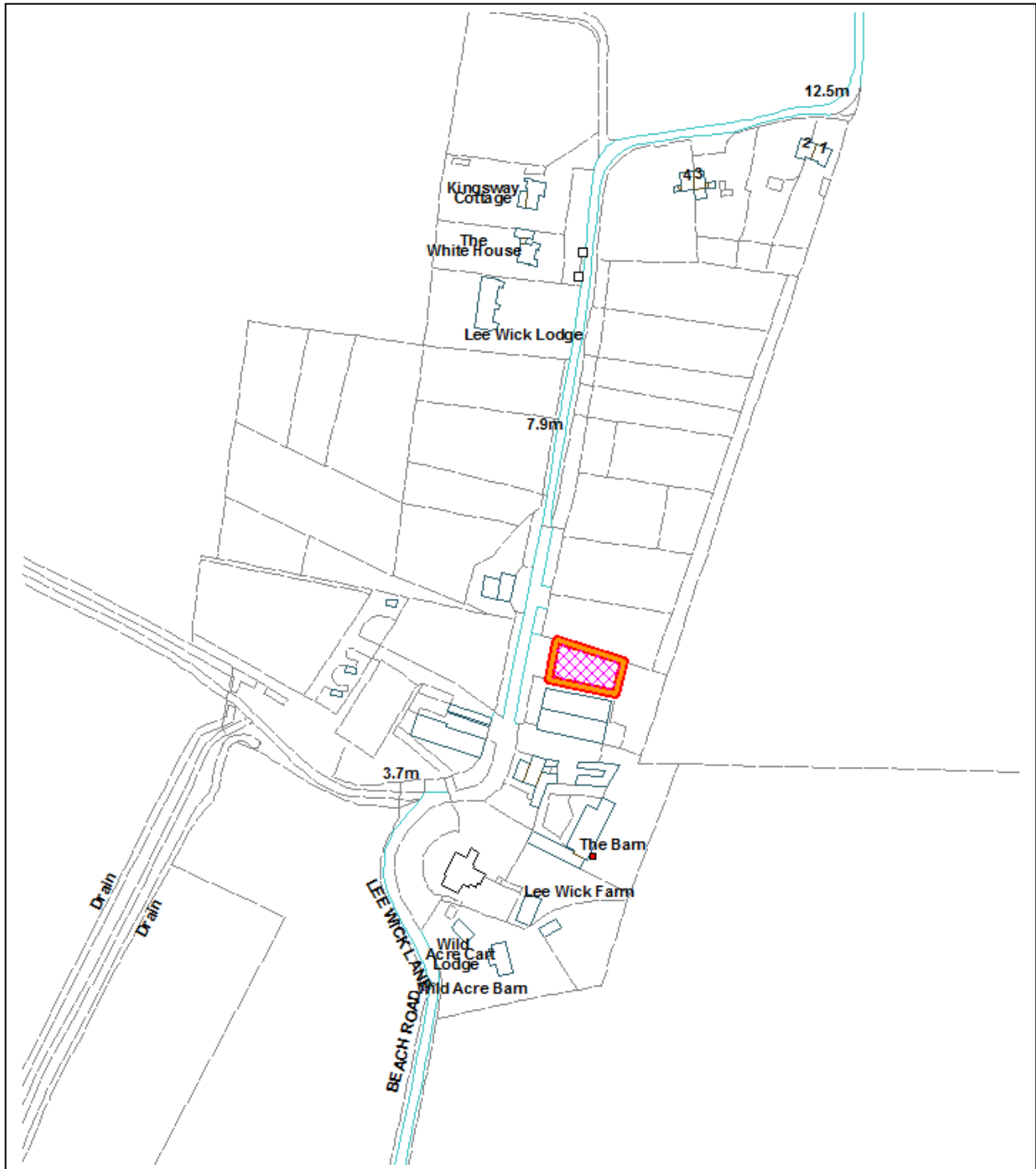


PLANNING COMMITTEE

3RD MARCH 2015

REPORT OF THE HEAD OF PLANNING

A.7 PLANNING APPLICATION - 14/01772/FUL - LEE WICK FARM, LEE WICK LANE, ST OSYTH, CO16 8ES



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Application:	14/01772/FUL	Town / Parish: St Osyth Parish Council
Applicant:	Mr Robert Clarke - Roy Clarke Potatoes Ltd	
Address:	Lee Wick Farm, Lee Wick Lane, St Osyth, CO16 8ES	
Development:	Siting of 2no. 'cargo pods' tourist accommodation units on present paddock land as extension to existing self-catering holiday accommodation.	

1. Executive Summary

- 1.1 This application has been referred to the Planning Committee as it has been called in by Cllr. J. White because of the negative impact on neighbours.
- 1.2 The application seeks part-retrospective planning permission for the siting of 2 no. "cargo pods" for use as holiday let accommodation on a site previously used as a paddock. The shipping container nearest Lee Wick Lane has already been converted to a cargo pod and is used as such. The site forms part of a small cluster of buildings, centred around an existing farm, including barns, stables and a few dwellings, notably "The Barn", "Lee Wick Farm" and "Wild Acre Barn" to the south. It also includes existing holiday accommodation that operates from a converted cart lodge and a stable cottage. The surrounding countryside is relatively flat and open with few trees or hedgerows. The site is accessed from Lee Wick Lane which is a partly unmade, single track road to the south of St Osyth. Adjacent to the site is also land used for "glamping pods", which were subject to a recently withdrawn, part-retrospective, planning application (ref: 14/01771/FUL). These adjacent glamping pods do not have the benefit of planning permission.
- 1.3 In clustering with existing buildings the proposal is well sited. Its corrugated metal finish is not out of place next to an agricultural barn and further soft landscaping screening can be secured by condition. Objections have been received in relation to the noise disturbance from the part-implemented proposal. Given that the proposal for 2 no. cargo pods is relatively small scale and that an adjacent, part-implemented application for glamping pods has been withdrawn, it is anticipated that disturbance will be reduced further. Furthermore, conditions preventing amplified music and the year-round use of the site are proposed. On this basis, any disturbance would be outweighed by the tourism benefit that the site offers.

Recommendation: Approve

Conditions:

1. Standard time limit
2. Development in accordance with plans
3. Landscaping condition
4. No amplified music
5. No occupancy from 14 January to 1 March in any one year
6. External appearance of cargo pods

2. Planning Policy

National Policy:

- 2.1 Paragraph 28 of the National Planning Policy Framework (“the Framework”) states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. Planning should support the growth of well-designed new buildings and promote the development and diversification of agricultural businesses. This Paragraph also states that planning should support sustainable rural tourism that benefits businesses in rural areas which respect the character of the countryside. This should include supporting the provision and expansion of tourism and visitor facilities in appropriate locations.
- 2.2 Paragraph 17 of the Framework requires that planning seeks a high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 2.3 Paragraph 109 of the Framework states that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes. Paragraph 114 goes on to state that Local Planning Authorities should maintain the character of the undeveloped coast, protecting and enhancing its distinctive landscapes.

Local Plan Policy:

- 2.4 Saved plan Policy QL7 supports the regeneration of rural areas by permitting appropriate rural diversification schemes that provide employment opportunities, maintain and/or improve access to the countryside and protect and/or enhance landscape character.
- 2.5 Saved plan Policy QL9 states that all new development should make a positive contribution to the quality of the environment and protect or enhance local character. Saved plan Policy QL11 goes on to state that all new development should be compatible with surrounding land uses and minimise any adverse environmental impacts. Development should not have a materially damaging impact on the amenities of occupiers of nearby properties. Draft plan Policy SD9 maintains the same stance as saved plan Policies QL9 and QL11.
- 2.6 In terms of tourism, saved plan Policy ER16 sets out the criteria that should be met. Amongst other things it requires that the type of use proposed should not cause undue disturbance by reason of noise and that uses creating high levels of noise should be located well away from residential property. Saved plan Policy ER20 adds that in terms of occupancy timescales, the occupancy of holiday units will not be permitted between 14 January and 1 March in any year. Draft plan Policies PRO7 and PRO9 retain a similar stance to these saved policies.
- 2.7 With regard to landscape character, saved plan Policy EN1 states that the quality of the district’s landscape and its distinctive character will be protected and where possible enhanced. Any development which would significantly harm landscape character or quality will not be permitted. Saved plan Policy EN3 is also applicable as the site is in the Coastal Protection Belt. This policy states that new development which does not have a compelling functional need to be sited in these locations should not be permitted. The policy adds that even where a compelling functional need is demonstrated, the development should not significantly harm the landscape character and quality of the undeveloped coastline. Draft plan Policy PLA5 maintains a similar policy stance to saved plan Policy EN1, whereas the Coastal Protection Belt designation is discontinued in the draft local plan.

Other guidance:

- 2.8 The Tendring District Landscape Character Assessment Volume 1 (November 2001) describes the landscape character of the District. Lee Wick Lane is labelled as “2B: St Osyth Drained Marshes”. Amongst other characteristics it describes the expansive coastal views, open horizons and a sense of “remoteness” with a strong character albeit of a declining condition. It highlights the particular pressure for further caravan parks. It also highlights this area as being highly sensitive to change as a result of its flat topography, its remote and open character and important habitats. In the landscape management strategy contained therein it mentions that visitor facilities, such as car parks, that are of a rural, informal design will have least impact on the remote nature of the landscape.

3. Relevant Planning History

02/00492/OUT. Demolition of recent farm buildings to facilitate change of use of retained structures to domestic dwelling/letting unit and retention of stables. Withdrawn 18.06.2002.

02/01419/FUL. Demolition of redundant farm buildings. Conversion of existing barn to dwelling. Conversion of loft and store to holiday letting unit. Approved 04.05.2004.

05/00058/FUL. Conversion of old dairy parlour to 3 no holiday units. Split decision (conversion allowed, but front porches refused) 27.03.2007.

09/00308/FUL. Change of use of redundant farm building to 2 bed holiday let accommodation. Approved 11.06.2009.

14/01771/FUL (application for site on western side of Lee Wick Lane). Siting of 6no. Glamping tourist accommodation pods, siting of 2no. airstream caravan units on present paddock land as extension to existing self catering holiday accommodations. Withdrawn 13.02.2015.

4. Consultations

- 4.1 St Osyth Parish Council – At the time of writing this report comments had not been received. Members will be updated at Planning Committee.
- 4.2 Environmental Health – The Council’s Environmental Health team have no comments to make.
- 4.3 Regeneration Team – No reply has been received from the Council’s Regeneration team.
- 4.4 Essex Wildlife Trust – Raised no objection to the proposal.
- 4.5 Visit Essex – Visit Essex support the proposal, highlighting the popularity of this type of holiday accommodation with wider economic benefits.
- 4.6 Environment Agency – The Environment Agency have raised no objection to the proposal which is sited in Flood Zone 1 (an area of low flood risk).
- 4.7 Anglian Water – Anglian Water have been consulted, but have not responded.

5. Representations

- 5.1 Three letters of objection have been received from neighbours on Lee Wick Lane. The material planning considerations raised are as follows:

- Disturbance. There is a high volume of holiday makers in peak times exceeding 40 people at application and neighbouring sites. This disturbs protected species and late night parties also create disturbance with anti-social behaviour, litter and sewerage problems. The area is otherwise quite tranquil. The small size of the proposed cargo pods encourages outdoor enjoyment in the evening, accentuating the noise disturbance caused to a dwelling approximately 30-40 metres away. The grassed area on this site acts as a congregation point for guests across the wider site.
- Overlooking. The rear-most proposed cargo pod will overlook the residential garden to the south.
- Need. There is sufficient caravan capacity in St Osyth. Therefore no need for this proposal
- Security. The site is isolated with no lighting or security
- Traffic increase. The proposal will result in more traffic along a road that is already in poor condition
- Landscape impact. The proposal is not in keeping with the surrounding countryside

6. Assessment

6.1 The main planning considerations are:

- Context and Background;
- Proposal;
- Planning History;
- Policy Context;
- Impact on Countryside and Coastal Protection Belt;
- Residential Amenity; and,
- Tourism.

Context and Background

6.2 The 0.06 hectare site is located at Lee Wick Farm on the eastern side of Lee Wick Lane and is outside of the Settlement Development Boundaries as established in the saved and draft local plans. The site is in Flood Zone 1 (an area of low flood risk) and in an area designated as "Coastal Protection Belt" in the saved local plan. The site contains 2 no. shipping containers. One of these containers, sited nearer the highway, has already been converted into a "cargo pod" tourism accommodation. The second container has not been converted and lies at the rear of the site. The site is bounded by an established hedgerow to the north and a fence to the south. It is partially fenced to the western front of the site and has a hedgerow on its eastern boundary. The site is served by an unlit road. The nearest bus stop is approximately 0.7 miles away on Point Clear Road, to the north.

6.3 Directly to the north of the site is a horse paddock and to the south is a barn with a house sited beyond. To the east are open fields. To the west are some single storey buildings used for tourism accommodation. There are additional buildings which are the subject of a planning application (ref: 14/01771/FUL) as glamping pods, which has recently been withdrawn in light of an objection from the Environment Agency.

Proposal

6.4 The proposal is a full planning application made part retrospectively for 2 no. "cargo pods" holiday accommodation units.

Planning History

6.5 No relevant planning history for the application site, although adjacent sites have received planning permission for holiday accommodation in a converted cart lodge and stables.

Impact on Countryside and Coastal Protection Belt

- 6.6 The site is located in the countryside and the Coastal Protection Belt. As identified in the Tendring District Landscape Character Assessment (2001) the surrounding countryside is relatively flat and open with few trees or hedgerows. The site forms part of a small cluster of buildings, centred around an existing farm, including barns, stables and a few dwellings, notably “The Barn”, “Lee Wick Farm” and “Wild Acre Barn” to the south. It also includes existing holiday accommodation that operates from a converted cart lodge and a stable cottage. Adjacent to the site is also land used for “glamping pods”, which were subject to a recently withdrawn, part-retrospective, planning application (ref: 14/01771/FUL). These adjacent glamping pods do not have the benefit of planning permission.
- 6.7 The proposal constitutes 2 no. former shipping containers, one of which has already been converted to a “cargo pod” and operates as holiday accommodation. The cargo pods are sited adjacent to an existing agricultural building. The cargo pods have a corrugated metal finish with a flat roof and are of a single storey. Such a finish is not uncommon on an agricultural farm, where large barns often have a corrugated finish. Cargo pod 1 is externally painted plum purple. However, a more suitable colour can be secured by planning condition. In landscape terms the pods also benefit from clustering with the existing farm buildings and so whilst the landscape is relatively flat and open in this part of the District, this juxtaposition with the existing farm results in a negligible impact on the character and appearance of the countryside, which can be further mitigated through the implementation of a suitable rural fence and landscaping condition.
- 6.8 In terms of the character of the surrounding area, the applicant already operates a holiday lets business from this cluster of buildings and in that respect the addition of 2 no. cargo pods for holiday accommodation would be in keeping with this setting. There are issues of impact on neighbouring residential amenity, but this is addressed in greater detail below.
- 6.9 In terms of the coastal protection belt, the proposal does not have a compelling functional need to be located at this site. However, the purpose of this policy is to protect the undeveloped character of the Tendring coastline. As discussed above, the proposal is adequately sited and screened so as to not have any material impact on the landscape at this site and is only for 2 no. cargo pods, which is not deemed to be significant within the context of the coastal protection belt.

Residential Amenity

- 6.10 In terms of residential amenity the already operational cargo pod (“cargo pod 1”), which is sited closest to Lee Wick Lane benefits from an intervening agricultural barn between the pod and the nearest residential dwelling (“The Barn”). The unconverted shipping container (sited rear-most in the site) (“cargo pod 2”) is more directly sited in relation to The Barn. Unlike the existing holiday accommodation on the wider site, which are converted farm buildings, the proposal is relatively small in size thereby encouraging guests to congregate outdoors, rather than indoors. Furthermore, given the design of the site, larger groups (from elsewhere on the wider site) congregate outside the existing cargo pod. Whilst cargo pod 1 has an intervening building that would shield some of the noise generated, an objection has been received from The Barn on, amongst other things, noise disturbance from holiday makers late into the evening and into the night. This is accentuated given its relatively tranquil setting. Concerns have been raised that cargo pod 2 would further impact on residential amenity.
- 6.11 As noted above the cargo pods themselves are relatively small and each have 1 double bed and 1 double sofa bed, thereby potentially accommodating 2 couples in each. Therefore, on the application site there is capacity for 4 couples to be present at one time. The application needs to be considered on its own merits. Important considerations include

that the pods would accommodate only up to 8 people. Secondly, the proposal could be screened further with soft landscaping secured by condition. Such a condition would also further screen any direct views across to The Barn. Thirdly, the adjacent application on the western side of Lee Wick Lane has been withdrawn. This will reduce the capacity of the wider site, thereby reducing the level of disturbance from the application site. Finally, a condition can be attached to ensure that no music is amplified during the evening and night.

Tourism

- 6.12 The proposal is of a tourism benefit to Tendring District, particularly through the alternative nature of the accommodation offered. This tourism would support the local business operated by the applicant, but also with associated indirect benefit for the local economy, such as local restaurants, pubs and tourist destinations, including those at Clacton on Sea. The proposal has received support from Visit Essex because of the tourism benefit that it would bring. In line with saved plan Policy ER20 and draft plan Policy PRO9, it is necessary to ensure that the proposal is not occupied between 14 January and 1 March in any one year. As explained in the preamble to these policies this is because such holiday accommodation is not suitable for permanent residential occupation, particularly in the winter months. Also permanent occupation displaces accommodation intended for tourism use.

Background Papers

None.