

APPLICATION NO PA/2016/1568

APPLICANT Chris Barrett, Brookside Caravan and Camping Site

DEVELOPMENT Application to vary condition 8 of planning permission PA/2007/1341 dated 05/12/2007 to allow the siting of 22 static caravans

LOCATION Brookside Caravan Park, Stather Road, Burton upon Stather, DN15 9DH

PARISH Burton upon Stather

WARD Burton upon Stather and Winterton

CASE OFFICER Andrew Law

SUMMARY RECOMMENDATION **Grant permission subject to conditions**

REASONS FOR REFERENCE TO COMMITTEE Significant public interest

POLICIES

National Planning Policy Framework: Paragraph 28 states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. It goes on to state that local and neighbourhood plans should *“support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations...”*

North Lincolnshire Local Plan:

Policy RD2 (Development in the Open Countryside)

Policy R11 (Camping and Caravan Sites)

Policy DS1 (General Requirements)

North Lincolnshire Core Strategy:

Policy CS1 (Spatial Strategy for North Lincolnshire)

Policy CS2 (Delivering More Sustainable Development)

Policy CS3 (Development Limits)

Policy CS15 (Culture and Tourism)

CONSULTATIONS

Highways: No objection or comments.

Environment Team (Ecology): The proposal is not likely to have a significant effect, alone or in combination with other plans or projects, on the Humber Estuary Special Protection Area and Ramsar site or the Humber Estuary Special Conservation Area.

Environment Agency: No objection or comments.

Natural England: No objection or comments.

Humberside Fire and Rescue: No objection.

PARISH COUNCIL

No objection.

PUBLICITY

Neighbouring properties have been notified by letter and a site notice posted. Nine letters of objection have been received, all bar one of these is a variant of two pro-forma letters. These letters cite the following concerns:

- The proposal will result in an influx of traffic on Stather Road, which is essentially a cul-de-sac. This poses a danger to schoolchildren on their way to and from school and the village shop.
- This will increase noise and disturbance to neighbouring properties.
- There is no demand for static caravans in this location as there are no amenities to warrant its expansion.
- The application states that there will be no touring caravans but local residents believe that these will be sited on the adjacent field forming part of the caravan park which is not subject to restrictive conditions.
- The development will put more pressure on the sewerage system which is operating at full capacity.
- Some of the people using the site have been there for more than four months even though condition 5 of PA/2007/1341 states that they shall not be occupied for more than 28 days consecutively.
- Condition 6 of the original permission also states that no caravan shall be occupied between 1 December and 31 January; however local residents feel that the site will be occupied 365 days of the year.
- The new owners of the site have dug out approximately 1 acre of land to the rear of the site where there are badger sets and wildlife.

ASSESSMENT

This application seeks planning permission to vary condition 8 of PA/2007/1341. This planning permission consented the change of use of land to form an extension to the existing Brookside Caravan Park off Stather Road in Burton upon Stather. Condition 8 stated that *“At no time shall the total number of caravan pitches exceed 35 on the application site nor the number of statics exceed 15 at any one time.”* The applicant seeks planning permission to vary this condition to read *“At no time shall the total number of caravan pitches exceed 22 static caravans”*. This variation would see the total number of pitches allowed on the site reduce by 13 (from 35 to 22) but the number of static caravans allowed on site increase by 7 (from 15 to 22). The reason given for the imposition of condition 8 was *“The site is for holiday lettings only and is inappropriate for permanent residential development, being within the open countryside...”*

The main issues to consider in the determination of this planning application are whether the proposed variation of condition would result in permanent residential development, whether it would impact on the character of the area, residential amenity or highway safety.

Permanent occupation

As previously mentioned, the reason for the imposition of condition 8 and the restriction on the number of static caravans on site stated on the decision notice for PA/2007/1341 was to prevent permanent residential development from taking place due to the site's countryside location. However, condition 5 of the permission states that *“The use of the site shall be for short-term holiday lets only and no touring or static caravan shall be occupied on the application site for more than 28 consecutive days in any 12 month period.”* Furthermore, condition 6 states that *“there shall be no occupation of any caravan (either touring or static) on the application site between 1 December and 31 January”*. These conditions, which will remain in force should consent be granted for the proposed variation, effectively prevent the site from being used for permanent residential occupation and as such there is no need for a further condition to control this. Furthermore, condition 8 currently allows 15 static caravans to be sited on site, there is no reason to suggest why 15 statics could be considered acceptable without giving rise to permanent residential occupation but any more than 15 would result in permanent occupation taking place. For these reasons the restriction on the number of static caravans to 15 as set out in condition 8 is unnecessary; permanent residential occupation of the site is prevented via conditions 5 and 6. Therefore the proposed variation of condition is considered to be acceptable in principle.

Character

Whilst the reason for condition 8 originally being imposed did not relate to the protection of landscape or the character of the area this is something that could be affected by the introduction of additional static caravans onto the site. However, it should be noted that the parcel of land which is the subject of this application was an extension to the existing caravan park and is located to the rear of existing development. Furthermore, the proposed variation of condition will actually see a significant reduction in the total number of caravans that can be sited on the land at any one time by 13 units. Given the fact that the site forms part of a larger caravan site and that the total number of consented caravan pitches will be reduced, it is considered that the proposed development will not have an unacceptable impact on the character or appearance of the area.

Amenity

Neighbours have raised concerns that the variation of this condition would result in a greater impact on their residential amenity as a result of noise and disturbance. However, given the fact that the site is currently consented as a caravan park and that the proposed variation will see a reduction in the number of consented caravan pitches, it is difficult to see why it would result in any increased impact on neighbours. Indeed, as the total number of pitches is to be reduced, it would be reasonable to expect that the level of noise and disturbance from the site would be reduced, at least during peak months.

Highway safety

Concerns have been raised that the variation of condition 8 would result in additional vehicle movements along Stather Road to the detriment of highway safety. Whilst it may cause some initial impact when the static caravans are brought onto the site, there is nothing to suggest that static caravans will generate more traffic movements than tourers. Indeed there is likely to be fewer comings and goings of caravans as statics are generally left on site once in situ. Furthermore, the reduction in the total number of pitches on site could reasonably be expected to result in a reduction in vehicle movements in the area. Further to the above, it should be noted that the council's Highways department has been consulted on the application and has raised no concerns or objection to the proposed variation of condition. On this basis it is considered that the proposal will have no unacceptable impact on highway safety.

Drainage

Concerns have been raised by a neighbour that an increase in static caravans on the site would put additional burden on the foul drainage system in the area which is operating at capacity. No responses have been received from drainage bodies; however, the addition of seven static caravans to be used for holiday purposes only is unlikely to have a significant impact on the local drainage system. Furthermore, no evidence has been provided to suggest that the site currently causes drainage problems in the area.

Conclusion

It is considered that the proposed development will not have any unacceptable impact on the character of the area, residential amenity or highway safety. Nor will the variation of condition allow for permanent residential occupation of the site. Therefore the proposed development is acceptable and this application should be supported.

RECOMMENDATION Grant permission subject to the following conditions:

1.

The use of the site shall be for short-term holiday lets only and no caravan shall be occupied on the application site for more than 28 consecutive days in any 12 month period.

Reason

The site is for holiday lettings only and is inappropriate for permanent residential development, being within the open countryside.

2.

There shall be no occupation of any caravan on the application site between 1 December and 31 January.

Reason

The site is for holiday lettings only and is inappropriate for permanent residential development, being within the open countryside.

3.

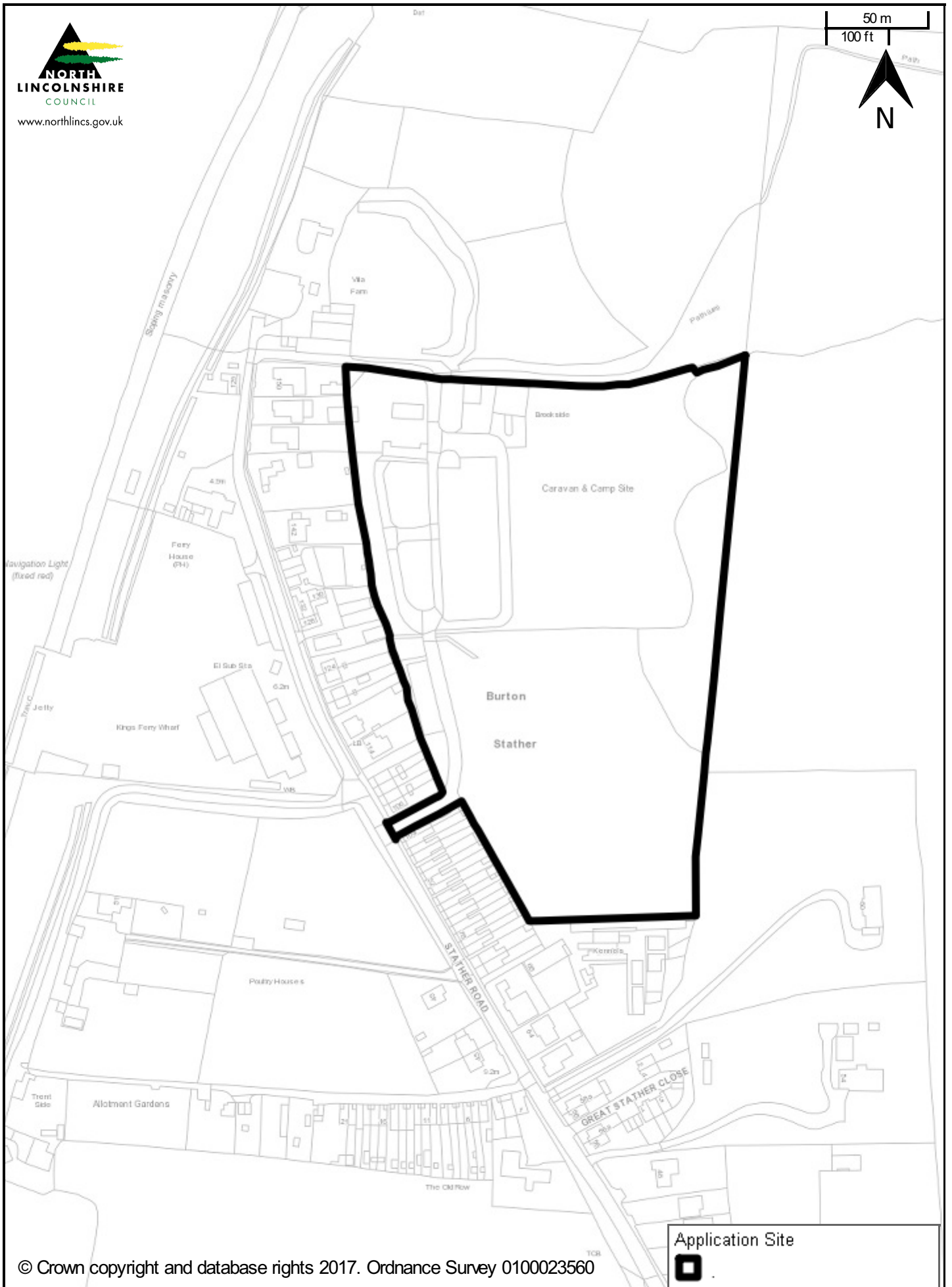
At no time shall the total number of caravan pitches on the site exceed 22 static caravan pitches.

Reason

To define the terms of the permission and to protect the character and amenity of the area in accordance with policies DS1 and RD2 of the North Lincolnshire Local Plan.

Informative

In determining this application, the council, as local planning authority, has taken account of the guidance in paragraphs 186 and 187 of the National Planning Policy Framework in order to seek to secure sustainable development that improves the economic, social and environmental conditions of the area.



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