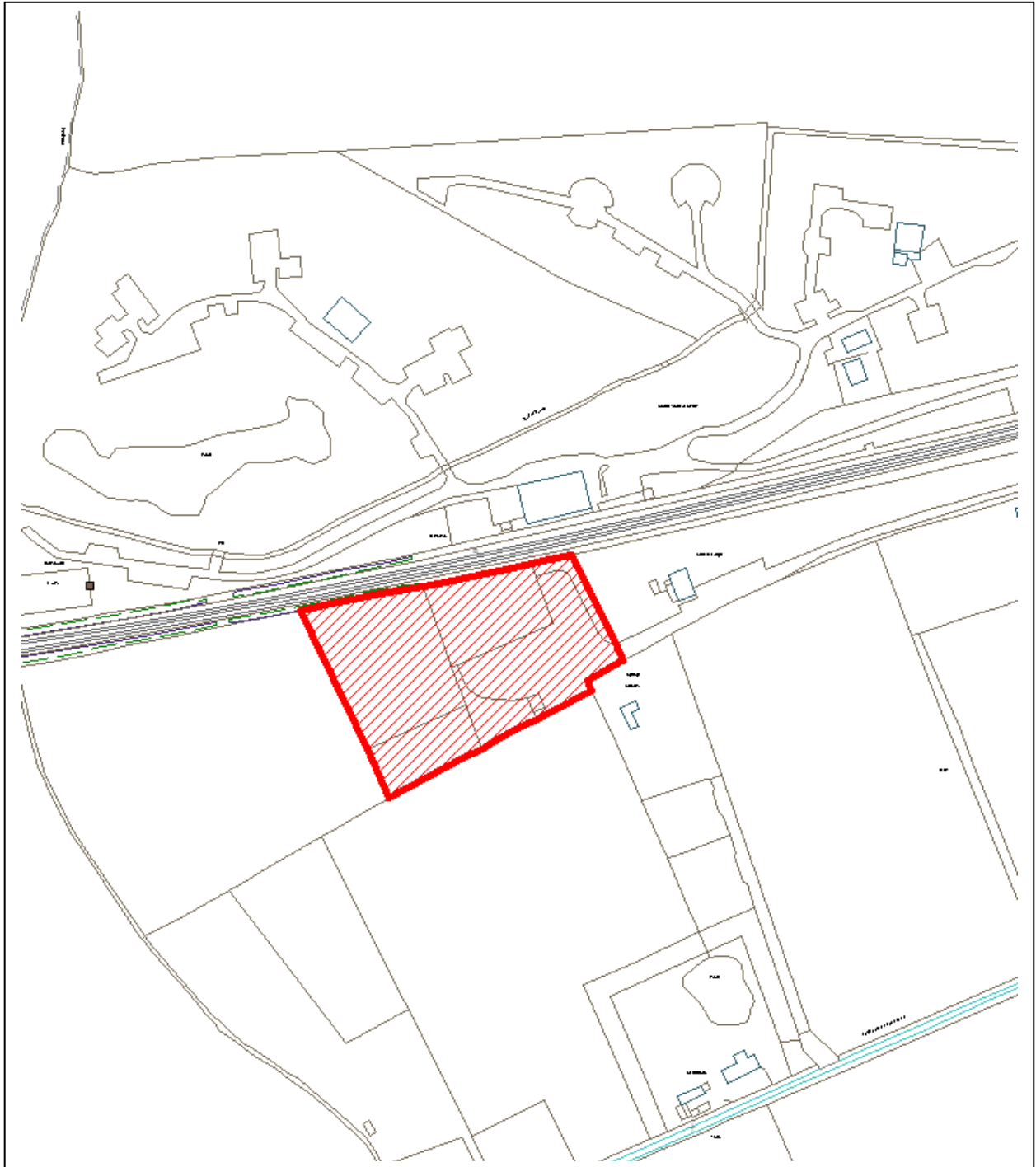


PLANNING COMMITTEE

6 MARCH 2012

REPORT OF THE TEMPORARY HEAD OF PLANNING

**A.3 PLANNING APPLICATION - 11/00897/FUL - STARENA LODGE, CLACTON ROAD, WEELEY, CLACTON-ON-SEA, CO16 9DH**



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<b>Application:</b>	11/00897/FUL	<b>Town / Parish:</b> Weeley Parish Council
<b>Applicant:</b>	Mr T Doran	
<b>Address:</b>	Starena Lodge, Clacton Road, Weeley, Clacton-on-Sea, CO16 9DH	
<b>Development:</b>	Proposed 20 pitch static holiday caravan park with peripheral and supplemental landscape planting.	

## 1. **Executive Summary**

- 1.1 This application is for a 20-pitch static caravan holiday park. The site lies to the south west of Weeley station outside of the defined settlement limits. The site is remote from residential areas and takes access from a slip road off Gutteridge Hall Lane which serves the village hall and other community facilities.
- 1.2 The main policy considerations are Local Plan policies ER16 and ER20 and PPS4 (Planning for sustainable economic growth). New holiday developments should be in sustainable locations which are not prominent in the landscape and that any visual intrusion is minimised. Environmentally intrusive sites and those which are prone to flooding should be avoided. The proposed site is considered to be in an appropriate location for this use which would not have a significant impact on the environment or cause undue disturbance to residential areas. The proposed access is considered acceptable for the volume of traffic that is likely to be generated. On balance the proposal is considered acceptable subject to appropriate conditions.

### **Recommendation: Approve**

#### **Conditions:**

- Time limit – 3 years
- Approved Plans
- Max 20 static caravans – no touring caravans
- Occupancy period restriction – 14/01 – 1/03
- Construction method statement
- Hard and soft landscaping
- Sewage treatment details
- Surface water drainage
- No buildings or structures, external illumination of the site, public address systems, or CCTV installation without further approval
- Access
- Car parking
- Visibility splays
- Holiday occupancy only
- Not occupied as sole residence
- Register of occupiers/owners to be kept
- Caravan delivery times
- Contamination assessment

**Informative:**

- 7.5 tonne weight limit on bridge

**Reason for Approval:**

The local planning authority considers that the proposal, having regard to the pattern of existing development in the area and the impacts that would be likely to arise from the proposed development assessed against the criteria in policies ER16, QL9, QL11, TR1A and COM31a of the Tendring District Local Plan, the guidance in circular 3/99 and in PPS4 (Sustainable economic development), taking account of other material considerations, including the representations received, both for and against the development, and the responses from consultees that on balance, would not materially conflict with Local Plan policies or government guidance and that the application should be approved. The proposals would not materially harm the character of appearance of the area or the living conditions of the nearest occupiers and properties and would be acceptable in terms of highway safety and convenience.

**2. Planning Policy**

National Policy:

- PPS4 Planning for sustainable economic growth
- PPS7 Sustainable development in rural areas
- PPS25 Development and Flood Risk
- CLG Good Practice Guide on Planning for Tourism

Circular 3/99 Planning Requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development

Regional Planning Policy:

- E6 Tourism

Local Plan Policy:

*Tendring District Local Plan 2007*

- ER16 Tourism and Leisure Uses
- ER19 Extensions to static and holiday parks
- ER20 Occupancy timescales
- QL9 Design of new development
- QL10 Designing New Development to Meet Functional Needs
- QL11 Environmental Impacts and compatibility of uses
- QL3 Minimising and Managing Flood Risk

- TR1A Development Affecting Highways
- EN13 Sustainable drainage systems
- EN6 Biodiversity
- COM19 Contaminated land
- COM31a Sewerage and sewage disposal

*Core Strategy and Development Policies Proposed Submission Draft*

- CP15 Tourism
- DP1 Design of New Development
- DP11 Occupancy Timescales for Tourist Accommodation
- CP7 Flood Risk, Coastal Change and Water Conservation

Other Guidance:

Tending Holiday Park Sector Review – Final Report (2009)

**3. Relevant Planning History**

- 3.1 No recent history, last permitted use was for car boot sales for temporary periods expiring in September 2003.

**4. Consultations**

4.1 Weeley Parish Council

Objects for the following reasons:

- Highway access not suitable due to weight limit on railway bridge and the number of cars regularly parked on the slip road leading to the site;
- Proximity to local school which uses same access road;
- Excess of caravan sites in the area with around 25% vacancies so no need for further sites;
- All year round occupation proposed;
- Concerns regarding previous contamination of the land;
- Drainage problems;
- Outside of development boundary; and,
- Unclear how sewerage would be handled.

4.2 Regeneration Service

- The district has a very large number of existing static pitches;
- The Council's Tourism Strategy is for the improvement of existing caravan parks rather than the development of new ones; and,
- Does not support 12-month occupation without breaks.

4.3 Horticulture and Bereavement (Leisure)

No comments.

#### 4.4 Essex County Council (Highways)

Raises no objection subject to:

- Sole means of ingress and egress shall be by way of existing access to Starena Lodge;
- Car parking facilities provided prior to occupation;
- Construction method statement; and,
- Visibility splays.
- Access from the south to avoid weight restriction acceptable

#### 4.5 Public Experience (Environmental Services)

No objections provided site licence conditions met. This will include electrical installations, density, spacing, water supply, drainage and sanitation and refuse disposal.

#### 4.6 Natural England

Advise that the Council should seek to maximise opportunities in and around the site for building in biodiversity features.

#### 4.7 Environment Agency

- Advises that applicant has not assessed the options for foul sewage in accordance with Circular 3/99. The application should not be considered without such details;
- Percolation tests should be undertaken if soakaways are to be used, alternative means of disposal should be considered if tests show these would not work satisfactorily; and,
- A private treatment plant or connection to mains sewer would be acceptable.

### 5. Representations

5.1 This application has been referred to the Committee by Councillor Skeels and Councillor De-Vaux Balbirnie as the development would have an adverse highway impact and negative impact on neighbours.

Councillor Skeels objects on behalf of local residents as follows:

- Potential increase in traffic along the road leading to the site that passes the school;
- Existing holiday parks in the area are not full;
- Permanent/12 month occupancy applied for; and,
- Development unsustainable and would put strain on local services.

5.2 25 individual representations, including letters from Weeley Rainbow Pre-School, Weeley Village Hall and St Andrew's School and a 132 signature petition received objecting to the application on the following material planning grounds:

- Loss of property values;
- Traffic increase past the school which is already very busy and would cause inconvenience and potential danger to existing users;
- Access passes the village school and pre-school, the village hall, scout building and entrance to recreation field and children's play area resulting in increased danger to children;
- Adequate holiday park provision already in Weeley which are currently not running at capacity;
- Road to Starena Lodge already used by travellers so proposal would add further congestion;

- Would impact on wildlife;
- Flooding and sewage problems likely;
- Already permission for 4 caravans a Starena Lodge;
- Question the need for 12 month occupancy;
- Land is liable to flooding;
- Regeneration/Tourism strategy does not seek the further development of caravan parks;
- Employment opportunities limited;
- No amenities to be provided on site;
- Development not accessible to all potential visitors and users;
- Static caravans will be changed from time to time adding to congestion and potential danger to children;
- Site in flood plan of Weeley Brook;
- Waste brought onto the site in 2011;
- Weight limit of 7.5 tonnes on rail bridge; and,
- Unsustainable –adverse impact on local services.

5.3 Little Clacton Parish Council supports the objections of Weeley Parish Council as follows:

- Regeneration Strategy does not seek further static caravan parks. Existing parks operating under capacity;
- 12 month occupancy unacceptable;
- Foul drainage assessment required
- Percolation tests should be carried out;
- Of limited benefit to local economy;
- Poor access;
- All work completed before any occupation; and,
- No confidence that applicant will comply with conditions.

5.4 33 pro-forma representations received in support raising the following:

- Job creation;
- Help local shops;
- Good public transport connections; and,
- Clacton holiday destination and room for additional sites.

## 6. **Assessment**

The main planning considerations are:

- Location and site description;
- Proposal;
- Policy issues; and,
- Issues raised in representations.

### **Location and site description**

6.1 The application site amounts to 0.9 hectares and lies to the south west of Weeley adjacent to the Clacton-Colchester railway line. Access to the site is via a slip road from Gutteridge Hall Lane, which is accessed from the B1441 Clacton Road. The slip road is the sole access to the application site, Starena Lodge and the four residential caravans within its curtilage. Starena Lodge is currently in a derelict condition and unoccupied. The slip road also provides access to the Weeley village hall, the village recreation ground which includes children's play facilities, scout hut and former British Legion Hall. The village primary school lies at the junction of the slip road with Gutteridge Hall Lane and the slip road is used for car parking, especially during school term times to drop off and pick up children.

- 6.2 The site is currently unused but includes an area of hardstanding and an open fronted building. There is evidence of waste and other materials being stored on the site in small quantities. Builders waste and similar materials have previously been spread out over parts of the site and pushed up into mounds around the edge. The remainder of the site is grassland/meadow and the boundaries are well vegetated, including mature trees.
- 6.3 The site has previously been used as a plant nursery, for kennels and cattery and for car boot sales. There is little evidence of these earlier uses apart from the building and hardstanding.
- 6.4 To the south of the site is a three-pitch traveller site, including a stable block, which takes access from Gutteridge Hall Lane. The nearest occupied residential property is Reedlands which lies 185 metres to the south and takes access off Gutteridge Hall Lane. The nearest residential property in the cluster near the junction of Gutteridge Hall Lane and the B1441 is over 400 metres from the site and the centre of Weeley is a further 800 metres away.

### **Proposal**

- 6.5 It is proposed to develop a holiday park containing 20 static caravans. The caravans would comprise twin and single pitch units at a density of 22.2 per hectare, which is well below the 60 per hectare permissible under the model licensing standards. The site and boundary would be landscaped. The proposed layout includes internal circulation and car parking areas. All access would be from the existing access track to Starena Lodge. The site is fairly level so little or no regarding would be required. No site buildings are proposed.
- 6.6 It is proposed to install a new connection to the mains sewer either to the manhole on the slip road by the village hall or that on Gutteridge Hall Lane near to the school entrance. Year round occupancy is also proposed. Following assessment it has been determined that an Environmental impact Assessment (EIA) is not required.
- 6.7 The holiday park would be operated as an owner occupied park with no fleet hire letting. On this occupancy basis the applicant anticipates an occupancy level between 10% and 45 %, with the highest levels during the main holiday period of July, August and September and on Bank Holidays. At sites where there is letting occupancy rates are significantly higher with occupancy rates of 100% at peak times.

### **Policy Issues**

- 6.8 The main policy considerations with regard to the principle of the development are Local Plan policy ER16 and the guidance in PPS4. The guidance on economic development in rural areas in PPS4 replaces the previous guidance in PPS7. When considering new proposals for tourism in rural areas PPS4 advises that local planning authorities should support sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors and which utilise and enrich, rather than harm, the character of the countryside, its towns, villages, buildings and other features. Economic development in open countryside away from existing settlements, or outside areas allocated for development in development plans should be strictly controlled.
- 6.9 New holiday caravan sites should not be prominent in the landscape and that any visual intrusion should be minimised by effective, high-quality screening. Sites should be located away from sensitive areas or areas prone to flooding.
- 6.10 Policy ER16 sets out criteria for new leisure and tourism development in general. The main requirements are a) that it is accessible; b) there is suitable vehicular access and public transport access; c) there is no undue disturbance by reason of noise; d) no adverse impact

on agricultural holdings or irreversible loss of high quality agricultural land and where appropriate results in improvement to damaged land or despoiled landscapes. Whilst directed specifically to extensions of existing caravan park policy ER19 includes criteria that are also material in particular that a) there is a landscape scheme to minimise impact; b) an effective natural boundary and c) the site is not in a high flood risk area.

- 6.11 The proposed site is not in a sensitive area or subject to any statutory designation. The majority of the site lies within flood risk zone 1 (the least vulnerable) and is not of any particular ecological interest. The boundaries of the site are well vegetated and there is scope for significant landscaping within the site. The land has been damaged by previous authorised and unauthorised uses and the development would bring about some visual improvements. The site is not near to any residential properties so the impact from noise or other forms of potential disturbance would not be significant.
- 6.12 The proposed number of caravans is 20, which is very small compared to other static caravan sites in the district. The site would be significantly smaller than the Weeley Bridge caravan site to the north of the railway. The site would not be readily visible from any public highway although a public footpath runs close to the western boundary and there may be some views from the elevated sections of the Weeley By-pass (A133). However, the proposed landscaping would limit any visual impact, which would be much less than that of the existing caravan park to the north. Traffic travelling to and from the site would pass very few properties in reaching the Clacton Road, and would have limited impact on existing traffic flows, although there may be some conflicts at peak school times and at other times when the other community facilities in the area are in use. Officers recognise that these conflicts are likely to be greatest during the site development period and when caravans are being delivered to the site. However, the timing of deliveries to the site can be controlled through appropriate conditions. At other times traffic generated from the site is not likely to be significant, especially as the period of greatest occupancy would be during school holidays. The Highway Authority does not object to the application, subject to conditions and is satisfied that there is an acceptable route to the site that avoids the 7.5 tonne weight limit over the railway bridge. Overall, officers consider, therefore, that the impact of this proposal on the landscape and environment of the area, including the local highway network would not be significant.
- 6.13 In terms of accessibility the site is within walking distance of public transport, including rail and bus. It is also relatively close to other public services in Weeley and is comparable to other caravan parks in the area in terms of access to places of interest. Accessibility to services is similar to that of the much larger caravan park to the north. In terms of proximity to services a balance needs to be struck between proximity to settlements and the services they provide and the degree of potential impact on residential amenity. The proposed site is considered to strike about the right balance and is comparable to other caravan sites in the district. However, the application proposes 12-month occupation and this is considered unacceptable being contrary to policy ER 20. A restriction is necessary to ensure that holiday accommodation is not used for permanent occupation as someone's main place of residence. An appropriate restriction to ensure that this does not occur could, however, be imposed through a condition and would not amount to a reason for refusal. The imposition of such a condition also accords with the CLG Good Practice guide.

#### **Issues raised in representations**

- 6.14 The Weeley Parish Council and other representations raise other issues, which are material to this application, in particular, access, drainage, sewage treatment, contamination and need.
- 6.15 Concerns have been raised that the slip road from Gutteridge Hall Lane is unsuitable as a means of access for this development because of the volume of existing traffic during



certain times of the day, especially during term time at the start and end of the school day. Apart from the likely congestion there is concern about the danger to school children and to children using other facilities in the vicinity. The problems would not be as great during school holidays. However, the Highway Authority has raised no concerns about either congestion or highway safety arising from the proposed development. In considering this issues members will need to bear in mind that once in place the caravans will largely remain in situ, so there would not be regular movements of caravans into and out of the site. The only traffic would be cars entering and leaving the site, and service vehicles. This would not be significant, especially bearing in mind the anticipated occupancy and would be spread throughout the day. Traffic would also be concentrated in the main holiday periods when the school would be closed, further reducing any impact.

- 6.16 Following consultation with the Environment Agency and Anglian Water, the applicant is proposing to connect directly to the main sewage system. There are two possible connection points, one on Gutteridge Hall Lane and the other in the slip road. Anglian Water has advised that there is sufficient capacity in the system and that either manhole is acceptable for a gravity connection. The Highway Authority has also confirmed that such connections would be acceptable as both are in the public highway. A private sewage treatment plant would also be acceptable subject to suitable discharge consents being granted. An appropriate condition is proposed to address this.
- 6.17 Parts of the application site have been subject to the deposit of waste materials, which could potentially give rise to some contamination. However, neither the Environment Agency nor Public Experience has raised any specific issues in this regard. However, whilst it is unlikely there is any significant contamination officers have recommended an appropriate condition to address this matter.
- 6.18 Concerns have been raised with regard to surface water drainage. There will be a need to provide site drainage and the increased area of hardstanding is likely to lead to greater surface water run-off. There are ditches and streams close to the site to which surface water would drain or could be discharged, subject to the appropriate consents. Officers consider that the site is large enough to provide areas for the collection and management of surface water in the form of swales. An appropriate condition is proposed to address this.
- 6.19 With regard to need, whilst not specifically set on in local plan policies; PPS4 does refer to this issue. The application does not contain any specific details relating to future need for static holiday caravan sites. However, a study carried out by the council in 2009 concluded that "Demand for holiday home ownership and rental is increasing and generally exceeds supply". Their report suggests that there would appear to be market potential and operator demand for additional and extended holiday parks. There is also a suggestion that operators would look to move away from touring caravan sites in favour of holiday home plots given the higher profits. Whilst this report and survey work that supports it was prepared early on in the recession it is likely that there will be demand for new accommodation as the effects of the recession reduce over the next few years. The reported evidence that existing sites are operating under capacity is likely to reflect the effects of the recession and may not be long term. Members will also need to have regard to the Tourism Strategy, which seeks an improvement to existing holiday parks rather than the establishment of new ones. However, whilst material the strategy does not express formal policy and the submission draft LDF documents do not express this preference. Like the Local Plan the draft Local Development Framework documents do not contain any specific policies on new caravan parks.
- 6.20 A number of other comments have been raised in the representations expressing concerns that the site could be used by travellers and make comments about the character of the applicant. These are not material to the consideration of this application and have not been included in this report. The application must be considered on its planning merits taking

account of the relevant policy considerations, in particular PPS4 and the adopted Local Plan and other material considerations as outlined in this report.

- 6.21 Copies of all written observations on the application before you for determination are available for inspection up to and including the date of the meeting during normal office hours at the Council Offices, Weeley. Please advise Planning Reception if you wish to see them to ensure the file is available. The file containing the observations will be available in the Council Chamber half an hour before the commencement of the meeting.

#### Background Papers

Tendring Holiday Park Sector Review – October 2009 Hotel Solutions.