DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No:	**H05-0943-18**	**Applicant:**	**Mr J Conners**
Proposal:	Modification of Conditions 1 & 4 of H05-0622-18 to allow amendments to previously approved plans and increase the number of caravans from 28 to 38		
Location:	Heron Orchard Caravan Park Frostley Gate Holbeach		
Terminal Date:	22nd March 2019		

Planning Policies

South East Lincolnshire Local Plan - Adopted: March 2019

01	Spatial Strategy
02	Development Management
03	Design of New Development
04	Approach to Flood Risk
10	Meeting Assessed Housing Requirements
11	Distribution of New Housing
17	Providing a Mix of Housing
18	Affordable Housing
26	Primary Shopping Frontages
29	The Historic Environment
32	Community, Health and Well-being
36	Vehicle and Cycle Parking

National Guidance

National Planning Policy Framework 2019

Sections 2, 4, 6, 8, 9, 12, 14, 15 and 16

Representations:

	Object	Support	No Obj.	Comments
PARISH COUNCIL	0	0	0	0
WARD MEMBER	0	0	0	0
ENVIRONMENT AGENCY	0	0	1	0
HIGHWAYS & SUDS SUPPORT	0	0	1	0

SHDC INTERNAL	0	0	0	2
RESIDENTS	10	0	0	0

CASE OFFICER ASSESSMENT

Proposal

The site has planning permission for 28 static caravans (ref. H05-0622-18). It is now proposed to increase the number to 38. The caravans would be sited on an area of land within the centre of the site that is currently grassed and used as an amenity area. The easternmost part of this land would be retained as an amenity area.

The applicant has indicated that the existing private treatment plant would be upgraded to a Kingspan Klargester BioDisc BG to cater for the increase in number of static caravans.

Description

The site is part of an existing static caravan holiday park located on the western side of Frostley Gate. The park includes a central grassed amenity area, a small lake and dense boundary planting.

The nearest properties include Frostley Gate Nursery opposite the entrance, Bloodfold Cottages to the south-east and Bloodfold House (grade II listed) to the south-west. A static caravan site (Heron Cottage Caravan Park) is situated opposite.

Policies/Constraints

Outside a defined settlement limit as defined in the South East Lincolnshire Local Plan, 2019.

The site is within Flood Zone 3 on the Environment Agency Flood Maps and within an area identified as "Low Hazard" within the SHDC Strategic Flood Risk Assessment, 2017.

Recent Planning History

H06-0622-18 - Modification of Conditions 2 and 5 of H05-0847-10 to allow amendments to previously approved plans and increase the number of caravans on site from 23 to 28 - Granted 23 August 2018.

Condition 2 - The static caravans shall be used as holiday accommodation only and shall not be occupied during the period 1 April and 30 April in any one year. They shall not be occupied as a person's sole or main place of residence.

Condition 3 - An up-to-date register of the names, main home addresses, visiting dates and length of stay of all visitors to the site shall be maintained at all times and be available for inspection by the Local Planning Authority at all reasonable times.

Condition 4 - No more than 28 static caravans shall be allowed on the whole of the holiday park (as outlined in red on the submitted plans) at any one time.

Condition 6 - Floor levels of the caravans shall be set a minimum of 500mm above existing ground level.

Representations

LCC Highways/SUDS - Does not wish to restrict the grant of permission.

Building Control - Proposed sewage treatment plant is acceptable.

Environmental Protection - No objection.

Private Sector Housing/Licensing - No objections providing the density and space standards are met in the development.

Environment Agency - No comments.

Public - Objections received (summarised):
Ruin present character of the park - presently quiet and peaceful with a community feel; No facilities or amenities within the immediate vicinity which will benefit from an increase in visitors; Will not comply with the relevant spacing standards; Fire risk; Loss of privacy/security; Increase in traffic; Frostley Gate unsuitable for additional traffic; Extra noise and disruption; Sewage system will be unable to cope with the extra waste generated by the extra units; Drains already blocked and can constantly hear them bubbling; Cesspit already smells - odour problems; Sewage plant should be screened; Loss of public open space/amenity area/log cabin that is used as a social and dog walking area, etc; Have huge negative impacts on the wildlife which use this area - has previously had conservation awards; Had been assured that the site had reached maximum capacity; Incinerator will have to be removed - cost of waste removal will increase; Need extra wheelie bins because not enough; Inadequate water supply; Is wind turbine sufficient? Question future occupiers given the owner's reputation? No regard for current occupiers; Loss of views; De-valuation of property.

Information from Applicant (summarised);
The proposal will meet the expectations of visitors for good quality accommodation in an attractive rural setting that is sympathetic to the natural environment. It will help to secure the delivery and long-term success of the wider site, associated facilities and accommodation, as well as secure related economic benefits for jobs and the local economy.

Material Considerations

The main issues in this case are:

- Whether the proposal would be a sustainable form of development taking into consideration economic, social and environmental factors, including the development's effect upon the character and appearance of the locality and the setting of nearby listed buildings;
- Residential amenity;
- Highway safety;
- Other material planning considerations such as flooding, drainage, refuse collection and ecology.

Policy

As indicated in paragraph 47 of the National Planning Policy Framework, 2019, planning law requires that applications for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise.

The proposed development is outside a defined settlement limit within the South East Lincolnshire Local Plan, 2019. It is therefore within an area regarded as countryside.

Policy 1 of the South East Lincolnshire Local Plan, 2019 indicates that in the countryside development will be permitted that is necessary to such a location and/or it can be demonstrated that it meets the sustainable development needs of the area in terms of economic, community or environmental benefits.

Policy 9 of the SELLP indicates that outside settlement boundaries, small-scale development to support the visitor economy, including farm diversification, equine development and fishing lakes, will be supported provided that proposals:
1. do not conflict with neighbouring land uses;
2. are in keeping with the character of the locality; and
3. demonstrate a functional link with an existing rural attraction or farm enterprise.

The above policy is in accordance with advice within the Framework. Para 83 stresses that planning policies and decisions should support the sustainable growth and expansion of all types of business

in rural areas and support sustainable rural tourism and leisure developments which respect the character of the countryside. Para 11 of the Framework goes on to stress that there should be a presumption in favour of sustainable development unless any adverse impacts would significantly and demonstrably outweigh the benefits.

Addressing the above, the proposal would meet rural tourism and economic objectives within the Local Plan and Framework. Although the site is relatively isolated the proposal is an extension of an existing static caravan site. It is also well related to fishing facilities - a tourist attraction - within the district. No objections are raised in principle to additional statics within the existing site, subject to appropriate conditions to ensure that they are used as holiday accommodation only (not permanent residential).

Static caravans can be visually intrusive and have a harmful effect on the open nature of the fenland landscape. However, the site is well screened in this case and the proposed caravans within the centre of the site would not be readily visible. It is considered that the proposal would not materially harm the character/appearance of the countryside or harm the setting of Bloodfold House (grade II listed) further to the south-west.

Amenity

The nearest properties include Frostley Gate Nursery opposite the entrance, Bloodfold Cottages to the south-east and Bloodfold House to the south-west. Although the proposal would generate some additional vehicular activity, etc, neighbouring residents wouldn't be affected to a significantly greater degree than at present.

Concerns have been expressed on grounds that the proposal would ruin the present tranquil character of the park and would result in the loss of the amenity area, etc. Following issues raised, the applicant has agreed to reduce the number of additional caravans from 18 to 10. This enables the eastern section of the amenity area to be retained. It is accepted that the existing amenity of the holiday park would be affected due to loss of a significant portion of the existing amenity area and also through additional noise and disturbance, etc. However, it must be remembered, in accordance with the permission, that the statics caravans are for use as holiday accommodation only and not as a person's main residence. Holiday parks have no planning standards relating to the provision of open space. This constraint is not therefore considered to be such as to outweigh the benefits of the scheme, including the provision of additional rural tourism and leisure facilities within the district.

There is not sufficient evidence to indicate that the proposal would lead to security issues and/or anti-social behaviour.

Issues such as spacing standards, fire safety and adequate water supply fall within the remit of separate legislation. Matters such as blockage of view and property de-valuation are not material planning considerations and therefore carry no weight.

Highways

Concerns have been raised on grounds that Frostley Gate is unsuitable for additional traffic. However, the County Highways Authority does not wish to restrict the grant of permission on highway safety grounds.

Drainage

Issues have been raised concerning the capacity of the existing package treatment plant and its capacity to cope with additional flows. This has been taken up with the applicant who has indicated that the existing private treatment plant would be upgraded to a Kingspan Klargester BioDisc BG with Recycle to cater for the increase in number of static caravans. Building Control has deemed this to be acceptable.

Flood Risk

The site, as situated, is located within Flood Zone 3 of the Environment Agency's Flood Map for Planning. The latest Agency Flood Maps have been created as a tool to raise awareness of flood risk with the public and partner organisations, such as Local Authorities, Emergency Services and Drainage Authorities. The Maps do not take into account any flood defences.

The South Holland Strategic Flood Risk Assessment (2017) is therefore used as a basis to apply the sequential test. In this respect, the site is located within an area that is identified as "Low Hazard". This is a less severe category and there are not reasonably available alternative sites appropriate for the proposed development located in areas with a lower risk of flooding. In this respect, the Authority views reasonably available sites as those that are deliverable and developable (as defined by the National Planning Policy Framework) for the use proposed within the area, can accommodate the general requirements of the development and are, in principle, in conformity with the objectives and advice within the NPPF and its associated National Planning Practice Guidance relating to sustainable development and flood risk.

It is not possible, consistent with wider sustainability objectives, for the development to be located in zones with a lower probability of flooding. The exceptions test should therefore be applied. It is a method to demonstrate and help ensure that flood risk to people and property will be managed satisfactorily, while allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available. The Framework and the PPG set out two elements to the Exceptions Test.

First, proposed development is required to show that it will provide wider sustainability benefits to the community that outweigh flood risk, and second, that it will be safe for its lifetime without increasing flood risk elsewhere and, where possible, will reduce flood risk overall. This is aimed at allowing necessary development to go ahead in situations where suitable sites at lower risk of flooding are not available whilst helping ensure that flood risk to people and property will be managed satisfactorily.

In terms of the first element, the proposal would meet rural tourism and economic objectives within the Local Plan and Framework. It would provide wider sustainability benefits to the community that outweigh flood risk issues in this case.

Concerning the second element, cell D5 of the South East Lincolnshire Standing Advice Matrix recommends that the caravans be secured to the ground using adequate mechanism such as chains and ground anchors and the finished floor level be 300mm above existing ground level. The Environment Agency has previously not objected to the occupancy period given that it already applies to existing caravans.

Refuse - Issues have been raised concerning refuse disposal. This matter can be addressed by means of condition.

Ecology - Concerns have been raised on grounds that the proposal would effect/harm wildlife, etc. However, there is not sufficient evidence to demonstrate that the proposal would affect protected species or have a significant ecological impact.

Conclusion

The proposal would meet rural tourism and economic objectives within the South east Lincolnshire Local Plan and National Planning Policy Framework. Although it would have an adverse effect upon the existing amenity of the holiday park, this is outweighed by other factors in favour of the scheme.