

DECISION DATE 3 December 2007	APPLICATION NO. 07/00892/CU A11	PLANNING COMMITTEE: 10 December 2007
DEVELOPMENT PROPOSED CHANGE OF USE OF AMENITY LAND TO PROVIDE 5 HOLIDAY ACCOMMODATION LOG CABINS		SITE ADDRESS TEWITFIELDS TROUT FISHERY BURTON ROAD WARTON CARNFORTH LANCASHIRE LA6 1JH
APPLICANT: Mr Les Bratby Tewitfield Trout Fishery Burton Road Tewitfield Carnforth LA6 1YY		AGENT: Melanie Lawrenson

REASON FOR DELAY

Awaiting consultation replies.

PARISH NOTIFICATION

Warton Parish Council - Observations awaited.

LAND USE ALLOCATION/DEPARTURE

Countryside area.

STATUTORY CONSULTATIONS

County Council Property Services- Note that the proposal is intended to diversify the business. A copy of their letter appears at the end of the report on application 07/00906.

County Council Highways - Some modest access improvements are needed. Cycle parking should be provided within the site.

Environmental Health - Note that the site has previously been used for sand and gravel extraction and that no contaminated land study has been provided in support of the proposal. They would like to see a desk study covering this subject.

OTHER OBSERVATIONS RECEIVED

A letter of support has been received from the owner of Keer Falls Forest Farm, Arkholme (which is in Whittington Parish). It argues that the business in its present form is not viable, and that this form of development will be consistent with the other chalet sites in the vicinity at Pine Lake and South Lakes Leisure. It also draws attention to security problems experienced at the site.

Any other representations received will be reported orally at Committee.

REPORT

This is the first of two applications involving a site to the north of Carnforth. It consists of an area of reclaimed land left behind from sand and gravel excavations, north of the traffic roundabout where the A6070 road to Burton-in-Kendal branches off the A6. It has been landscaped in accordance with the County Council's requirements, to a good standard. The lake is now used as a trout fishery and the surrounding area is grazed by sheep.

Two proposals for permanent dwellings, in 2003 and 2004, were refused consent. An earlier application for six chalets for fishermen, scattered over a wide area of the site, was submitted in 2006 (no. 06/01486) but it was withdrawn before it could be determined. The present proposal is in effect a revised version of it with five chalets concentrated on the east side of the site, near the site entrance. The sixth chalet, which as before is intended for the applicant's own occupation, is the subject of a separate application (07/00906).

The chalets will be of conventional design with horizontal timber boarding for the walls and felt roofs. All will be accessible to wheelchair users. A new septic tank system is to be provided to meet the foul drainage needs of the development. In a development of this kind there is a strong incentive for the owner to ensure that this is of an appropriate quality, to ensure that it does not pollute the fishing lake.

As a general principle, chalet developments are considered under the same policies as caravan sites. The following policies in the Lancaster District Local Plan are therefore relevant:

- E4, which requires that within areas designated as Countryside development must be in scale and keeping with the character and natural beauty of the landscape
- TO3, which allows small scale tourist related developments where the proposal is appropriate in terms of scale, design and landscaping, appropriate to it in terms of siting, scale, design, materials and external appearance, will not have a significant adverse effect on nature conservation or geological interests, and will make satisfactory arrangements for car and cycle parking
- TO6, which states that outside AONBs (where separate restrictions apply) new static caravans will not be permitted; small scale expansion of existing sites will only be permitted where there would be improvements to facilities and/or landscaping, and there are no effects on the surrounding countryside.
- R21, which requires that where appropriate development should cater for the needs of people with disabilities.

The applicant's previous proposal for log cabins envisaged them scattered over a large area of the site. In contrast the present one shows them concentrated in one place, which is a considerable improvement in landscape terms.

In its present form, the proposal is consistent with tourism related policies for the area and its impact on the wider landscape will be minimal. The application is therefore one which can be supported.

HUMAN RIGHTS IMPLICATIONS

This application has to be considered in relation to two sections of the Human Rights Act: Article 8 (privacy/family life), and Article 1 of the First Protocol (protection of property). 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 as follows:

1. Standard five year condition.
2. Development to be carried out in accordance with the approved plans.
3. Accommodation to be used for holiday purposes only.
4. No chalet to be let to one person or a group of persons for a period of more than eight weeks in any one year.
5. External finishes to be agreed.
6. Contaminated land study to be provided.
7. Additional tree planting to be provided.
8. Cycle parking to be provided.
9. Foul and surface water drainage details to be agreed.
10. Entrance to site to be improved to provide a 5m wide opening.
11. Access drive to be upgraded in accordance with details to be agreed with the local planning authority and carried out before any of the chalets are occupied.