

Agenda Item A10	Committee Date 14 March 2010	Application Number 10/00044/CU
Application Site Borwick Lake Fishery	Proposal Change of use of land for the siting of 26 log cabins and creation of an amenity lake	
Name of Applicant Borwick Development Solutions	Name of Agent The Wright Design Partnership, 15 Main Street, Kirkby Lonsdale	
Decision Target Date 19 April 2010	Reason For Delay Not applicable	
Case Officer	Peter Rivet	
Departure	No	
Summary of Recommendation	Refusal	

1.0 The Site and its Surroundings

- 1.1 This site is in Warton Parish, between Kellet Lane and M6 motorway. However the nearest village, 0.5 km to the east, is Borwick. The southern end of the area within the applicants' control is reclaimed land, having been worked in the past for sand and gravel, and contains a group of fishing lakes.
- 1.2 The northern end, which includes the current application site, has long been in agricultural use. It is at present open in character, and undeveloped.

2.0 The Proposal

- 2.1 The applicant wishes to diversify his operations by providing holiday accommodation in the form of 26 log cabins. These would be arranged to overlook a new lake. Access would be taken off a new access road, using an existing site entrance.
- 2.2 Two indicative design drawings have been provided showing the types of wooden cabin proposed. These would be quite substantial. Each would have a living room, a kitchen, either two or three bedrooms and a bathroom and a veranda at the entrance. The proposal includes a substantial amount of new planting.
- 2.3 The statement accompanying the proposal argues that the proposal is not intended to compete with the existing chalet parks on the west side of the motorway. It is intended for a different clientele, looking for accommodation with fewer on-site amenities. It is argued that this will be of benefit to the local economy.

3.0 Site History

- 3.1 This is not the first application for log cabins here. An earlier one was submitted in 2008, but withdrawn when it became apparent that it would not receive planning consent and that it conflicted with a Section 106 legal agreement relating to the management of the lakes to the south of the current application site.

3.2 The recent history of the site, including the land immediately to the south of that affected by the current application, is summarised below.

Application Number	Proposal	Decision
03/00698/FUL	Erection of a single storey timber café for the use of fishermen and a two storey timber office/service block	Approved
07/00961/FUL	Resiting of café and two storey timber office/service block	Approved
08/00333/FUL	Resubmission of 07/00961/FUL for resiting of café and two storey timber office/service block	Approved
08/01301/FUL	Two domestic wind turbines and plant room building	Approved
08/01404/CU	Change of use of land for the siting of 26 log cabins and creation of an amenity lake	Withdrawn

4.0 Consultation Responses

4.1 The consultation replies received are as follows:

Consultees	Response
County Council Planning	No comments on this application, which should be assessed against the provisions of the Regional Spatial Strategy for NW England and relevant development plan policies.
County Council Ecology	The present proposal is similar to the previous one (08/01404). They are concerned that the development could be prejudicial to the biodiversity of the area, which is used by breeding and nesting birds. These include Northern Lapwings which are considered to be a UK Biodiversity Action Plan Priority Species. They are also critical of some of the species proposed for the woodland planting which would form part of the development.
County Council Archaeology	Although the current proposals are in an area of known prehistoric settlement, it is their view that the topography of the site means that it is unlikely to contain features of archaeological significance. However the land immediately to the north appears to be the start of a plateau on which at least two Bronze Age ring cairns have been found. Any proposed development in this area would require a pre-determination archaeological assessment.
County Council Highways	The application is a resubmission of 08/01404/CU which was withdrawn. They have no objection in principle, but more detailed drawings are needed to show that the required visibility splays of 2.4m x 120m each side of the site access can be provided. Details are also needed of the 4 mobility parking spaces needed. Provision for cycle parking is also required. If consent is granted, they would wish to see a Section 106 agreement requiring a contribution of £20,000 towards improvements to the Lancaster Canal towpath between Carnforth and Borwick, to encourage its use by cyclists.
Highways Agency	No objections to this application.
Environmental Health	No contaminated land survey has been submitted with the application. If consent is granted, they recommend a construction hours condition. The proposal involves chalets rather than caravans and these are not covered by the spacing standards associated with caravan sites, but as some of them are positioned quite close together, they recommend obtaining the views of the Lancashire Fire & Rescue Service.
Lancashire Fire & Rescue	Observations awaited.
Environment Agency	The site is in Flood Zone 3 (high probability of flooding, 1 in 100 years or greater) but the scheme is accompanied by a Flood Risk Assessment and provided that the recommendations it contains are fully implemented, they have no objections. The

	River Keer is designated a "main river" and no trees or shrubs should be planted, or other structures erected, within 8 metres of the top of its bank without the Agency's consent. They recommend the use of a Sustainable Urban Drainage System to serve the development.
Rambler's Association (Lancaster Group)	Objects - The aspect of the area should be kept open. If permission is granted, a condition should be imposed requiring the provision of off road paths to link the development with public rights of way adjoining the canal and the River Keer.
Warton Parish Council	Concerned about the proposal sewage treatment arrangements. They would like confirmation that the Environment Agency are satisfied that the facilities are adequate to protect the River Keer and the environment in general. They are also concerned about the implications of this type of development on the east side of the M6. They support the comments by the Environment Agency on environmental improvements and those of Lancashire County Council on improvements to the canal towpath. They are also concerned at the number of apparently conflicting proposals on the site from the developer.
Borwick Parish Meeting	Object to the proposal, on the following grounds; <ul style="list-style-type: none"> • Loss of agricultural land, contrary to national policy • Adverse impact on the landscape, especially as seen from the Lancaster Canal • Already enough caravans and log cabins in the area • Will not help meet the housing needs of the area which is for permanent dwellings suitable for elderly people • Highway infrastructure is inadequate for the additional traffic • Land is at present in use during the summer for car boot sales which are of more benefit to the area • The business plan for the development is not credible • The site is inadequately screened for this type of development • Breaches of planning control involving this form of development have not always been pursued effectively • The development would not benefit the local community.
Over Kellet Parish Council	Concerned about the number of log cabins and caravan sites being allowed in this area. If consent is granted, no further units should be added. The issue of drainage and sewage disposal needs to be considered carefully as the area is prone to flooding. The River Keer and the Lancaster Canal need to be safeguarded. In particular, the Keer should not be used as an outlet for waste water.

5.0 Neighbour Representations

5.1 Eleven individual letters and emails have been received which object to the application on the following grounds:

- Adverse impact on the landscape;
- Too many huts/log cabins in the area already;
- Loss of agricultural land;
- The highway network serving the area is inadequate.

5.2 A petition with signed by 26 local residents has been submitted in line with the objections raised by Borwick Parish Meeting.

5.3 Councillor Roger Mace shares the concerns of Borwick Parish Meeting. He considers that the scheme is prejudicial to the amenity value of the landscaping on the site and to the natural environment of the rural villages of Borwick and Priest Hutton.

- 5.4 Councillor Susie Charles objects - she considers that the existing log cabins (on the west side of the motorway) are a blot on the landscape and that no thought has been given to blending them into their surroundings.

6.0 Principal Development Plan Policies

- 6.1 Policy **ER6** of the Core Strategy covers tourism related developments. At the same time policy **SC3** emphasises the need to concentrate development in those villages which provide a basic range of services: a general practitioner, a primary school, a food shop, a post office, and a bus service.
- 6.2 Of the "saved" policies from the Lancaster District Local Plan, policy **E4** requires that development within the countryside should respect its character. Policy **TO6** makes no specific mention of log cabins, but says that the City Council will accept small scale extensions to existing caravan sites where they are accompanied by site improvements and/or landscaping, but not new sites.

7.0 Comment and Analysis

- 7.1 The main issues to be considered here are the appropriateness of the location for this form of development, and its impact on the landscape.
- 7.2 The site is not, in general terms, a sustainable one. While the chalet parks at Pine Lake and Water's Edge, west of the M6, are served by an hourly bus service the Borwick area only has a very infrequent one. The village of Borwick has very little in the way of community facilities. The nearest shops, apart from the specialised ones in the interpretation centre at Greenlands Farm, are in Warton and Carnforth. The footpath network in the area is limited and the development would be almost completely car-oriented.
- 7.3 The proposal is for a chalet park rather than a caravan site, but many of the same considerations apply. The City Council's policy on these allows modest extensions in return for improvements, but not new sites.
- 7.4 So far as the landscape issue is concerned, the site involved here is as previously noted open in character. Although the scheme includes screen planting very little of it exists at present. The proposal would have a significant adverse effect on long distance views of the area. These are particularly important as the site adjoins the M6 motorway. The Keer Valley north of Carnforth is part of the District's "shop window", affecting the perception of the area of people travelling to and from the Lake District and Scotland.
- 7.5 As indicated above policy ER6 of the Core Strategy encourages small scale rural diversification, but the present proposal does not involve the reuse of any existing agricultural buildings on the site. The proposal is not a necessary adjunct of the fishing lake to the south and would do nothing to enhance its setting.

8.0 Conclusions

- 8.1 The proposal is contrary to established planning policies for the area, and cannot be justified in either sustainability or landscape terms.

Recommendation

That planning Permission **BE REFUSED** for the following reasons:

1. Contrary to policy SC3 of the Core Strategy - site is not a sustainable location, as it is poorly served by community facilities, public transport and the local footpath network.
2. Contrary to "saved" policy E4 of the Lancaster District Local Plan - adverse effect on the landscape.
3. Contrary to "saved" policy TO6 of the Lancaster District Local Plan - chalet park would have a similar impact to a caravan park and the proposal involves creation of a new one.

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