

<b>Agenda Item</b> A6	<b>Committee Date</b> 7 December 2009	<b>Application Number</b> 09/00988/CU
<b>Application Site</b> Old Hall Caravan Park, Capernwray Road, Capernwray, Over Kellet		<b>Proposal</b> Change of use of land to extend existing caravan park to accommodate 45 static homes
<b>Name of Applicant</b> Mr & Mrs D Wightman		<b>Name of Agent</b> Mason Gillibrand Architects 16 Willow Mill, Caton, Lancaster LA2 9RA
<b>Decision Target Date</b> 13 January 2010		<b>Reason For Delay</b> Not applicable
<b>Case Officer</b>		Peter Rivet
<b>Departure</b>		No
<b>Summary of Recommendation</b>		Approval

## **1.0 The Site and its Surroundings**

- 1.1 Old Hall Caravan Park occupies a series of clearings within dense woodland on the south side of Capernwray Road, to the north of Over Kellet. Access to it is by means of a long private drive.
- 1.2 The site at present contains 220 static holiday homes and 38 touring pitches. It has been enlarged several times in the past. The area is exceptionally well screened from long distance views and apart from signs at the entrance there is nothing to indicate that it is a caravan park.

## **2.0 The Proposal**

- 2.1 The applicants wish to enlarge the caravan park by adding a new cluster of static caravans on land to the south. These would be privately owned. As submitted, the proposal was for 60 caravans but following discussions it has been scaled down to 45, which they consider to be the minimum needed to make the scheme financially viable bearing in mind the need to provide an access road together with water and electricity supplies and foul drainage. The site is at present used for grazing and is outside the area at present enclosed by woodland, but the proposal includes additional tree planting around the outer edge of the extended site. There is a public footpath running along the outside of the western site boundary.
- 2.2 The statement accompanying the application draws attention to the range of facilities available for residents. These include woodland walks, with information boards on the local flora and fauna, a children's play area, and a football pitch. It states that the applicants' intention is to create something resembling a village community for people staying on the site.
- 2.3 The proposal is accompanied by a detailed planting scheme which includes a mix of natural and evergreen planting, and an arboricultural study of the existing trees on the site.
- 2.4 The "close season" for the site is 11 January to 28 February of each year and there is no intention to change this.

### **3.0** **Site History**

3.1 The caravan park is a long established one. Recent planning applications involving it are as follows:

<b>Application Number</b>	<b>Proposal</b>	<b>Decision</b>
97/00346/FUL	Change of use of forestry land for extension to existing caravan park for additional forty static caravans and installation of septic tank	Approved
01/00383/CU	Change of use of woodland site to enlarge existing caravan site by 52 units	Approved
07/01164/FUL	Alterations to existing access road	Approved

### **4.0** **Consultation Responses**

4.1 The following responses have been received:

<b>Consultees</b>	<b>Response</b>
<b>Over Kellet Parish Council</b>	No objections, but they are concerned about the long term implications of the further growth of caravan sites in the Capernwray area. Detailed comments to follow.
<b>Lancashire County Council Highways</b>	Have previously expressed concern about the increasing capacity of the caravan sites in Capernwray and the cumulative effect on the amount of traffic using rural roads in the vicinity. However the increase arising from this application will be small (with 60 caravans it would be around 13 extra vehicle movements at weekend morning and peak hours) and they do not feel able to justify asking for refusal. However they also ask that the applicant should make a contribution towards the overall cost of upgrading the canal towpath for use by cyclists. This would need to be secured by a section 106 agreement. The amount requested on the basis of 60 additional caravans was £20,000; with a 25% reduction this can be scaled down to £15,000. This request has been referred to the applicants' agents for their consideration, but they have indicated that they are not prepared to agree to it. They also ask for a condition requiring details of the off-street parking, and an advice note drawing attention to the public footpath adjoining the site.
<b>Lancashire County Council Ecology</b>	No observations received within statutory timescale.
<b>Environmental Health</b>	Ask for a condition to be attached to any consent requiring that if any unforeseen soil contamination is encountered, appropriate action should be taken.
<b>Environment Agency</b>	No observations received within statutory timescale.
<b>United Utilities Water</b>	No observations received within statutory timescale.
<b>Ramblers' Association</b>	Objects, on the basis that the site as extended would be visible from the public footpath running alongside. The development needs to be screened from the public right of way rather than the public right of way from the footpath. They suggest that to preserve the open character of the countryside through which the footpath passes, the site boundary should be kept some 20 metres away from it and the planting scheme along the edge of it should incorporate low, evergreen plants to ensure that screening is effective during the winter months.

### **5.0** **Neighbour Representations**

5.1 One letter has been received from a local resident who objects to the proposal on the following grounds:

- Additional traffic along Capernwray Road, which they consider to be dangerous
- Loss of agricultural land

- Erosion of the rural character of the area.

## **6.0 Principal Development Plan Policies**

- 6.1 Policy **ER6** of the Core Strategy addresses the issues associated with tourism in the local economy. It states that the Council will monitor the availability and quality of the District's stock of visitor accommodation and make provision for new accommodation where necessary.
- 6.2 Of the "saved" policies in the Lancaster District Local Plan, **TO6** states that proposals for small scale extensions to existing caravan sites will only be permitted where the proposal would result in a demonstrable improvement to on-site facilities and/or landscaping, and there are no adverse effects on the surrounding countryside or neighbouring properties. At the same time policy **E4** requires that development within countryside areas should be in scale and keeping with the character and natural beauty of the landscape.

## **7.0 Comment and Analysis**

- 7.1 The existing caravan park is laid out and operated to a high standard and it has no impact on the surrounding landscape. Nor would the proposed extension, except in so far as it would be visible to users of the adjoining public footpath. The land concerned is in a hollow and because of the topography of the area it is not visible from any public road, or from Capernwray Diving Centre which is the nearest development to the west of the site.
- 7.2 The scale of the extension requires careful consideration. It will be noted that the proposal as submitted has been significantly reduced in size. On this basis, taking into account the high quality environment offered by the proposed site, it is compatible with Local Plan Policy TO6.
- 7.3 Against the proposal, it should be noted that the site is not particularly accessible by public transport. The nearest bus service is over two miles away in Over Kellet while the nearest railway station, in Carnforth, is approximately five miles away. However in this it is little different from most of the caravan sites within the District.
- 7.4 The objection from the Ramblers' Association raises an important point about the need to screen the caravan site from users of the footpath, rather than the other way round. They have also suggested that the boundary should be at least 20 metres away from the line of the path. While this is not considered necessary, it is reasonable to require that the boundary planting scheme should be in place before any caravans are brought onto the site.
- 7.5 The County Council's suggestion that the applicants should make a contribution to the cost of upgrading the canal towpath for cyclists will be noted. It would undoubtedly improve the recreational facilities of the area, but it is unlikely that many caravan site visitors would cycle to and from Carnforth on a regular basis. Members will wish to consider the issue; but it should be pointed out that it would require an agreement under section 106 of the Town & Country Planning Act 1990, and the applicants are not willing to enter into this. It is considered that it would be very difficult to justify refusal of the present application on these grounds alone.

## **8.0 Conclusions**

- 8.1 Taking the above into account, it is recommended that the application in its amended (reduced) form should be supported.

## **Recommendation**

That Planning Permission **BE GRANTED** subject to the following conditions:

1. Standard three year condition.
2. Amended plans reducing number of static vans to 45.
3. Caravans to be for holiday use only.
4. No caravans to be occupied between 11 January and 28 February of each year.
5. Development to be carried out in accordance with the approved plans.
6. Landscaping scheme to be implemented before any caravans are brought on to the site.
7. Details of parking provision to be agreed.

8. Appropriate action to be taken if any contaminated material is found during construction work.

### **Human Rights Act**

This recommendation has been reached after consideration of the provisions of The Human Rights Act. Unless otherwise stated in this report, the issues arising do not appear to be of such magnitude to override the responsibility of the City Council to regulate land use for the benefit of the community as a whole, in accordance with national law.

### **Background Papers**

None.