

AGENDA ITEM NO: 8/2(d)

Parish:	Dersingham	
Proposal:	Replacement of 3 touring caravan pitches and 7 tent pitches with 10 static caravans	
Location:	Pine Cones Caravan And Camping Dersingham Bypass Dersingham Norfolk	
Applicant:	C/o Agent	
Case No:	16/01224/F (Full Application)	
Case Officer:	Mrs K Lawty	Date for Determination: 3 January 2017

Reason for Referral to Planning Committee – The views of Dersingham Parish Council is contrary to the Officer recommendation and called in by Councillor Bubb.

Case Summary

The application is made for full planning permission for the replacement of 3 touring caravan pitches and 7 tent pitches with 10 log cabin type permanent static caravans on land at Pinecones Caravan and Camping, west of the A149 Dersingham.

The site is the former rest stop and picnic area adjacent to the A149. In 2014 planning permission was granted for a change of use to a camping and caravan site (amended in 2015) and the site is currently operating as a touring camping and caravan park.

The main road (A149) runs to the east of the site but otherwise the site is surrounded on three sides by fields.

The application site is located within the countryside and is close to, but not within, the AONB.

Key Issues

Principle of development
Planning history
Character and appearance and impact upon AONB;
Impact upon residential amenity;
Tourism and local economy;
Highway issues;
Ecology; and
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The application is made for the replacement of 3 touring caravan pitches and 7 tent pitches, with 10 static caravans within the existing Pine Cones caravan and camping operation off Dersingham bypass.

The application site was formerly a roadside rest and picnic area to the west of the A149 Dersingham Bypass.

In 2014 planning permission was granted for a change of use of the site to a touring caravan and camping site with ancillary buildings.

The site is currently in operation as a camping and caravan site.

SUPPORTING CASE

The application is supported by existing and proposed plans and a Flood Risk Assessment, Tree Survey, Arboricultural Impact Assessment, Visual Impact Assessment.

PLANNING HISTORY

14/00508/FM - Change of use from redundant picnic area to touring caravan and camping site with associated disabled camping pods, site shop, toilet and amenities block and wardens lodge - Application Permitted

14/01816/F - Variation of conditions 2 and 3 of planning permission 14/00508/FM: Change of use from redundant picnic area to touring caravan and camping site with associated disabled camping pods, site shop, toilet and amenities block and wardens lodge - Application Permitted

RESPONSE TO CONSULTATION

Parish Council: Dersingham Parish Council recommend refusal, concerns in relation to site becoming a permanent residential site and possible transport impacts.

Highways Authority: **NO OBJECTION** subject to conditions

Arboricultural Officer: **NO OBJECTION** subject to conditions

District Emergency Planning Officer: **NO OBJECTION** subject to conditions

Natural England: Overall **NO OBJECTION**

Natural England's comments in relation to this application are provided in the following sections:

Statutory nature conservation sites - no objection

Natural England has assessed this application using the Impact Risk Zones data (IRZs). Natural England advises your authority that the proposal, if undertaken in strict accordance with the details submitted, is not likely to have a significant effect on the interest features for which Dersingham Bog RAMSAR has been classified. Natural England therefore advises

that your Authority is not required to undertake an Appropriate Assessment to assess the implications of this proposal on the site's conservation objectives.

In addition, Natural England is satisfied that the proposed development being carried out in strict accordance with the details of the application, as submitted, will not damage or destroy the interest features for which the Dersingham Bog SSSI has been notified. We therefore advise your authority that this SSSI does not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(l) of the Wildlife and Countryside Act 1981 (as amended), requiring your authority to re-consult Natural England.

Protected landscapes:

The proposed development is for a site within or close to a nationally designated landscape namely Norfolk Coast AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below.

Your decision should be guided by paragraph 115 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 116 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape.

Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies.

We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development.

The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Protected species:

We have not assessed this application and associated documents for impacts on protected species. Natural England has published Standing Advice on protected species. You should apply our Standing Advice to this application as it is a material consideration in the determination of applications in the same way as any individual response received from Natural England following consultation.

REPRESENTATIONS

No third party comments or objections received.

NATIONAL GUIDANCE

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

National Planning Practice Guidance - Provides National Planning Practice Guidance, in support of and in addition to the NPPF

LDF CORE STRATEGY POLICIES

CS06 - Development in Rural Areas

CS10 - The Economy

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM11 – Touring and Permanent Holiday Sites

DM1 – Presumption in Favour of Sustainable Development

PLANNING CONSIDERATIONS

The main planning considerations in regards to the application are:-

- Principle of development
- Planning history
- Character and appearance and impact upon AONB;
- Impact upon residential amenity;
- Tourism and local economy;
- Highway issues;
- Ecology; and
- Other material considerations

Principle of development:

The site already functions as a touring caravan & camping site with associated disabled camping pods, site shop, toilet and amenities block and out of hours reception building. The site is already in use for tourism in the countryside.

Policy DM 11 supports the provision of holiday accommodation with in the rural areas away from the environmental protection areas (AONB) on the coast.

The site lies outside of the AONB although is visible from it and therefore in principle is acceptable for permanent holiday accommodation as set out in DM11 subject to compliance with the visual and environmental criteria.

Reference is made to the planning history of the site below which explains the current position in planning terms.

Planning history:

The former rest stop was granted permission for a change of use to a camping and caravan site in 2014 (see history above) Subsequently a further application was made under section 73 to vary conditions 2 and 3 in relation to approved plans and the use and occupation of the 'staff facility'. This alteration was approved January 2015.

The effect of the permission in place is to enable up to 52 touring caravans and 7 tents to be stationed on site at any one time as controlled though condition 16. And that no caravan or tent shall be on site for a period exceeding 28 days or affixed to a hardstanding (C17).

Character and appearance and impact upon AONB;

Policy DM11 refers to the need for proposals for touring and permanent sites to demonstrate a high standard of design in terms of layout, screening and landscaping ensuring minimal adverse impact on visual amenity and the historical and natural environmental qualities of the surrounding landscape and surroundings.

The current application seeks to replace 3 touring caravan pitches and the 7 tent pitches on the existing site with 10 static caravans.

The static caravans will be 'log cabin' style and will be clad in stained timber in order to help blend into the landscape and minimise visual impact from the main road and the AONB to the south west.

The applicant contends that notwithstanding the fact that the cabins will be on site all year their visual impact will be much reduced against the impact of predominantly white touring caravans and colourful tents.

The applicant has submitted additional visual impact appraisal information in the form of a photo montage and it is considered that this supports his contention.

It is considered the proposal accords with the provisions of Policy DM11 in this regard and there will be no visual harm to the wider landscape or the AONB.

Impact upon residential amenity;

The site is separated from any residential properties in Dersingham to the east by the A149 main coast road and significant planting. The proposal should not lead to significant new issues with regard to increased noise and disturbance to the occupants of the nearest properties.

Tourism and local economy;

The National Planning Policy Framework (NPPF) seeks to support a prosperous rural economy. Paragraph 28 states inter alia:

"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. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well-designed new buildings;
- promote the development and diversification of agricultural and other
- land-based rural businesses;
- 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 where identified needs are not met by existing facilities in rural service centres...”

Policy CS10 states that opportunities to improve and enhance visitor economy will be promoted. Smaller tourism opportunities will be supported in rural areas to sustain the local economy, providing these are in sustainable locations and are not detrimental to the valuable natural environment.

The policy also states that the Council will permit the development of new tourism accommodation in rural areas provided it is located in or adjacent to villages and towns, it is of a high standard of design, will not be detrimental to the landscape and mechanisms will be in place to permanently retain the tourism related use.

Policy DM11 allows new touring holiday caravan sites outside the AONB subject to meeting a number of criteria. It is considered that the proposal satisfies these and is compliant with DM11.

The proposal would allow for a mix of visitor accommodation appropriate to this area which would add to the tourist facilities of the Borough. The layout shows the retention of significant areas of planting so that the impact upon the landscape in visual amenity terms is limited and the impact on the surrounding landscape has been considered above not to result in significant harm.

The proposal accords with the general provisions of the NPPF and Policies CS10 and DM11.

Highway issues;

It is not considered that the proposal will materially alter traffic generation or highway safety from the site as it is essentially swapping one form of holiday accommodation (tents or touring vans) for another. It is noted that NCC highways do not object.

Ecology:

The site lies approximately 440m north of the closest point of Dersingham Bog SSSI. Dersingham Bog is an area of mire, heath and woodland and is important for its bog mosses, uncommon plants, and its rich variety of insects. One hundred and forty eight species of bird have been recorded at Dersingham Bog NNR. Of these, at least 56 species regularly breed on the site.

Dersingham Bog NNR supports nationally important numbers of breeding Nightjar and other notable breeding populations/species include woodlark, grasshopper warbler, tree pipit and stonechat.

In terms of ecology the alterations to the site resulting from the proposed development will be limited, amounting to additional hard surfacing and underground services. The site already has a restriction of no dogs given the concerns of Natural England regarding the

proximity of the site to Dersingham Bog, a SSSI, a SAC, A Ramsar site and a NNR. Preventing dogs from being allowed on the site helps to reduce the effects of disturbance to breeding birds on Dersingham Bog.

Whilst the caravan site is not within the SSSI, it is only 440m away. Visitors to the site will likely utilise the adjoining bridleway and rights of way which run close to the site and therefore visits to Dersingham Bog will likely increase. Although dog walkers can already access Dersingham Bog along these same footpaths, the proposed use is seen by Natural England to unnecessarily exacerbate the potential harm to the protected site, unless conditioned by allowing no dogs on site. That said, the area of the site in question can already accommodate 10 touring caravans and tents', with the commensurate number of people associated with them.

The local planning authority has a duty to consider matters of nature conservation and conserving biodiversity. Further, Paragraph 118 of the NPPF requires that local planning authorities should refuse planning permission if significant harm from development cannot be avoided, adequately mitigated or compensated for and local policy CS12 seeks to protect and enhance the landscape character, biodiversity and geodiversity of the borough.

In this case it is considered that by imposing this 'no dog' policy, this adequately mitigates the impact upon the nearby nature conservation site and for this reason the development can be supported.

Given this proposal is seeking to replace one type of tourist accommodation with another within the existing site, there are no protected species directly affected by this proposal.

Conditionally therefore it is considered that the development complies with the NPPF and Policy CS12 of the Core Strategy.

Trees:

The applicant has been requested to update the original arboricultural impact report as the proposal has the potential to increase the impact on trees through creation or hard standings and installation of underground services. This report has been received and assessed by the tree officer, who raises no objection.

Other material considerations:

The application has been supported by a Flood Risk Assessment. The flood map shows that the site is outside flood zones 2 & 3.

The District Emergency Planning Officer recommends that the applicant should sign up to the Environment Agency Floodline Warnings Direct (FWD) Service and that a flood evacuation plan should be prepared. This can be added as an informative to any planning permission granted.

CONCLUSION

In summary, the principle of a part of the existing touring caravan site being used for static caravans generally accords with the provisions of planning policy at a national and local level. The site is well planted and much of this will be retained. The development can be created without harm to the landscape character of the area in general and without significant impact on the adjoining AONB.

The continued use of this site for static units is supported as it offers an alternative form of accommodation which generally complies with planning policy regarding tourism in the Borough.

The proximity of the site to Dersingham Bog results in no direct harm in nature conservation terms but the continuation of the mitigation measures to restrict the use of the site to 'no dogs' is recognised in this case as a necessary condition to enable the development to proceed.

Conditionally the proposal is acceptable in terms of highway safety and landscaping.

The proposal raises no flood risk issues or neighbour amenity issues.

Accordingly, it is considered that the development proposal accords with the provisions of national and local planning policy and for this reason it can be supported subject to the following conditions.

RECOMMENDATION:

APPROVE subject to the imposition of the following condition(s):

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby approved shall be carried out in accordance with the following approved plans:-
 - Site Location Plan HAL16-06-01A dated June 2016;
 - Proposed Site Plan HAL16-06-03A dated June 2016;
 - Proposed Static Caravan Plans and Elevations HAL16-06-030A dated June 2016.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition Prior to the commencement of the use hereby permitted the proposed on-site car parking, turning and waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 3 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 4 Condition Prior to the first use/occupation of the development hereby permitted, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.

- 4 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 5 Condition All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that 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 others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 5 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 6 Condition All underground services and works undertaken in relation to the proposal shall be carried out in accordance with the conclusions and recommendations of the Arboricultural Impact Assessment by Ravencroft Arboricultural Services dated 28.03.2017.
- 6 Reason To ensure the protection and retention of existing trees that make an important contribution to the character of the area in accordance with policy CS08, policy DM15 of the SADMP and the NPPF.
- 7 Condition Users of the development hereby approved shall at no time be allowed to bring dogs with them on to the site.
- 7 Reason In order to minimise the impact of the development upon the protected species and habitats on the nearby designated nature conservation sites and in particular Roydon Common and Dersingham Bog, in accordance with policy CS08 and the NPPF
- 8 Condition The development hereby permitted shall only be used as holiday accommodation and shall not be used as a permanent residence at any time.
- 8 Reason The site lies within in an area in which the Local Planning Authority would not normally permit permanent residential development. This permission is granted because accommodation is to be used for holiday purposes only in accordance with the NPPF.
- 9 Condition The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans on the site and their main home addresses and shall make this information available at all reasonable times to the local planning authority.
- 9 Reason To ensure that the approved holiday accommodation is not used for unauthorised permanent residential accommodation.
- 10 Condition At no time shall the number of static caravans stationed on the site exceed 10.
- 10 Reason For the avoidance of doubt and to safeguard the visual amenity of the site in accordance with the NPPF.