

<b>Agenda Item</b> A12	<b>Committee Date</b> 15 March 2010	<b>Application Number</b> 10/00072/CU
<b>Application Site</b> The Hawthorns Caravan Park, Main Road, Nether Kellet		<b>Proposal</b> Change of use of land to form an extension to existing caravan park
<b>Name of Applicant</b> Mr D Wright	<b>Name of Agent</b> Mr M Southerton  Edmundson Associates, Paddock House, 10 Middle Street, Driffield, E Yorks YO25 6PT	
<b>Decision Target Date</b> 28 April 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 The applicant has a large, long established holiday caravan site to the north east of Nether Kellet. At present it has consent for 109 static caravans but according to the information accompanying the application, only 99 plots are currently in use.
- 1.2 There are extensive limestone quarries (Back Lane and High Roads) to the north of the site. There is a further one (Dunald Mill) approximately 0.5km to the south.

### **2.0 The Proposal**

- 2.1 The development involves expanding the site to occupy an area of agricultural land to the west of the existing site to provide an additional 10 plots. A further area to the north is shown as incidental open space.
- 2.2 The plans originally submitted only showed nine of these plots. An amended layout (received on 5 February 2010) has therefore been provided showing all of them.

### **3.0 Site History**

- 3.1 The applicants have in the recent past sought to increase the number of plots within their existing site, but the potential for this has been limited. A proposal involving land on its eastern fringe was not pursued as it became apparent that it would have resulted in the loss of much of the planted screen at the side of the Nether Kellet to Over Kellet.
- 3.2 An earlier version of the present proposal was also withdrawn in the face of objections by nearby limestone quarry operators and the County Council that it could restrict mineral workings in the area. The present proposal has been submitted following discussions between the applicants' agent and the City and County Councils.
- 3.3 The recent applications involving The Hawthorns are as follows:

Application Number	Proposal	Decision
03/01229/FUL	Erection of a heritage centre - museum with storage area and disabled toilet	approved
04/00411/FUL	New natural limestone walling to front elevation of storage building and proposed heritage centre	Approved
05/01395/FUL	Erection of a side extension to house to form a garage, utility area, library and ensuite facilities	Approved
07/01761/CU	Siting of 7 new static caravans and change of use of existing 6 touring caravan plots to static and associated landscaping	Withdrawn
08/00545/CU	Siting of 1 new caravan within the site boundary, change of use of existing 6 touring caravans to static and associated landscaping	Approval
09/00930/CU	Change of use of land to form extension to existing caravan site	Withdrawn

#### **4.0 Consultation Responses**

4.1 Consultation responses are summarised below.

Consultees	Response
<b>County Council Planning</b>	The application lies within the boundary of the Kellet Quarry mineral resource area and is within the 400 metre consultation zone associated with it. The northern boundary of the site is immediately adjacent to the limestone quarry, but is screened from it by landscaping. The extraction of limestone can result in dust and noise, but the operations are controlled by appropriate planning conditions intended to minimise these. Although the application could sterilise limestone reserves there is a need to balance the competing land uses. On this occasion the extension of the caravan park represents a compromise between them. Therefore they do not wish to object to it.
<b>County Council Highways</b>	No objections. However, they would recommend that the applicant is required to provide one parking space for each caravan unit.
<b>Environmental Health</b>	Caravans must be sited a minimum of 5 metres apart and the site must meet all the relevant standards for holiday caravans.
<b>Arboricultural Officer</b>	Asks for a tree survey in support of the proposal (this has been referred to the applicants' agents).
<b>Environment Agency</b>	Observations awaited.
<b>United Utilities</b>	No objection. A separate metered unit will be needed for each unit.
<b>Nether Kellet Parish Council</b>	No objections. They comment that a great deal of attention has been given by the proprietors to ensure that the site is environmentally friendly and that the visual impact is kept to a minimum.

#### **5.0 Neighbour Representations**

5.1 An objection has been received from Aggregate Industries Ltd who operate the nearby limestone quarries. They are concerned that approval of the application could prejudice the working of aggregate mineral reserves and resources of regional importance, and that the development conflicts with the safeguarding policies set out in Minerals Policy Statement 1 – ‘Planning and Minerals’. They argue that the development should be advertised as a departure from the development plan; they would wish to see it considered at central government level.

5.2 A further letter has been received from solicitors acting on their behalf. It takes issue with the County Council's view that the present application represents a reasonable compromise between the needs of conflicting uses and that the future need for minerals should take precedence.

5.3 Any representations received as a result of the proposal being advertised on site will be reported orally at Committee.

## **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.

6.3 Account has also to be taken of central government advice contained in **MPS1** (Minerals Policy Statement 1) which seeks to safeguard mineral resources.

## **7.0 Comment and Analysis**

7.1 The proposal involves a modest sized and logical extension to the existing caravan site, served by an access drive branching off the existing road network within it. As the Parish Council notes, this is a well managed site with good quality landscaping. The area is already well screened from the road and the impact on the surrounding landscape will be small. The development is therefore compatible with the principles set out in the Core Strategy and with "saved" policies TO6 and E4 of the Lancaster District Local Plan.

7.2 It will be noted that there is a need for a survey of existing trees on the site to accompany the proposal. This has been referred to the applicants. It involves boundary planting, rather than the layout proposed for the additional caravans.

7.3 The objection from Aggregate Industries raises more complex issues. The area around Nether Kellet has significant limestone aggregate resources, for which there is a long term demand. Minerals can only be worked where they are found, and central government advice stresses the importance of safeguarding them from development which could restrict future working of them.

7.4 The earlier version of the current proposal, submitted in 2009, involved caravans on both the northern and southern parts of the application site. It was open to serious objection on these grounds. Because of this the County Council (as the relevant minerals authority) took the view that it should not be permitted.

7.5 The present scheme, as previously noted, leaves the northern end of the site undeveloped. Only the southern end is to contain caravans. Any noise and disturbance from quarry working within this area can be expected to be the same as that associated with the existing site; in fact this area is further away from High Roads and Back Lane than most of the existing caravans. It is therefore difficult to see present and anticipated quarry working being prejudiced by the current proposal. For this reason the County Council has withdrawn its objection.

7.6 Aggregate Industries consider that the implications of the proposal are such that it should be treated as a departure from the Development Plan. They would also like to see it called in for a decision by central government. The view of officers of the City and County Councils is that the proposal is not a departure, and that neither the scale nor the circumstances of the present application justify this approach.

## **8.0 Conclusions**

- 8.1 Taking these factors into account, it is recommended that permission should be granted, subject to suitably worded conditions based on those attached to previous consents.

### **Recommendation**

That Planning Permission **BE GRANTED** subject to receipt of a satisfactory tree survey, with the following conditions attached:

1. Standard five year condition.
2. Amended plans 5 February 2010 showing twenty static caravan pitches.
3. Development to be carried out in accordance with the approved plans.
4. One parking space to be provided for each caravan.
5. Landscaping to be agreed and implemented.
6. Caravans only to be used for holiday accommodation, and only occupied 1 March to 31st October.

### **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