

<b>DECISION DATE</b> 15 February 2006	<b>APPLICATION NO.</b> 05/01516/CU A6	<b>PLANNING COMMITTEE:</b> 22 May 2006
<b>DEVELOPMENT PROPOSED</b>  CHANGE OF USE OF LAND TO PROVIDE 24 ADDITIONAL TOURING CARAVAN PITCHES, RETENTION OF 26 EXISTING CARAVAN PITCHES AND ONE LOG CABIN FOR HOLIDAY USE AND RETENTION OF ONE LOG CABIN FOR STAFF ACCOMMODATION.		<b>SITE ADDRESS</b>  WYRESIDE LAKES FISHERY GLEAVES HILL ROAD ELLEL LANCASTER LANCASHIRE
<b>APPLICANT:</b>  Mr B And Mrs E Birkin Sunnyside Farmhouse Gleaves Hill Bayhorse Lancaster LA2 9DG		<b>AGENT:</b>  JMP Architects Ltd

#### **REASON FOR DELAY**

Awaiting consultation responses.

#### **PARISH NOTIFICATION**

No objections to original scheme - observations on amended proposals awaited.

#### **LAND USE ALLOCATION/DEPARTURE**

Local Plan - The site is within a Countryside Area.

#### **STATUTORY CONSULTATIONS**

**County Highways** - No objection to original scheme subject to the widening of the access entrance and the provision of an additional passing place - observations on amended proposals awaited.

**Environmental Health** - No objection.

**Environmental Agency** - No objection subject to no additional surface water run off.

#### **OTHER OBSERVATIONS RECEIVED**

No representations received.

## **REPORT**

This site is located to the south of Gleaves Hill Road, adjacent to the former gravel pits and farm complex which now comprises Wyresdale Lakes Fishery. This particular amended application site comprises the existing caravan site and adjacent two timber lodges together with ten additional touring pitches between these and fourteen additional pitches around the edge of the field to the west of the existing caravan site. This site is located in a hollow facing the fishing lakes and is well screened by existing hedges, trees and woodland.

### **History**

In 1994 Committee raised no objection to a consultation from the Duchy of Lancaster (No. 94/00785) regarding the use of a small triangular corner of a field close to the south east corner of the farm yard complex for up to 10 touring caravan pitches for use by people using the fishery. This was to broaden the income base and was intended as a purely ancillary facility. This was then extended in 1998 through a further consultation (No. 98/01085) to a total of 16 caravans. The two log cabins already existed from an even earlier consultation.

In 2000 a further consultation (No. 00/00016) was submitted for a further 10 pitches on a small secluded site to the south west of the farmstead, bringing the total number of pitches to 26. This was still considered to be ancillary to the main use and to conform to the landscape and caravan facilities of the Deposit Local Plan.

The ownership of the site has since passed from the Duchy of Lancaster to the site operator.

### **Proposed Development**

This proposal is a full application by the site operator to obtain a formal planning permission for the existing development which is necessary to obtain a site licence but also to use one of the existing log cabins as staff accommodation and to provide a further 24 touring pitches both around the existing development and on adjacent land to the west of the existing complex to bring the total to 50. This new area is a much less exposed site than those previously approved but extends the developed area away from the existing concentrated hub of the facility towards the lakes. A continuous wide swath crusher-run type hard standing would be laid around the outside of the field on its north and west side to provide the additional all weather pitches.

### **Policy Position**

Policy TO7 of the Lancaster District Local Plan states that new touring caravan sites or extensions to existing facilities will only be permitted where the proposal:-

1. Can be demonstrated to have no significant adverse effect on the appearance of the surrounding countryside area and the amenity of neighbouring uses.
2. Can be demonstrated not to give rise to significant traffic congestion or increased accident risk.

Policy E4 goes on to state that "within the Countryside Area, development will only be permitted where it:

1. Is in scale and keeping with the character and natural beauty of the landscape;
2. Is appropriate to its surroundings in terms of siting, scale, design, materials, external appearance and landscaping.
3. Does not have significant adverse impact on nature conservation interests
4. Has satisfactory access and parking facilities

## **Issues Arising**

In this case, the existing use is now well established with the prior approval of the Council and this proposal raises no new issues in this respect.

With regard to the expansion of the site, negotiations have been undertaken to ensure the new caravan site pitches are located in the most appropriate and well screened part of the site.

The expansion of the caravan site and use by a further 24 pitches in this revised proposal will therefore be well located in relation to the site facilities and will have no significant impact on the appearance of the surrounding countryside or the local highway networks. It is considered therefore that this proposal conforms to the requirements of Policies T07 and E4.

With regard to the use of one of the holiday log cabins for residential staff accommodation, the applicant has submitted the following justification:-

1. The site currently employs 10 staff:-  
2 cooks, 3 restaurant staff, 1 receptionist, 2 bailiffs/fishery managers, 1 accounts/book-keeper, 1 groundsman.
2. The 2 bailiffs look after 8 lakes of coarse fishing which operates almost every day of the year, day and night.
3. Some of the larger carp can weigh up to 40 lbs and be worth in excess of £500 each. Wyreside holds the record for the largest carp in the North of England.
4. One of the bailiffs is the owner/manager, Mr. Birkin, who lives in the Old Farmhouse on site. However, he cannot be available 24 hours a day (people fish all night quite regularly) and therefore another bailiff is employed to be on call.
5. Because the fishery gates are locked at night (at 10.30 p.m.) and there are people fishing around the lakes often all night, it is essential to have at least one bailiff available at all times. This is due to security and health and safety requirements, mainly for the fishing but also because of the caravans on site.
6. There have been incidents involving theft from caravans, theft of fish, and large fish regularly get snagged and need to be released or they will be lost. There have also been times when either the police or an ambulance has needed access after 10.30p.m. when the gates are locked. The bailiff on duty is responsible for these gates.

Given the isolated location of this site, remote from any significant village or other appropriate rural housing, it is considered that the above constitutes an essential need of a use appropriate to the rural area and therefore satisfies the requirements of Policy H8 of the Local Plan relating to housing in the countryside.

## **Conclusion**

It is considered that these proposals to regularise and expand the existing uses on this tourism related site are consistent with the policies of the Local Plan and can be supported.

## **HUMAN RIGHTS IMPLICATIONS**

This application has to be considered in relation to the provisions of the Human Rights Act, in particular Article 8 (privacy/family life) and Article 1 of the First Protocol (protection of property). Having regard to the principles of proportionality, it has been concluded that there are no issues arising from the proposal which appear 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.

## **RECOMMENDATIONS**

**THAT PERMISSION BE GRANTED** subject to conditions covering the following issues:-

1. Amended plans.
2. Development in accordance with approved plans.
3. The development hereby approved shall be used only as a short-stay touring caravan park for not more than a total of 50 caravans in connection with and ancillary to the main use of the adjacent land and buildings as a fishery
4. Residential occupation of one log cabin to be restricted to a staff member employed full time on the site. Occupation of the other log cabins to be restricted to short term holiday use.
5. Standard occupation periods.
6. Register of visitors to be maintained.
7. All caravans to be removed from the site during the January/February closed season with no on-site storage
8. Each pitch shall be permanently identified by a fixed and numbered marker post set out in accordance with the site layout plan hereby approved.
9. As may be required by the County Highway authority.