  
YO1 6GA

Our Ref: MAS.W 2020.02

04 November 2021

Dear Development Management

## PLANNING AND DESIGN AND ACCESS STATEMENT

**Proposal:** Construction of entrance pillars, walls and gate (Retrospective), at York Lakeside Lodges, 26 Moor Lane, York, YO24 2QU

### 1.0 Introduction

- 1.1 Please regard this letter as comprising a supporting Planning and Design and Access Statement in connection with the above full planning proposals. This is a retrospective application and the application follows on from a live enforcement investigation.
- 1.2 The entrance walls have been constructed to form a new gateway feature to York Lakeside Lodges, a holiday park with fishing lake.
- 1.3 The entrance walls and gate have been erected without consent and are the subject of a live enforcement investigation. It is understood that consent is required on the basis of their height; specifically those parts which exceed 2.0 metres in height.

### 2.0 Application Particulars

- 2.1 This application is supported by the following plans and particulars: -
  - Drawing 001 – Location Plan, Site Plan, Floor Plan and Elevations as Existing / as Proposed
  - Planning and Design and Access Statement (this document).

### 3.0 Site Location and Description

- 3.1 York Lakeside Lodges is located in the city of York. It is surrounded by built development of the city – houses, estates, roads and railways etc.

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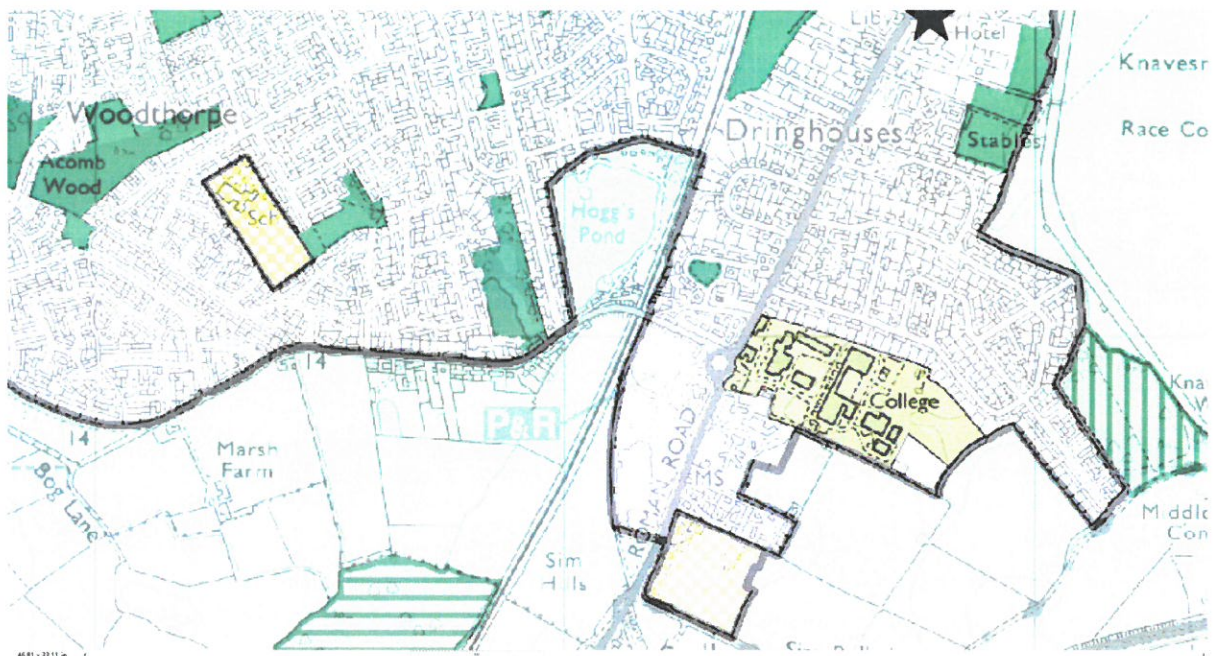
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- 3.2 The site is located in Green Belt, according to the Council's Policies Map. The status of the policies map, the extent of the Green Belt and indeed the Local Plan are somewhat unclear. The site is also located outside of the defined development limits of the city according to the policies map. The area within and around the application site are, however developed. There is a road providing vehicular access to the park, either side of which houses are located.





#### 4.0 The proposals

- 4.1 This is a retrospective application. The new entrance wall, with pillars and gate have already been constructed. Please refer to Drawing 001 and the photograph below for details of the height, detailed design and appearance and materials of the existing wall and gate.



- 4.2 The walls are of blockwork and red brick construction. At their highest point the brick columns are 2.55m high. The main body of the wall is 1.75m high, interspersed with 2.05m high columns. The gate is of close boarded timber construction set on a metal frame with decorative metal railings on top. The gate opens by way of a sliding mechanism.

#### 5.0 Relevant Planning Policies

##### National Planning Policy Framework

- 5.1 The updated Framework was published in 2019 and is a material planning consideration.
- 5.2 The relevant sections of the NPPF are:
- Section 2 Achieving Sustainable Development
  - Section 4 Decision-Making
  - Section 6 Building a Strong, Competitive Economy
  - Section 12 Achieving Well Designed Places
  - Section 13 Protecting Green Belt Land

- 5.3 Section 6 of the NPPF offers particular support to business investment, expansion and adaptation and states that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future.
- 5.4 Section 13 of the NPPF sets out that the Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

City of York Draft Local Plan Incorporating the 4<sup>th</sup> Set of Changes (April 2005)

- 5.5 The following are considered to be the policies of most relevance to this application: -

Chapter 1 – Local Plan Strategy

- SP2 The York Green Belt
- SP6 Location Strategy

Chapter 2 – General Policies

- GP1 Design
- GB1 Development in the Green Belt
- L1a Leisure Development
- V1 Visitor Related Development

**6.0 Key issues**

- 6.1 The key policy issues and material planning considerations of relevance to this application are:

- Green Belt
- Design
- Residential Amenity

**7.0 Green Belt**

- 7.1 The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

- 7.2 Paragraph 145 of the NPPF sets out a list of exceptions to inappropriate development in Green Belt. This includes (b) 'the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation . . . ; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it'.
- 7.3 The site has a large lake which is stocked with fish and is used for fishing. Fishing is a form of outdoor sport and recreation. The proposed gateway / wall feature is a facility in connection with this existing use. It will improve security to ensure that the fish are protected as a business investment for the benefit of customers. The new wall and gate also provide an attractive new gateway feature for customers, providing a more professional and welcoming entrance.
- 7.4 Gates and walls which are positioned more than 2.0 metres from a public highway and are no more than 2.0 metres in height would be classed as permitted development and would not require planning permission. It is only because certain parts of the development exceed 2.0 metres in height that consent is required. Taking account of this fact, it is considered that the proposals are not inappropriate development and would preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. The proposals would not result in unrestricted sprawl of large built up areas, would not lead to the merging of towns, would not lead to harmful encroachment in the countryside, would preserve the setting and special character of the historic city, and would have no impact on urban regeneration objectives.

## **8.0 Design**

- 8.1 The proposed wall and gate feature accords with Policy GP1 (Design), by virtue of respecting the local environment. The red brick and pillars are in keeping in particular with the adjacent houses, buildings and walls and are thus reflective of the character and appearance of the area. It is only because the gate pillars and parts of the gate exceed 2.0 metres in height that planning permission is required. The majority of the wall is less than 2.0 metres in height and is thus permitted development and thus a size, scale and design which would under normal circumstances be acceptable to the extent that planning permission would not be required.

## **9.0 Residential Amenity**

- 9.1 There are some residential properties located either side of the access – specifically 24 and 26 Moor Lane. The walls are set back from number 28 Moor Lane beyond the detached garage to this property. There will be no overbearing or oppressive impact on this property. The other wall is located on the north western boundary of number 24 Moor Road. Our client has recently purchased York Lakeside Lodges and in discussion with this neighbour it is understood that the occupants of 24 Moor Lane welcome the addition of this new wall and gate which improves privacy and security to their own property, particularly their rear garden. They have noticed that people have previously sought to regularly access the site on foot, climbing over the former boundary fence and gate which did not act as a deterrent to access. The construction of the taller wall will prevent this unauthorised access to the site and improve privacy, security and amenity for the occupants of number 24.



## **10.0 Conclusion**

- 10.1 Much of the erected wall (certainly those parts which are no higher than 2.0 metres) are permitted development. It is only the taller pillars and railings on the gate that arguably require permission. The development comprises an attractive feature set back and not highly visible in the street scene. The materials and character are reflective of the local street scene. The proposals are not inappropriate development and would preserve the openness of the Green Belt and do not conflict with the purposes of including land within it. Furthermore, residential amenity would be safeguarded.
- 10.2 It is hoped that officers will support this proposal. Please do not hesitate to get in touch should you require any additional information or clarification on any matters.

Yours sincerely

***Edwardson Associates Ltd.***