

DECISION DELEGATED TO DEVELOPMENT MANAGER

Application No: H16-0309-19 **Applicant:** Mr J Welch

Proposal: Siting of three additional residential park homes and alterations to site layout

Location: Hawthorns Caravan Park Clay Lake Spalding

Terminal Date: 14th May 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

National Guidance

National Planning Policy Framework 2019

Section 12. Achieving well-designed places

Section 14. Meeting the challenge of climate change, flooding and coastal change

Representations:

	Object	Support	No Obj.	Comments
WARD MEMBER	0	0	0	0
PLANNING LIAISON OFFICER - FLOOD RISK ASSESSMENT	0	0	0	1
HIGHWAYS & SUDS SUPPORT	0	0	0	1
OTHER STATUTORY BODIES	0	0	1	1

CASE OFFICER ASSESSMENT

Proposal

This is a full planning application for the sitting of three additional residential park homes and alterations to the site layout at Hawthorns Caravan Park, Clay Lake, Spalding. The proposal would entail the increase from 12 to 15 caravans.

Planning permission was granted under application ref. H16-0367-16 for change of use of transit caravan site to residential site for 12 units including alterations and improvements.

Site Description

The site context is characterised by mixed use development within a broader countryside location which is not far from the built-up area of Spalding.

Clay Lake runs to west. The site access has an L shape. The caravan park extends beyond the plots of residential properties Romany Way and Milestone Cottage. The Romany Museum is in adjacent land to north. Open fields are adjacent to east and south. A 2 metre high timber close board fence is on all site boundaries excepting mature hedgerow along the southern boundary.

History

H16-0598-18 - Details of landscaping (Condition 3 of H16-0367-16) - Approved

H16-0367-16 - Change of use of transit caravan site to residential site for 12 units including alterations and improvements - Approved

H16-0315-07 - Continued use of an existing transit caravan park and erection of shower toilet block - Approved

Consultation Responses

Environment Agency

No objection, subject to the following condition being included on any planning approval.

"The development permitted by this planning permission shall be carried out in accordance with the approved in the Flood Risk Assessment (FRA) prepared by Geoff Beel Consultancy, dated February 2019 (Ref: GCB/BLAIN Associates) and the following mitigation measures detailed in the FRA:

- 1.Static homes raised on a plinth 1.8m above surrounding ground
- 2.Static homes suitable fixed to ground anchors.
- 3.Flood resistant/resistant measures incorporated into the design.

The mitigation measure shall be fully implemented prior to occupation and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority.

Reason: To reduce the risk of flooding to the proposed development and future occupants"

Lincolnshire Police

No objection

LCC Strategic Development Officer

No comment

Planning Considerations

Design and layout

The proposal seeks to redevelop the site keeping two rows of caravans on each side of the service road which is across the site. The plot sizes previously approved would be reduced to enable the sitting of the additional units. One caravan would be added to the northern row whereas two further caravans to the southern row. The visitor parking space behind the rear boundary of Romany Way

would be relocated on the first curve of site access in order to release the land for extra space to accommodate one of the additional caravans.

The concrete slab bases for the caravans would measure 36' x 12'. The separation between mobile homes would be 6 metres. The distance would be 2 metres with the service road to the front and 3 metres with the nearest site boundary to the rear. The site access is on average 3.6 metres wide. Each caravan would have one car park space to the side and front.

The boundary lines will be treated by hedge planting in double staggered two with 7 plants per metre. The plants would be native species. 25 No. trees would be strategically planted on the site boundaries. Such landscape strategy was approved under planning application ref. H16-0598-18 and would remain in this proposed development.

For these reasons, the layout of the development would be acceptable. The road layout is such that motor vehicles could enter and egress the site in a convenient and safe manner. Car parking provision would be sufficient for both caravan users and visitors and make the site accessible. The boundary treatment would embellish the visual appearance of the site as well as integrate the mobile caravan park to the residential/countryside setting.

Impact upon the residential amenity

The redevelopment of the site layout would not exacerbate the overlooking effect between caravan windows on side elevations. A distance of approximately 6 metres between the units would be still acceptable bearing in mind the dwellings would be mobile homes and the separation distance cannot be dramatically longer.

There was some initial concerns regarding the caravan No. 15 and the impact upon the residential property Romany Way. The base would rise the unit from the ground floor level, thus the windows on the side elevation might be at least as high as the rear windows of the house creating an overlooking effect between both dwellings. Notwithstanding this, the separation distance between both elevations would be roughly 19 metres and no significant harm upon the amenity standards of the residents would occur.

Although the caravans would be raised due to their location on the bases, the approved boundary treatment in addition to the existing timber fencing would contribute to conceal greatly the visual impact of the mobile homes onto the adjacent houses.

Conclusion

In light of considerations above, the proposed development is in accordance with Policy 1, 2, 3 and 4 of South East Lincolnshire Local Plan, 2019 and Section 12 and 14 of National Planning Policy Framework, 2019.

It is therefore recommended to approve this application via delegated powers.

Additional Considerations

Public Sector Equality Duty

In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding.

The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered, and may be balanced against other relevant factors.

It is not considered that the recommendation to grant permission in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights

In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as South Holland District Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation to grant permission in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicant). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation to grant permission is considered to be a proportionate response to the submitted application based on the considerations set out in this report.