

Allerdale Borough Council

Planning Application

Development Panel Report

Reference Number: FUL/2022/0033

Valid Date: 05/05/2022

Location: Rowanbank Caravan Park, Beckfoot,
CA7 4LA

Applicant: Mr Steel

Proposal: Stationing of Two Caravans

RECOMMENDATION

1. Summary

<u>Issue</u>	<u>Conclusion</u>
Principle of Development	The proposed static caravans would be provided as an extension to an existing site, this is permissible under Policy S17 of the Allerdale Local Plan Part One. The proposals are therefore considered to be acceptable in principle.
Sustainability	The site is an existing tourist site and can be accessed by the adjacent Hadrian's Cycleway. It is considered that the addition of 2 caravan units would not have a demonstrable impact on sustainability.
Landscape Impact	The siting of two additional caravans adjacent to the existing site and maintaining a recessed visual when viewed from the adjacent public highway is considered to be acceptable.

Impact on Amenity	The application seeks consent for 2 additional units on a larger existing caravan site. Concerns were raised over 4 units, which were much closer to existing residential properties and the plans were amended as a result. It is considered that the proposal would not cause any demonstrable harm through loss of amenity by the siting of the additional 2 units.
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2. Introduction

2.1 The application is brought before Development Panel due to a call in by Councillor Tony Markley due to the proximity of caravans to neighbouring properties.

3. Proposal

3.1 The proposal is to provide an additional 2 static caravans for holiday use within the grounds of the existing Rowanbank caravan park. There are no alterations to access or existing boundaries.

3.2. The proposals have been reduced from the original proposal for 4 caravans to 2 caravans due to concerns over impacts on neighbouring properties and the landscape.

3.3 The plans for consideration are:

- Location Plan Drawing number 01
- Amended Proposed Site Plan Drawing number 03 Rev B
- Proposed Plans and Elevations Drawing 04

4. The Site

4.1. The land forms a gassed area to the entrance to Rowanbank. There are a number of dwellings that surround the site, which are unrelated to the caravan tourism use. These include Garth Cottage, which lies on lower ground to the north-west of the site and Rownbank, which lies to the south of the site and takes its access from the same road that serves Rowanbank.

4.2. The site is directly accessed from the B5300 to the west of the site. An existing area of landscaping is in place at the entrance and is unaffected by the development.

4.3. There are hedgerow boundaries in place which will remain unaffected by the development.

4.4 The existing caravan site lies immediately to the east. Three static caravans are positioned perpendicular to the proposed new units.

5. Relevant Planning History

5.1 The following applications are considered to be of relevance to decision taking:

2/81/0214 - Static Caravan Park

2/2005/0052 - Variation of Condition 2 of planning approval 2/81/0214 to extend the session of use of the existing caravan park - approved with conditions

6. Representations

Holme St Cuthbert Parish Council

6.1 Commented that there was no objection then followed up with the comment that the Parish have received complaints regarding encroachment to boundaries and privacy issues. However, did not object. Following reduction in numbers suggested a site visit

Highway Authority

6.2 No response required as below 5 units

Natural England

6.3 No objection, unless any further changes materially affect advice previously offered no requirement for re consultation. Following reduction in numbers requested further information in relation to natterjack toads. Final comments awaited.

Archaeologist

6.4 No objection subject to condition

Historic England

6.5 No comment

6.6 The application was advertised on site and by neighbour notification letter. The following comments have been received from neighbours prior to the receipt of the amended plans reducing the number of 2 units:

- Noise in terms of vehicle maneuvering
- 4 caravans will have an impact on the view from the road side
- 3 caravans on the raised area will have an impact on privacy levels
- Development will surround bungalow on 2 sides
- There could be an issue with late night arrivals
- Should be retained set back

6.7 Following the reduction in units by 2:

- Will still have 2 caravans on raised piece of land
- Will still have loss of privacy

- Will increase noise on the site
- No barrier between site and main road which considered safety issue
- Concern over coastal erosion
- Area for caravans was to be buffer to site
- Entrance to site is restricted

6.8 Issues raised but not considered to be material to planning decision:

- Will need to have amended site license (covered by Environmental Health legislation and licensing)
- The site is not full all the time so no need for other pitches
- People sometimes knock on door assuming part of caravan park
- Will require relocation of existing electricity meter belonging to someone else (civil matter)

7. Environmental Impact Assessment

7.1 With reference to the Town and Country Planning (Environmental Impact Assessment Regulations 2017, the development falls within neither Schedule 1 nor Schedule 2. As such it is not EIA development.

8. Duties

8.1 Does the site affect the setting of a listed building?

No

8.2 Is the site within a designated conservation area?

No

8.3 Is the Development likely to have a significant effect upon a Natura 2000 designation?

No

9.0 Development Plan Policies

9.1 Allerdale Local Plan (Part 1)

Policy S1	Presumption in favour of sustainable development
Policy S2	Sustainable development principles
Policy S4	Design principles
Policy S5	Development Principles
Policy S17	Tourism, coastal and countryside recreation
Policy S28	Hadrian's Wall World Heritage Site
Policy S32	Safeguarding amenity
Policy S33	Landscape
Policy S35	Protecting and enhancing biodiversity and geodiversity
Policy DM14	Standards of Good Design

9.2 Allerdale Local Plan (Part 2)

Policy SA32 Tourism, coastal and countryside recreation

10. Other material considerations

National Planning Policy Framework (NPPF) (2019)

Allerdale Borough Council Plan 2020-2030

Environmental Bill 2021

11. Policy weighting

- 11.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that, if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise. This means that the Allerdale Local Plan (Part 1) 2014 and the Allerdale Borough Local Plan (Part 2) 2020 policies have primacy.

12. Assessment

Principle

- 12.1 Policy S17 of the Local Plan Part One supports Policy SA32 of the Local Plan (Part 2) which advises that proposal for new, improved and replacement tourism attractions and facilities will be supported within or on the periphery of Principal, Key and Local Service Centers subject to compliance with Policy S3. In the countryside, it advises that any new tourism development should be of an appropriate design and scale in keeping with the rural character of the area. Development should not result in significant adverse effects on the coastal or countryside landscape, wildlife or habitats.
- 12.2 The proposal seeks to enhance the current tourism offer at Rowanbank with an additional 2 static units. This has been reduced from the original proposal which requested 4 units, amend plans have been secured which remove one unit from the existing green space and one unit from the road frontage of the development which is currently undeveloped. Consideration has been given to these amended plans.
- 12.3 As an extension to an existing site with formal planning consent, the principle of development is considered to be acceptable.

Residential Amenity

- 12.4 Policy S32 of the Local Plan Part 1 seeks to ensure new developments do not have an unacceptable impact on the residential amenity of existing properties.
- 12.5 Officers had concerns over the initial plans of 4 units, which included 3 units being located on the area of open space immediate adjacent to the existing

caravan site and a further unit being placed adjacent to the existing entrance. As a result, amended plans have been received reducing the number to 2 units. This has been achieved by removing the caravan from the existing open space area adjacent to the junction and increasing the distance between the existing dwelling at Garth Cottage to ensure a separation distance of 21m.

- 12.6 The existing caravan park has a range of static caravans, touring pitches, motorhome pitches and tents. The application would see an increase in static units of 2 in relation to the existing static units on site. It is considered that this level of increase would not cause a noticeable difference to the numbers of users of the Park. In this regard, the impact on residential amenity is considered to be acceptable.
- 12.7 Comments have been received in relation to impacts on privacy. Officers shared these concerns when the application was first lodged. These are considered to now be acceptable following the receipt of the amended plans. The Council's separation distances in relation to overlooking are now met. There are a range of hedgerows which are unaffected by the application and provide separation to Garth Cottage in particular. It is considered that this planting is key to the success of the proposed development and therefore a condition is appended which required details of a further planting scheme and protection measures for the planting which is in place.
- 12.8 Comments have been made in relation to an existing electricity meter owned by one of the existing dwellings on the land. This would be a civil matter.
- 12.9 Overall it is considered the addition of 2 units to the overall level of accommodation on the site will not be materially different, amendments have been sought to ensure that separation distances are met and that existing landscaping which provides privacy will be retained.

Landscape and character

- 12.10 Policies S33 and S4 of the Local Plan Part 1 are particularly relevant. The caravans will protrude forward of the existing site however, the amend plans related the better to the existing development and preserve the open nature of the existing site frontage.
- 12.11 The scale of the site is considered acceptable as is the scale and materials of the proposed units. The site is bound by established hedgerow which is to be retained.
- 12.12 The site is within the setting of Hadrian's Wall World Heritage site. However, the two additional caravans would be viewed within the context of the existing caravan park and dwellings. An archaeological watching brief condition is proposed to ensure that any potential archaeological remains within the World Heritage Site are not lost.
- 12.13 The proposed units are set back from the public highway between the existing caravan site and dwellings and the two additional caravans would be viewed in

the context of the existing development in addition the existing natural landscaping, would be retained.

Highway safety

- 12.14 Policies S2 and S22 of the Allerdale Local Plan Part 1 are relevant. The site is an established caravan site. Concerns have been raised by neighbours over highway safety.
- 12.15 The access would utilise the existing access from the adjacent B5300. The NPPF notes that 'Development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residential cumulative impacts on the road network would be severe'. It is not considered that 2 units would have a demonstrable impact on the existing access.
- 12.16 The proposal will not have significant impact on highway safety or the road network and therefore is in accordance with Policy S22 of the Allerdale Local Plan Part 1.
- 12.17 Comments have been received in relation to the consideration that the park should be gated. This is not a planning matter but one of site licensing.

Ecology

- 12.18 Natural England originally raised no objection to the proposal. The land is highly maintained as grass. They have subsequently requested a walkover and their response to additional information is outstanding. Therefore members are advised that the recommendation is for approval subject to no objection from Natural England and any conditions required by Natural England.

13. Balance and conclusions

- 13.1 The proposal has been considered against the provisions of the development plan. It is considered that the proposal as amended now meets the requirements to protect residential amenity with the removal of 2 units to result in 2 additional units being delivered overall. The existing tourism accommodation use is considered acceptable and afforded significant weight. The setting of the world heritage site is considered to be preserved. With the addition of conditions relating to landscaping, archaeology and holiday use it is considered that the proposal is acceptable.

14. Local Financial Considerations

- 14.1 Having regard to S70 (2) of the Town and Country Planning Act there are not considered to be any finance considerations relevant to the consideration of the application.

15. RECOMMENDATION

Grant permission subject to conditions and no objection from Natural England

Annex 1

CONDITIONS

Time Limit:

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**
Reason: In order to comply with Section 91 of the Town and Country Planning Act 1990.

In Accordance:

- 2. The development hereby permitted shall be carried out solely in accordance with the following plans:**
 - **Location Plan Drawing number 01**
 - **Amended Proposed Site Plan Drawing number 03 Rev B**
 - **Proposed Plans and Elevations Drawing 04**Reason: In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.

Pre-commencement conditions:

- 3. Prior to the commencement of development, a written scheme of archaeological investigation must be submitted by the applicant and approved by the Local Planning Authority. Once approved, the scheme shall be implemented in full with an archaeological watching brief being undertaken by a qualified archaeologist. Within two months of the completion of the development, a digital copy of the archaeological report shall be furnished to the Local Planning Authority.**
Reasons: To afford reasonable opportunity for an examination to be made to determine the existence of any remains of archaeological interest within the site and for the investigation and recording of such remains.

Implementation within prescribed timescales

- 4. No part of the development hereby permitted shall be built above ground floor level until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft landscaping which shall include indications of all existing trees and shrubs on the site, and details of any to be retained, together with measures for the protection in the course of development. All planting, seeding or turfing comprised within the scheme shall be carried out in the first planting season following completion**

of the development and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with other similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In order to enhance the appearance of the development and minimise the impact of the development in the locality.

- 5. The existing hedgerows to the boundary of the site shall be retained. The hedgerows shall not be reduced in any way and shall be retained in perpetuity. Precautions shall be taken to prevent damage to the hedgerow so indicated: any damage caused shall be made good. The hedgerow shall be retained after implementing the development and shall not be removed without the prior consent of the Local Planning Authority.**

Reason: In order to enhance the appearance of the development and minimise the impact of the development in the locality and safeguard the amenity of neighbouring properties.

- 6. Prior to the first use of the caravan adjacent to Garth Cottage, a solid 1.8m high screening fence (measured from the floor level of the decking) shall be erected along the decking adjacent to the boundary with Garth Cottage and shall be retained at all times thereafter.**

Reason: To safeguard the residential amenity of the occupiers of neighbouring dwelling houses in compliance with Policy S32 of the Allerdale Local Plan (part 1), Adopted July 2014.

Occupancy conditions

- 7. The caravans hereby approved shall be used for holiday let accommodation and for no other purposes (including any other purpose in Class C of the Schedule to the Town and Country Planning [Use Classes] Order 2015), or in any provision equivalent to the Class in any statutory instrument revoking or re-enacting that Order with or without modification.**

Reason: The Local planning Authority have afforded significant weight to the benefits of holiday accommodation in the overall consideration of the development and would wish to examine the use of the building other than for holiday accommodation to assess whether it would be acceptable in term so location, access and amenity, having regard to the National planning Policy Framework and Policy S17 of the Allerdale Local Plan (Part 1), Adopted July 2014.

- 8. The caravan hereby approved shall not be used at any time as the sole of principle residence by any occupants.**

Reason: The Local planning Authority have afforded significant weight to the benefits of holiday accommodation in the overall consideration of the development and would wish to examine the use of the building other than for holiday accommodation to assess whether it would be acceptable in term so location, access and amenity, having regard to the National planning Policy Framework and Policy S17 of the Allerdale Local Plan (Part 1), Adopted July 2014.

9. **A register of all occupants of the holiday accommodation hereby approved shall be maintained at all times and shall be made available for inspection by the Local Planning Authority within 10 days of a request. The register shall contain the name and address of the principal occupier together with the dates of occupation.**

Reason: The Local planning Authority have afforded significant weight to the benefits of holiday accommodation in the overall consideration of the development and would wish to examine the use of the building other than for holiday accommodation to assess whether it would be acceptable in term so location, access and amenity, having regard to the National planning Policy Framework and Policy S17 of the Allerdale Local Plan (Part 1), Adopted July 2014.

Advisory Note

