

Parish:	Dersingham	
Proposal:	Proposed amendments to the previously approved and implemented planning permissions 19/00791/F, 17/01871/F, 17/01870F to replace 6no. touring caravan pitches with 4no. lodges.	
Location:	Pine Cones Caravan And Camping Dersingham Bypass Dersingham Norfolk	
Applicant:	Mr Martin Bennett	
Case No:	23/00261/F (Full Application)	
Case Officer:	Mrs N Osler	Date for Determination: 24 May 2023 Extension of Time Expiry Date: 8 September 2023

Reason for Referral to Planning Committee – Called in by Cllr Bubb and Officer
Recommendation is contrary to Parish Council Recommendation

Neighbourhood Plan: No

Case Summary

Full planning permission is sought to replace 6no. touring caravan pitches with 4no. cabins/lodges (that fall within the definition of a caravan) at the southern end of Pine Cones Caravan and Camping site on the outskirts of Dersingham.

The application seeks to do this by rationalising all other planning permission across the site and providing a single comprehensive permission.

The site lies within land designated as countryside, is adjacent to an Area of Outstanding Natural Beauty (AONB) and in the Zones of Influence of a number of protected sites.

Public Rights of Way (PROW) FT6a (footpath) and RB6b (restricted byway) lie in close proximity to the site but are unaffected by the proposed development which is taking place within the existing confines of the site.

Most of the site lies in Flood Zone 1. However, there are two areas that fall within Flood Zone 2. One area is in the northwest element of the site and the other is the location of the proposed development.

Key Issues

- Principle of Development
- Impact on Countryside and AONB
- Impact on Protected Sites
- Flood Risk
- Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

Full planning permission is sought to replace 6no. touring caravan pitches with 4no. cabins/lodges (that fall within the definition of a caravan) at the southern end of Pine Cones Caravan and Camping site on the outskirts of Dersingham.

The application seeks to do this by rationalising all other planning permission across the site and providing a single comprehensive permission.

The previous applications: 19/00791/F, 17/01871/F and 17/01870/F, which themselves vary previous consents, permitted the following:

17/01870/F (which varied previous permissions (14/01816/F and 14/00508/FM)) covered the entire site and permitted the change of use of the site from a redundant picnic area to a touring caravan and camping site with associated disabled camping pods, site shop, toilet and amenities block and warden's lodge. The permission granted permission for 52no. touring caravans, 7no. tents and 3no. disabled camping pods for holiday use only.

17/01871/F (which varied a previous permission (16/01224/F)) covered the most northerly part of the wider site and permitted an additional 10no. static caravans for holiday use only.

19/00791/F allowed for the relocation of play equipment and the installation of a further 8no. static caravans for holiday use only in a relatively central position within the wider site.

Therefore, the wider site, and the site area that this application relates to has permission for:

- 52no. touring caravans
- 3no. disabled camping pods
- 18no. static caravans
- Warden's lodge
- Toilet / shower blocks
- Reception / shop
- Bin stores
- Play area
- Dog exercise area
- Laundry / washroom

The current application seeks to replace 6no. of the touring caravan pitches along the southern section of the site with 4no. lodges / cabins; thus resulting in a net loss of 2no. unit(s) across the wider site

SUPPORTING CASE

NONE received at time of writing report.

RELEVANT PLANNING HISTORY

19/00791/F: Application Permitted: 09/10/19 - Relocation of play equipment and installation of static caravans to vacated space.

17/01871/F: Application Permitted: 24/01/18 - Removal of Condition 7 attached to planning permission 16/01224/F [Replacement of 3 touring caravan pitches and 7 tent pitches with 10 static caravans] to allow dogs to be brought onto the site.

23/00261/F

17/01870/F: Application Permitted: 24/01/18 - Removal of condition 14 of planning permission 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]: To remove the restriction not allowing dogs on site.

16/01224/F: Application Permitted: 10/05/17 - Replacement of 3 touring caravan pitches and 7 tent pitches with 10 static caravans.

14/01816/F: Application Permitted: 01/04/15 - 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]

14/00508/FM: Application Permitted: 17/11/14 - 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 warden's lodge.

RESPONSE TO CONSULTATION

Parish Council: OBJECT Dersingham Parish Council have considered the proposal and are concerned about over development of the site.

Dersingham Parish Council would also request a condition be imposed to ensure that the cabins/pods are not occupied for more than 28 days consecutively by the same person or persons.

Highways Authority: N/A – no highway safety implications.

Natural England: NO OBJECTION Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

European sites: Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development. To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out.

Sites of Special Scientific Interest: Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on statutorily protected sites and has no objection to the proposed development.

Senior Ecologist: NO OBJECTION 23/00261/F has been considered in light of the assessment requirements of regulation 63 of the Conservation of Habitats and Species Regulations 2017 by Kings Lynn west Norfolk Borough Council which is the competent authority responsible for authorising the project and any assessment of it required by the Regulations.

Temple carried out a 'screening' assessment of the project and provided this information to KLWNBC as a shadow Habitats Regulation assessment (SHRA), the sHRA has concluded that the project would not be likely to have a significant effect on any European site, either alone or in combination with any other plans or projects (in light of the definition of these

terms in the 'Waddenzee' ruling of the European Court of Justice Case C – 127/02) and an appropriate assessment is not therefore required.

Natural England were consulted on this sHRA and agree with the findings that the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes. I am also in agreement with the conclusions made and advise that KLWNBC can adopt the sHRA provided by Temple as our record of HRA.

Mitigation measures: In reaching the conclusion of the screening assessment the competent authority took no account of measures intended to avoid or reduce the potentially harmful effects of the plan or project on any European site.

References and reports: In reaching the conclusion of the assessment the competent authority took the following documents into account:

- Natural England Officer consultation comment (April 2023)
- Evidence in support of a Habitats Regulation assessment (June 2023)
- Natura England Comment (June 2023)
- Evidence in support of a Habitats Regulation assessment (July 2023)

Emergency Planning Officer: NO OBJECTION Because of its location in an area at risk of flooding and in line with best practice in business continuity I would suggest that the occupiers if they have not already:

1. Should sign up to the Environment Agency flood warning system (0345 988 1188 or www.gov.uk/flood)
2. Install services at high levels to avoid the impacts of flooding
3. A flood evacuation plan should be prepared (more details at www.gov.uk/flood):
 - This will include actions to take on receipt of the different warning levels.
 - Evacuation procedures e.g., warning those in occupation, isolating services and taking valuables etc
 - Evacuation routes

REPRESENTATIONS

NONE received at time of writing report.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS12 - Environmental Assets

23/00261/F

Planning Committee
4 September 2023

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM11 – Touring and Permanent Holiday Sites

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

PLANNING CONSIDERATIONS

The main considerations in the determination of this application are:

- Principle of Development
- Impact on Countryside and AONB
- Impact on Protected Sites
- Flood Risk
- Other Material Considerations

Principle of Development

The principle of development is established by permitted and implemented planning permissions for use of the site as a caravan and camping site.

The planning permission are: 19/00791/F, 17/01871/F and 17/01870/F, which themselves vary previous consents.

These consents, in combination, grant permission for the site as a caravan site providing the following:

- 52no. touring caravans
- 3no. disabled camping pods
- 18no. static caravans
- Warden's lodge
- Toilet / shower blocks
- Reception / shop
- Bin stores
- Play area
- Dog exercise area and exercise route
- Laundry / washroom

The current application seeks to replace 6no. of the touring caravan pitches along the southern section of the site with 4no. lodges / cabins; thus resulting in a net loss of 2no.

unit(s) across the wider site. This application also combines the previous history of the site into a single comprehensive permission.

This application seeks to combine the previous approvals on the site with a single comprehensive permission and to replace 6.no touring pitches with 4no. 1-bed cabins/lodges (that fall within the definition of a caravan); a net loss of 2no. units across the site.

The applicant has provided information that has satisfied your officers that the cabins/lodges fall within the definition of a caravan. That is to say:

- Length must be no greater than 20m (this figure excludes drawbars / towbars) and width no greater than 6.8m - The lodges dimensions are 8.7m (L) x 6.8m (W)
- Internal Height no greater than 3.05m - The lodges internal height at its highest point is 2.8m
- Constructed of no more than TWO parts joined together on site - They will arrive as a single unit and will be of a chassis construction that will support the unit whilst in its location. The chassis is also in place to enable the free movement of the unit on and off site. The main chassis is integral to the unit. This system is common to most caravan type units
- Designed or adapted for human habitation - The lodges are designed for human habitation
- Physically capable of being moved from one place to another - The lodges will be raised off the ground 300mm as required by the FRA and will be sat on a pre-formed, low ground pressure, concrete pad. The fact that they can arrive on site as a single unit also confirms that they are capable of being moved from one place to another
- They will not be adapted via foundations, brick skirts or other permanent additions - The lodges will have timber skirts to screen the services attached to bottom of the lodge. These timber skirts would be removeable to allow for transportation of the lodges.

The principle of development is therefore acceptable because it relates to an existing rural enterprise and does not increase the use of the site and therefore accords with the NPPF in general, but specifically to paragraph 84a) and c) and Development Plan Policies CS06, CS10 and DM2.

Impact on Countryside and Area of Outstanding Natural Beauty (AONB)

It is acknowledged that, unlike the touring caravans, the 4no. lodges would be permanent structures (albeit within the statutory definition of a caravan) and would therefore have a greater, although still minor (when considered against the other permanent features on the site), impact on the wider countryside and AONB.

Given the modest scale of the proposed lodges, that as previously stated fall within the definition of a caravan, and the net loss in overall numbers, it is not considered that the proposed development would have anything other than a negligible, if any, impact on the intrinsic character and beauty of the countryside or AONB.

The development therefore accords with the NPPF in general, but specifically to paragraphs 174a) and b) and 176 of the NPPF and Development Plan Policies CS01, CS08 and DM15.

Impact on Protected Sites

The site lies within the Zone of Influence of the following protected sites:

- Dersingham Bog Ramsar and SAC (Special Area of Conservation)
- The Wash Ramsar and SPA (Special Protection Area)

- The Wash and North Norfolk Coast SAC
- Roydon Common Ramsar
- North Norfolk Coast Ramsar and SPA and SAC
- Norfolk Valley Fens SAC.

However, because the development would result in a net loss of units, the development would not increase either direct or indirect impacts on protected sites. Therefore, both Natural England and the Local Authority's Senior Ecologist have confirmed that no further action is required in relation to protected sites and that the development would not have likely significant effects on protected sites.

The development therefore accords with the NPPF in general, but specifically to paragraphs 174a), 180, 181 and 182 of the NPPF and Development Plan Policies CS01, CS08 and CS12.

Flood Risk

Most of the site lies in Flood Zone 1. However, there are two areas that fall within Flood Zone 2. One area is in the northwest element of the site (that already benefits from planning permission) and the other is the location of the proposed development.

The Flood Risk Assessment that accompanied the application has confirmed that the lodges can only accommodate 2-people and that a touring caravan could accommodate more. Additionally, there would be a net loss of two units. As such the proposed development would result in a reduced risk in a flood event.

Notwithstanding this, to further decrease the risk of flooding to the lodges they will be raised off the ground 0.3m (which is above any predicted flood risk.)

This will be suitably conditioned if permission is granted.

The development therefore accords with the NPPF in general, but specifically to Chapter 14 of the NPPF and Development Plan Policies CS01, CS08 and DM11.

Other Material Considerations

The loss of 2no. would not have a noticeable impact on neighbour amenity.

The loss of 2no. unit would not have a noticeable highway impact.

This application seeks to combine several previous permissions. Therefore, all conditions on the previous applications that are required (that is to say that several conditions have previously been discharged and / or are no longer necessary), amended where necessary, will be appended to any permission granted under the current application, along with conditions specific to the proposed replacement cabins including holiday conditions required by Development Plan Policy DM11.

CONCLUSION

The application seeks to replace 6no. touring caravan pitches with two lodges/cabins that fall within the definition of a caravan on an existing caravan site.

The application seeks to do this by rationalising all other planning permission across the site and providing a single comprehensive permission.

The application accords with both national and local planning policy and guidance in relation to supporting rural enterprises (Paragraph 84a) and c) of the NPPF and Development Plan Policies CS06, CS10 and DM2) and Development Plan Policy DM11 in relation to holiday accommodation.

This net loss in 2no. units across the wider site raises no technical issues and would result in the reduction of risks associated with flooding. It is therefore recommended that this application be approved subject to the different conditions.

RECOMMENDATION

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

- 1 Condition: In relation to zone 1 only (as identified on drawing no. BEN 02.03.02) 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 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: In relation to zone 1 only (as identified on drawing no. BEN 02.03.02) the development hereby permitted shall be carried out in accordance with the following approved plan drawing no: BEN02.03.01 Rev.C.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: In relation to zone 1 only (as identified on drawing no. BEN 02.03.02) finished floor levels of the cabins / lodges hereby permitted shall at all times remain 0.3m above ground level.
- 3 Reason: To reduce the risks associated with flooding in accordance with the NPPF and Development Plan.
- 4 Condition: In relation to zone 1 only (as identified on drawing no. BEN 02.03.02) prior to the first occupation of the cabins / lodges hereby permitted, the applicant / owner of the site:
 1. Should sign up to the Environment Agency flood warning system (0345 988 1188 or www.gov.uk/flood)
 2. Install services at high levels to avoid the impacts of flooding
 3. A flood evacuation plan should be prepared (more details at www.gov.uk/flood):
 - This will include actions to take on receipt of the different warning levels.
 - Evacuation procedures e.g., warning those in occupation, isolating services and taking valuables etc.
 - Evacuation routes.

A copy of the approved flood evacuation plan shall be provided in each cabin / lodge hereby permitted prior to each occupation.

- 4 Reason: To reduce the risks associated with flooding in accordance with the NPPF and Development Plan.

- 5 Condition: In relation to zone 1 only (as identified on drawing no. BEN 02.03.02) the holiday lodges / cabins hereby permitted shall only be occupied for holiday purposes only and shall be made available for rent or as commercial holiday lets.
- 5 Reason: To ensure the holiday cabins / lodges hereby permitted are used for holiday uses only in accordance with the NPPF and Development Plan.
- 6 Condition: In relation to zone 1 only (as identified on drawing no. BEN 02.03.02) the holiday cabins / lodges hereby permitted shall be used for short stay accommodation only (no more than 28 days per single let) and shall not be occupied as a person's sole or main place of residence.
- 6 Reason: To ensure the holiday cabins / lodges hereby permitted are used for holiday uses only in accordance with the NPPF and Development Plan.
- 7 Condition: In relation to zone 1 only (as identified on drawing no. BEN 02.03.02) the owners / operators shall maintain an up-to-date register of lettings / occupation and shall make this available at all reasonable time to the Local Planning Authority.
- 7 Reason: To ensure the holiday cabins / lodges hereby permitted are used for holiday uses only in accordance with the NPPF and Development Plan.
- 8 Condition: In relation to zone 2 only, access (as identified on drawing no. BEN 02.03.02) parking, turning areas, waiting areas and circulatory roadways shall be retained in accordance with drawing number HAL-14-06-03H approved under application 14/01816/F.
- 8 Reason: To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
- 9 Condition: In relation to zone 2 only (as identified on drawing no. BEN 02.03.02) outdoor lighting shall be retained in accordance with details approved under application 17/01870/DISC_A.
- 9 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 10 Condition: In relation to zone 2 only (as identified on drawing no. BEN 02.03.02) no more than 46 touring caravans shall be stationed on the site at any one time.
- 10 Reason: For the avoidance of doubt.
- 11 Condition: In relation to zone 2 only (as identified on drawing no. BEN 02.03.02) the touring caravan pitches shall only be used as holiday accommodation and shall not be used as a permanent residence at any time.
- 11 Reason: To ensure the touring caravans are used for holiday uses only in accordance with the NPPF and Development Plan.
- 12 Condition: In relation to zone 2 only (as identified on drawing no. BEN 02.03.02) the site shall be used only for touring caravans only and no caravan shall remain on site for more than 28 days, be fixed to a hard standing or drain, or be stationed for the purposes of letting.

- 12 Reason: To ensure the touring caravans are used for holiday uses only in accordance with the NPPF and Development Plan.
- 13 Condition: In relation to zone 3 only (as identified on drawing no. BEN 02.03.02) at no time shall the number of static caravans stationed within the application site exceed 8.
- 13 Reason: For the avoidance of doubt and to safeguard the visual amenity of the site in accordance with the NPPF.
- 14 Condition: In relation to zone 3 only (as identified on drawing no. BEN 02.03.02) the static caravans shall only be used as holiday accommodation and shall not be used as a permanent residence at any time.
- 14 Reason: To ensure the static caravans are used for holiday uses only in accordance with the NPPF and Development Plan.
- 15 Condition: In relation to zone 3 only (as identified on drawing no. BEN 02.03.02) 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.
- 15 Reason: To ensure that the static caravans are not used for unauthorised permanent residential accommodation.
- 16 Condition: In relation to zone 3 only (as identified on drawing no. BEN 02.03.02) the finished floor levels (FFLs) of the static caravans shall at all times be 0.3m above ground levels.
- 16 Reason: To reduce the risks associated with flooding in accordance with the NPPF and Development Plan.
- 17 Condition: In relation to zone 4 only (as identified on drawing no. BEN 02.03.02) at no time shall the number of static caravans stationed on the site exceed 10.
- 17 Reason: For the avoidance of doubt and to safeguard the visual amenity of the site in accordance with the NPPF.
- 18 Condition: In relation to zone 4 only (as identified on drawing no. BEN 02.03.02) the static caravans shall only be used as holiday accommodation and shall not be used as a permanent residence at any time.
- 18 Reason: To ensure the static caravans are used for holiday uses only in accordance with the NPPF and Development Plan.
- 19 Condition: In relation to zone 4 only (as identified on drawing no. BEN 02.03.02) the owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual static caravans on the site and their main home addresses and shall make this information available at all reasonable times to the local planning authority.
- 19 Reason: To ensure that the approved holiday accommodation is not used for unauthorised permanent residential accommodation.

- 20 Condition: The 'out of hours staff facility' (warden's lodge) shown on drawing no. BEN02.03.01 Rev.C shall be used solely to provide amenity facilities for a person or persons employed in the management of the development hereby approved and shall at no time be used as a unit of permanent residential accommodation.
- 20 Reason: In order to define the terms of the consent and to prevent use of the building as a permanent unit of accommodation as such a use would not be permitted in this countryside location.
- 21 Condition: In terms of dogs on the site, operation of the site shall be in carried out in accordance with the Dog Management Plan approved under application 17/01870/F.
- 21 Reason: In order to minimise the impact of development upon protected species and habitats on the nearby designated nature conservation sites and in particular Roydon Common and Dersingham Bog, in accordance with the NPPF and Development Plan.