

Agenda Item A9	Committee Date 6 April 2018	Application Number 18/00077/FUL
Application Site Gibraltar Farm Campsite Lindeth Road Silverdale Carnforth		Proposal Creation of hard standings for 11 caravan pitches and associated access roads
Name of Applicant Mr & Mrs James Burrow		Name of Agent Mr Glynn Burgin
Decision Target Date 28 March 2018		Reason For Delay Committee Cycle
Case Officer		Mrs Eleanor Fawcett
Departure		None
Summary of Recommendation		Approval subject to amendments to resolve archaeological concerns

(i) Procedural Matters

This form of development would normally be dealt with under the Scheme of Delegation. However, given the history of the site, it was considered appropriate for the application to be reported to the Planning Committee.

1.0 The Site and its Surroundings

1.1 The application relates to an existing caravan and camping site located adjacent to a farm complex, accessed off Lindeth Road, at the southern edge of Silverdale. The application site relates to the northwest corner of the area identified for caravans, and is at a lower level than the highway. The northern boundary, adjacent to this, comprises a stone wall, and beyond this is agricultural land. To the west is a field which is used for overflow camping from the main area to the southwest. There is a main track running through the caravan site, which has a few offshoots, and the pitches are a mix of grass and chippings. There are areas of woodland to the south, part of which is covered by a Tree Preservation Order (TPO).

1.2 The site is located within the Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) and the Countryside Area, as identified on the Local Plan Proposals Map. Morecambe Bay is located approximately 300 metres to the west, and is designated as a Site of Special Scientific Interest (SSSI), Special Protection Area (SPA), Special Area of Conservation and Ramsar Site. The application site is also located within a Mineral Safeguarding Area.

2.0 The Proposal

2.1 Planning permission is sought for the creation of 11 hard standings to provide formal caravan pitches and three separate access tracks to serve these. These will be located within the northwest corner of the existing caravan site and will comprise timber framing filled with 100mm of limestone chippings.

3.0 Site History

3.1 In March 2013 a report was taken to Planning Committee in order to aim to resolve issues in relation to an intensification of use at the site, including the addition of areas of hardstanding following significant concerns being raised by members of the public. It was resolved that the Local Authority enter into a Section 106 Legal Agreement with the owners of the caravan site in order to regulate the existing uses of the land, and provide some control over works which might usually not require consent. The legal agreement was completed on 9 December 2013. The important details contained in the agreement that are relevant to this planning application are that it:

- Defines the parts of the site to be used by touring caravans as parcels 1a and 1b. The details indicated are that the site shall contain 60 pitches for touring caravans, 37 of which are marked out with hardstanding.
- Clarifies that the number of touring caravans (within the defined area) is set at 60 pitches according to the Council's Environmental Health Caravan Site Licence dated 15 August 2011.
- Includes a Council Covenant (in the Third Schedule) which states: "The City Council acknowledges that the number of touring caravans may be increased if a new Caravan Site Licence is issued for a higher number (currently set out in the City Council's Environmental Health Caravan Site Licence dated 15 August 2011)."
- The owners shall obtain express planning permission for development or use of land not authorised by the agreement.

The plan referred to within the legal Agreement is appended to this report.

3.2 Since the agreement was signed, the owners sought consent for a new Caravan Site Licence from the Council's Environmental Health Service for an additional 14 caravan pitches. The new Site Licence was issued on 23 April 2014, and it includes consent for 74 pitches. The current application is to lay out hardstanding for 11 pitches contained within parcel 1b (also known as The Hill), which is land north of the main access road. This land was one of the most contentious areas disputed by local residents.

3.3 The relevant site history is set out below.

Application Number	Proposal	Decision
10/00253/ELDC	Application for a Certificate of Lawful (Existing) Use of Land as a Touring Caravan Site (Re-Submission of 09/00704/ELDC)	Approved
09/00704/ELDC	Application for existing lawful development certificate for use of land as a caravan site and non - compliance with conditions 3 & 4 of application reference 1/76/1303 relating to numbers of caravans on the site and time period for use as camping site	Split decision
1/76/1303	Use of land for touring caravans (limited to 15 and between 1 March and 31 October)	Approved

4.0 Consultation Responses

4.1 The following responses have been received from statutory and non-statutory consultees:

Consultee	Response
Parish Council	No comments to make.
Environmental Health	No comments received within the statutory consultation period.
County Highways	No objections.
Natural England	Comments. The application could have potential significant effects on Arnside & Silverdale AONB. Further information is required in relation to landscape character and visual amenity to guide the Local Planning Authority's decision.
Arnside and	Object. The current proposals will lead to further cumulative impact on the landscape

Silverdale AONB Unit	character and visual amenity of this part of the AONB, will increase the period of the year that caravans will be present on these pitches, and will be visible from the proposed National Coastal Path.
Lancashire Archaeological Advisory Service	Comments. Recommend that pitch 23 is removed and the track is not extended further than the north edge of pitch 24 and that pitches 20, 21 and 24, plus the tracks adjacent to them, are subject to a scheme of archaeological stripping and recording.
Lancashire Fire and Rescue Service	Comments. It should be ensured that the scheme fully meets all the requirements of Building Regulations Approved Document B, Part B5.

5.0 Neighbour Representations

5.1 1 piece of correspondence has been received which raises an objection to the proposal and the following concerns:

- Visual impact – The caravans above these pitches are visible across the Bay, will increase use of pitches for greater period of year;
- Some existing hard standings were installed without consent but were not enforced against within required time period so should not set a precedent;
- The site is already a substantial size;
- Should comply with existing and emerging policy;
- Inconsistencies between plans and statement in relation to number of existing pitches.

6.0 Principal National and Development Plan Policies

6.1 National Planning Policy Framework (NPPF)

Paragraphs 7, 14 and 17 – Sustainable Development and Core Principles
Paragraph 28 – Supporting a prosperous rural economy
Paragraphs 56, 58 and 60 – Requiring Good Design
Paragraph 109 and 115 – Areas of Outstanding Natural Beauty
Paragraph 118 – Conserving and enhancing biodiversity
Paragraph 216 – Weight of emerging plan

6.2 Local Planning Policy Overview – Current Position

At the 20 December 2017 meeting of its Full Council, the local authority resolved to publish the following 2 Development Plan Documents (DPD) for submission to the Planning Inspectorate:

- (i) The Strategic Policies and Land Allocations DPD; and,
- (ii) A Review of the Development Management DPD.

This enables progress to be made on the preparation of a Local Plan for the Lancaster District. The DPDs will be published in February, after which there will be a 6 week period for representations prior to the submission of the documents to the Planning Inspectorate for independent Examination. If an Inspector finds that the submitted DPDs have been soundly prepared they may be adopted by the Council, potentially in late 2018.

The Strategic Policies and Land Allocations DPD will replace the remaining policies of the Lancaster District Core Strategy (2008) and the residual 'saved' land allocation policies from the 2004 District Local Plan. Following the Council resolution in December 2017, it is considered that the Strategic Policies and Land Allocations DPD is a material consideration in decision-making, although with limited weight. The weight attributed to this DPD will increase as the plan's preparation progresses through the stages described above.

The Review of the Development Management DPD updates the policies that are contained within the current document, which was adopted in December 2014. As it is part of the development plan the current document is already material in terms of decision-making. Where any policies in the draft 'Review' document are different from those adopted in 2014, and those policies materially affect the consideration of the planning application, then these will be taken into account during decision-making, although again with limited weight. The weight attributed to the revised policies in the 'Review' will increase as the plan's preparation progresses through the stages described above.

6.3 Lancaster District Core Strategy (adopted July 2008)

SC1 – Sustainable Development
SC5 – Achieving Quality in Design
ER6 – Developing Tourism

6.4 Lancaster District Local Plan - saved policies (adopted 2004)

E3 – Development Affecting Areas of Outstanding Natural Beauty
E4 – Countryside Area

6.5 Development Management Development Plan Document (adopted July 2014)

DM7 – Economic Development in Rural Areas
DM14 – Caravan Sites, Chalets and Log Cabins
DM27 – Protection and Enhancement of Biodiversity
DM28 – Development and Landscape Impact
DM33 – Development Affecting Non-Designated Heritage Assets or their Settings
DM34 – Archaeological features and Scheduled Monuments
DM35 – Key Design Principles

6.6 Draft Arnsdale and Silverdale Area of Outstanding Natural Beauty (AONB) DPD

Further to publishing this draft Development Plan Document in late 2017 it was submitted to the Secretary of State on 28 February 2018 for examination along with all representations received during the post-publication period of 2 November 2017 to 14 December 2017. An independent Inspector will be appointed to conduct a public examination in mid-2018 into the soundness of the plan, taking account of the representations made. The most relevant policies in relation to this proposal are:

AS01 – Development Strategy
AS02 – Landscape
AS11 – Camping, Caravan and Visitor Accommodation

7.0 Comment and Analysis

7.1 The main issues to be considered in the determination of this application are:

- Landscape and Visual Impact
- Impacts on ecology
- Impacts on archaeology

7.2 Landscape and Visual Impact

7.2.1 The site is located within the existing caravan site which comprises a main access road, with some offshoots, and a mix of hard surfaced and grassed pitches for caravans and campervans. There are wooded areas to the south with the land more open to the north and a boundary wall separating this from the adjacent field. The application site is located towards the bottom of a hill which contains several rows of caravans. Only the row immediately above these appears to have existing hard standings, although it was unclear during the site visit given the presence of caravans on the pitches above these. Clarification has been sought from the agent as there are discrepancies in the submitted plans.

7.2.2 The site is at a lower level than the adjacent highway and, given the topography, none of the caravans are visible from Lindeth Road. There are currently no public rights of way crossing the site, the nearest terminating around 360 metres to the northwest. However, it is understood that a National Coastal Path is proposed adjacent to Morecambe Bay and that this is likely to be close to the cliff, although the precise route has not been finalised. It is therefore likely that public views will be gained of the caravan site from the west.

7.2.3 Policy DM14 sets out that, within AONBs, proposals for new static or touring sites, or the extension

to existing sites will not be permitted where it is concluded that such proposals will have an adverse impact on conserving the landscape and scenic beauty of these areas. Policy DM28 relates specifically to landscape impact and sets out that proposals should, through their siting, scale, massing, materials and design seek to contribute positively to the conservation and enhancement of the protected landscape and consideration will be given to both the individual and cumulative impacts of a proposal. It goes on to say that, proposals which would have a significant adverse effect upon the character of the landscape or which would harm the landscape quality, nature conservation interests, geodiversity interests or cultural heritage will not be permitted, and proposals within the Arnside and Silverdale Area of Outstanding Natural Beauty will be required to meet the requirements of the forthcoming Development Plan Document (DPD) for this area.

7.2.4 The Draft Arnside and Silverdale Area of Outstanding Natural Beauty (AONB) DPD has now been published and submitted to the Secretary of State for Examination. The most relevant policy to this proposal is Policy AS11 in relation to camping and caravans. It sets out:

“Within the Arnside & Silverdale AONB, development proposals:

- (I) will not be permitted for new caravan, chalet, cabin or lodge style development, in order to conserve the landscape character or natural beauty of the AONB.
- (II) may be supported within existing caravan or camping sites for small-scale tented camping and other low impact visitor accommodation. Proposals should be within the developed, screened footprint of an existing site, able to diversify the local offer and enhance the landscape character and natural beauty of the AONB. Proposals will be required to show no adverse impact on the capacity of road, sewerage or other infrastructure.
- (III) will not be permitted for the replacement of tent or touring caravan pitches or other low impact accommodation with static caravans, chalets, cabins or lodges.

Exceptions and permissions for incremental changes or additions to or intensification of camping and caravan sites will not be allowed on the basis of any incidental or unapproved previous uses of the site including for camping or storage, including the storage of caravans.”

7.2.5 Paragraph 216 of the NPPF sets out that, from the day of publication, decision takers may give weight to relevant policies in emerging plans according to:

- The stage of preparation;
- The extent to which there are unresolved objections to relevant policies; and
- The degree of consistency to the NPPF.

The plan is at an advanced stage, having been recently submitted to the Secretary of State for Examination. However, there have been objections raised to all the policies identified above. The most relevant to the proposal is Policy AS11 and specific objections have been raised in relation to the more restrictive nature than the current policy. In particular it has been raised that it should allow for redevelopment and additions within approved boundaries. Given that there are unresolved objections to the specific text that relates to this proposal, it is considered that limited weight can be given to this, and the development should be determined in accordance with the adopted policy and the NPPF.

7.2.6 The application site is already used for the siting of caravans. However, the owners wish to make this area more usable as it suffers from heavy water flow during adverse weather conditions and have advised that motor homes have a tendency to become stuck. A total of 11 hardstanding caravan pitches have been proposed which would be in three rows served by three new separate accesses from the existing track. These are proposed to be surfaced in limestone chippings similar to the other pitches. The submission sets out that consideration has been given to providing mesh ground cover, but usage has provided poor reviews as to efficiency.

7.2.7 As set out above, the site is well contained within the landscape with the most likely public views from the proposed National Coastal Path, which is not yet in place. There is a stone wall along the northern boundary of the caravan site which provides separation from the agricultural land to the north. Along the western boundary of the application site is a post and wire fence with some planting. However, beyond this, towards Morecambe Bay, are at least two boundary walls. The land rises to the east of the site, with three rows of caravans sited at a higher level. Only the row immediately

above the site appears to have hardstanding for the pitches, though clarification has been sought from the agent. There were caravans present on most of these higher pitches when the site was visited in February.

7.2.8 The hardstanding in itself will not be visible from outside the site. There are some concerns that the creation of additional hard pitches will encourage caravans to be kept on the site throughout the year, and the potential harm caused by this needs to be considered. However, the site is at the lower part of the field, and if any views are gained of these caravans from the proposed National Coastal Path this would be wholly in the context of those at a higher level, many of which appear to be sited during winter months without the presence of hardstanding. Given this, and that the site is wholly within the existing caravan site which is defined by distinct boundaries and caravans can be sited in this location at present, it is considered that the proposal would not have a significant visual impact within the landscape.

7.2.9 The field does retain some of its character, maintaining open green spaces between caravans and where grass pitches are not in use. Access tracks are quite limited which helps to retain the open nature. Given this, the agent has been asked to consider how the proposed areas of hardstanding could be limited and other, less intrusive, materials be considered for at least parts of the proposal. Three separate tracks are proposed, and it is considered that at least one of these could be removed, with two rows of pitches served by one track. It has also been suggested that enhancements are considered in order to provide some mitigation for the new hardstanding, such as a hedgerow along the western boundary. Any amendments will be reported at the planning meeting.

7.2.10 However, the site is wholly within the confines of the defined caravan site and, as such, the character of this part of the landscape has already been altered by the presence of the caravans. In addition, there are no restrictions limiting the months of the year when the site can be occupied. Given this and that the site is at a lower part of the site, which is considered less sensitive than the more elevated section to the east, it would be difficult to reach a conclusion that the proposal would have a significant adverse impact on the character or quality of the landscape. These works are also wholly reversible. As such, the proposal is considered to comply with both National and Local planning policy.

7.3 Impacts on archaeology

7.3.1 The Lancashire Archaeological Advisory Service has advised that Gibraltar Farm was included in a rapid assessment survey undertaken by the then Lancaster University Archaeological Unit in 1993. Two cairns were identified on the boundaries of the field and have been entered into the Lancashire Historic Environment Record (HER). One of these is located on the western boundary of the application site and is described as:

"A large, sub-circular cairn, measuring approximately 9m across and standing 1m high. A stone wall boundary and hedge run over the top of the cairn and therefore post-dates the cairn. On the top of the cairn is a small shallow depression. This feature is probably a clearance cairn."

The second cairn is located towards the north east corner of the caravan site and is described as:

"A large oval stone clearance cairn, measuring approximately 9m in length and standing to 1.2m. The cairn has little turf cover but is overlain by a mature hedge showing that the cairn predates the present field boundary".

7.3.2 The response goes on to say that the identification of these cairns as 'clearance cairns' will have been done visually and that no excavation will have been undertaken. It is therefore possible that they are burial cairns which have been subject to later 'dumping' of field clearance stones. The field boundaries stated to cross the cairns are extant on the OS 1848 mapping and the proposal field and those surrounding it is classified as 'Ancient Enclosure' in the Lancashire Historic Landscape Characterisation. This part of the county is known to have been settled in the middle prehistoric period. A settlement site at Storrs Moss (around 2.6km to the northeast) was dated to c.3500BC and the large monument of Warton Crag hillfort demonstrates a significant and organised population in later prehistoric times. It is therefore possible that the cairns at Gibraltar Farm could have been early burial cairns or, even if they are clearance cairns, that they originated at some time from the mid-prehistoric onwards.

7.3.3 A plan has been provided with the consultation response showing the location of the two cairn sites, with the one closest to the application site surrounded by an 18 metre radius circle centred on the grid reference given for its location. This allows for some inaccuracy in the grid reference and the possibility that the cairn extends further than the obvious surface deposits or (if a burial cairn) is surrounded by a ditch. This circle cuts through the proposed pitches 20, 21 and 24, with pitch 23 entirely within it and immediately adjacent to the plotted position of the cairn. A 5 metre radius circle from the cairn grid reference, touches the electricity point to pitch 23 and damage to the heritage asset is therefore probable during its construction and use. It has been recommended that pitch 23 is removed from the proposals and that the adjacent track is not extended further than the north edge of pitch 24. The agent has been made aware of this and has been asked to amend the plans to address these concerns. It has also been recommended that pitches 20, 21 and 24, and the adjacent tracks, are subject to a scheme of archaeological stripping and recording. This can be secured by a planning condition.

8.0 Planning Obligations

8.1 There are no obligations to consider as part of this proposal.

9.0 Conclusions

9.1 Given the location of the site and the nature of the proposal, it is considered that there will not be a significant impact on the character or appearance of the protected landscape. However, it is considered that amendments could be made to limit the impacts, in addition to enhancements to the site, which would benefit the landscape and biodiversity. It should also be acknowledged Arnside & Silverdale AONB is a popular tourist and visitor destination, with a well-developed range of camping, caravan and visitor accommodation which brings many economic benefits to the area, which must be carefully balanced against the landscape character and natural beauty of the AONB. Overall it is considered that the proposal complies with both local and national planning policy, subject to the removal of one pitch and part of the access track in order to avoid damage to the identified buried heritage asset.

Recommendation

That Planning Permission **BE GRANTED** subject to the receipt of amended plans and the following conditions:

1. Standard three year timescale
2. In accordance with amended plans
3. Scheme of archaeological stripping and recording
4. Surfacing
5. Landscaping

Article 35, Town and Country Planning (Development Management Procedure) (England) Order 2015

In accordance with the above legislation, the City Council can confirm the following:

Lancaster City Council has made the recommendation in a positive and proactive way to foster the delivery of sustainable development, working proactively with the applicant to secure development that improves the economic, social and environmental conditions of the area. The recommendation has been taken having had regard to the impact of development, and in particular to the relevant policies contained in the Development Plan, as presented in full in the report, and to all relevant material planning considerations, including the National Planning Policy Framework, National Planning Practice Guidance and relevant Supplementary Planning Documents/ Guidance.

Background Papers

Plan identifying areas within the caravan and camping site referred to within the S106 Agreement at the site dated 9 December 2013 (ref AMP/109/5/374) in relation to the scale and nature of the lawful development.