

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	17/06/19
Planning Development Manager authorisation:	SCE	18.06.19
Admin checks / despatch completed	PS	18/6/19

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**Application:** 19/00646/FUL **Town / Parish:** Bradfield Parish Council

**Applicant:** Mr Ritchie Hammond & Ms Joann Merrigan

**Address:** Strangers Home Pub and Camp Site Station Road Bradfield

**Development:** Proposed change of use of land to a mixed use of touring caravans/tents and permanent static caravans.

### 1. Town / Parish Council

Bradfield Parish Council With regards to application 19/00646/FUL, Strangers Home, Bradfield the Parish Council of Bradfield would like to support this application. However they would like the restrictions for occupation to be adhered to should ownership of the site change in future years.

### 2. Consultation Responses

Natural England Thank you for your consultation on the above dated 01 May 2019 which was received by Natural England on the same day. Natural England is a non-departmental public body. Our statutory purpose is to ensure that the natural environment is conserved, enhanced, and managed for the benefit of present and future generations, thereby contributing to sustainable development. European sites - Stour and Orwell Special Protection Area and Ramsar

Based on the plans submitted, Natural England considers that the proposed development will not have likely significant effects on the Stour and Orwell Special Protection Area and Ramsar and has no objection to the proposed development.

To meet the requirements of the Habitats Regulations, we advise you to record your decision that a likely significant effect can be ruled out. Stour Estuary Site of Special Scientific Interest

Based on the plans submitted, Natural England considers that the proposed development will not damage or destroy the interest features for which the site has been notified and has no objection.

#### SUMMARY OF NATURAL ENGLAND'S ADVICE

#### NO OBJECTION

Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

Natural England's further advice on designated sites/landscapes and

advice on other natural environment issues is set out below.

ECC Highways Dept

The information that was submitted in association with the application has been fully considered by the Highway Authority.

The proposal is utilising the existing vehicle access for the camp site and the proposal is for the introduction of 19 static caravans and a reduction of down to 35 pitches. The site retains adequate room and provision for off street parking and turning, for the proposed site therefore:

The Highway Authority does not object to the proposals as submitted.

Informative 1: There should be no obstruction above ground level in relation to the existing vegetation and camp site sign on the north side of the existing vehicle access and retained free of obstruction above 600mm at all times.

This is to provide adequate inter-visibility between users of the access and the public highway in the interests of highway safety.

Informative 2: All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

The applicants should be advised to contact the Development Management Team by email at [development.management@essexhighways.org](mailto:development.management@essexhighways.org) or by post to:

SMO1 - Essex Highways  
Colchester Highways Depot,  
653 The Crescent,  
Colchester  
CO4 9YQ

### 3. Planning History

11/01015/FUL	Use of the land to the rear of Strangers Home Public House Bradfield as a camping site for 70 touring pitches, for either caravans or tents, between the 1st March and 15th January of the following year, together with retention of the modified site access and use of part of the site for caravan storage between the 15th January and the 1st March (replacement of existing planning consent TEN/922/76).	Withdrawn	04.11.2011
13/00168/FUL	Construction of new access road to existing camp site.	Withdrawn	11.07.2013
17/00064/OUT	Erection of five detached dwellings.	Refused	07.03.2017
18/00006/OUT	Residential development of 0.19ha of land to create three detached dwellings.	Refused	27.02.2018

#### **4. Relevant Policies / Government Guidance**

NPPF National Planning Policy Framework February 2019

National Planning Practice Guidance

Tendring District Local Plan 2007

EN1 Landscape Character

ER16 Tourism and Leisure Uses

ER18 Caravan and Chalet Parks

ER20 Occupancy Timescales

QL3 Minimising and Managing Flood Risk

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017)

CP1 Sustainable Transport and Accessibility

PP10 Camping and Touring Caravan Sites

PP11 Holiday Parks

PPL1 Development and Flood Risk

PPL3 The Rural Landscape

SPL1 Managing Growth

SPL3 Sustainable Design

Local Planning Guidance

Essex County Council Car Parking Standards - Design and Good Practice

#### **Status of the Local Plan**

The 'development plan' for Tendring is the 2007 'adopted' Local Plan. Paragraph 213 of the NPPF (2018) allows local planning authorities to give due weight to adopted albeit outdated policies according to their degree of consistency with the policies in the NPPF. Paragraph 48 of the NPPF also allows weight to be given to policies in emerging plans according to their stage of preparation, the extent to which there are unresolved objections to relevant policies and the degree of consistency with national policy. As of 16th June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft.

Section 1 of the Local Plan (which sets out the strategy for growth across North Essex including Tendring, Colchester and Braintree) was examined in January and May 2018 and the Inspector's

initial findings were published in June 2018. They raise concerns, very specifically, about the three 'Garden Communities' proposed in north Essex along the A120 designed to deliver longer-term sustainable growth in the latter half of the plan period and beyond 2033. Further work is required to address the Inspector's concerns and the North Essex Authorities are considering how best to proceed.

With more work required to demonstrate the soundness of the Local Plan, its policies cannot yet carry the full weight of adopted policy, however they can carry some weight in the determination of planning applications. The examination of Section 2 of the Local Plan will progress once matters in relation to Section 1 have been resolved. Where emerging policies are particularly relevant to a planning application and can be given some weight in line with the principles set out in paragraph 48 of the NPPF, they will be considered and, where appropriate, referred to in decision notices. In general terms however, more weight will be given to policies in the NPPF and the adopted Local Plan.

## **5. Officer Appraisal**

### Site Description

The application site is located on the western side of Station Road to the northern end of the settlement of Bradfield. The site sits outside any settlement development boundary as defined in both the saved and emerging local plans. The site is also within an area designated as Coastal Protection Belt and an area identified as a possible extension to the AONB. The site is located to the north and west of several residential properties and is currently occupied as a touring/caravan site associated with Strangers' Home, which is a public house located to the east.

The existing camp site currently has 67 touring pitches for touring caravans and tents, and is open from 1 March to 14 January each year.

### Description of Proposal

This application seeks planning permission for the change of use of the land from its existing use as an area for touring caravans and tents, into a mixed use including permanent caravans.

The existing site is occupied by 67 touring caravans/tents and as a result of the proposed development will reduce to 35 touring caravans/tents and 19 permanent caravans. The area to the south of the site allocated for permanent caravans will be sited behind gates and therefore separated from the adjacent touring pitches.

The area allocated for permanent caravans will have opening times of 1 March to 31 October each year.

### Site History

Under planning reference 12/00321/FUL, an application was refused for the continued use of the land to the rear of Strangers Home Public House for the existing 67 touring pitches (caravans or tents) between 1st March and 15th January of the following year, with a limit of 50 caravans at any one time (increased from 25) together with the retention of the modified site access and use of part of the land for caravan storage between 15th January and 1st March. The reason for refusal was the proposal would lead to the intensification of use of a sub-standard access by reason of insufficient vehicular visibility splays contrary to the interests of highway safety. However, under appeal reference APP/P1560/A/12/2189605 this decision was allowed.

### Assessment

#### 1. Principle of Development:

Policy ER19 of the Adopted Tendring Local Plan 2007 states that permission for extensions to existing static caravan and chalet sites will be granted providing:

- a) material improvements to the overall layout, amenity and appearance of the site will be secured;
- b) a landscaping scheme designed to minimise the impact of the extended site on the surrounding landscape to a satisfactory standard is provided;
- c) an effective natural boundary to the extended site such as a tree belt is provided; and
- d) the site is not in an area of high flood risk.

The proposed development will not see a detrimental impact to the existing layout, with the re-arranged layout reducing the number of touring caravans and tents but replacing with permanent caravans. The caravans will measure 10.7m x 3.7m, with a height of 3.5m and will be finished in green to help them assimilate well with the semi-rural surrounds. Further, there will be 6m separation distance between the caravans, ensuring the development does not appear cramped.

As a result of the development a section of the conifer trees to the southern boundary are to be removed; however new hawthorn planting and laurel hedging are to be planted to all boundaries. That notwithstanding the site is currently well screened with natural boundaries, and the development is located within these established site boundaries. Therefore there will be an acceptable impact to the surrounding landscape. The site is also not located within a recognised flood zone.

The proposal is therefore considered acceptable against the above criterion.

## 2. Impacts to Trees

The submitted Tree Survey and Report shows the Root Protection Areas of the trees potentially affected by the development and provides a clear indication of the impact of the development on them. In terms of amenity value of the trees on the land all of those included in the report are important landscape features and can be seen from the surrounding area. The Poplar trees on the southern boundary provide some screening for adjacent properties although they have reached a size where much of the foliage is at height above that which would provide screening. Some of the Poplars are leaning northwards and will need crown reduction works if they are to be retained. Poplars are fast growing species with surface roots.

In terms of visual amenity value, longevity and wildlife benefits the most important tree on the site is the Oak on the western boundary. The proposed site layout shows that the foundations for the proposed units will be within the RPA's of both the Poplars and the Oak. Nevertheless if 'no dig' construction techniques are used for the bases then damage to tree roots can be restricted so that harm is not caused to retained trees. If foundation depths are limited to approximately 100mm then damage to roots will be unlikely to compromise the health or structural integrity of retained trees.

It appears that the development proposal identifies the removal of some of the Poplars and the retention of others to achieve the proposed layout. With regards to the aesthetics of the application site and the impact of the trees and boundary hedgerows on the local environment it is important to consider the relationship between retained trees and development and how to maintain a good level of screening and tree cover. In this respect it is noted that the Poplars are very large trees with the potential to increase their size considerably. It is likely that they were planted as a screen or windbreak and have not subsequently been maintained in such a way to fulfil this function.

On balance it is considered that the retention and protection of the Oak should be secured as set out in the tree report but that both the amenities of the locality and screening for the development would be best addressed by the removal of the Poplars and their replacement with smaller and more desirable species.

As the Oak is not threatened by the development proposal and the amenities of the locality would not be permanently adversely affected by the removal of the Poplars and their replacement with other trees it is not considered expedient to make a new Tree Preservation Order in respect of any of the trees on the land.

If the Poplars were to be removed and replaced with trees such as Silver Birch, Common Alder, Hawthorn, Whitebeam, Hornbeam and Field Maple with an understory of shrubs such as Laurel, Guelder Rose, Privet, Snowberry and Holly then an improved level of screening for adjacent properties would be achieved as well as securing the establishment of new trees with a long safe useful life expectancy and with better amenity value and greater wildlife benefits.

### 3. Impact to Neighbouring Amenities

Policy QL11 of the Saved Plan states that amongst other criteria, 'development will only be permitted if the development will not have a materially damaging impact on the privacy, daylight or other amenities of occupiers of nearby properties'. These sentiments are carried forward in Policy SPL3 of the Tendring District Local Plan 2013-2033 and Beyond Publication Draft (June 2017).

As stated previously, a good separation distance is to be maintained between each static caravan. While the caravans to the southern boundary in particular are closely related to the residential properties to the south of the site, good separation distances are maintained. Given this, the single storey nature of the development and the proposed planting to the southern boundary, there is not considered to be such significant harm to existing amenities to justify a reason for refusal.

### 4. Highway Safety

Essex Highways Authority, following consultation, have stated that the proposal will utilise the existing vehicle access for the camp site, and there is adequate room and provision for off-street parking and turning. Accordingly they do not object to the proposed scheme.

The plans also show one parking space per permanent caravan, measuring 5.5m x 2.9m. This accords with the preferred bay size of the Adopted Parking Standards and is therefore acceptable.

### Other Considerations

Bradfield Parish Council are in support of the application, but do state they would like the restrictions for occupation to be adhered to should ownership of the site change in future years.

There have been three letters of objection received, with the following concerns:

1. Impact to neighbouring amenities; and
2. Devalue local properties.

In answer to this, point 1 has been addressed within the main body of the report above while point 2 is not a material planning consideration and can therefore not be given any weight in the determination of the application.

There have also been two letters of support received.

### 6. Recommendation

Approval.

### 7. Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason - To comply with the requirements of Section 91 of the Town and Country Planning Act 1990, as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans, drawing numbers 25-2018-01PA, 25-2018-02P and the document titled 'Appendix 1 Tree Survey and Explanatory Notes'.

Reason - For the avoidance of doubt and in the interests of proper planning.

- 3 Prior to the commencement of any above ground works, a scheme of hard and soft landscaping works for the site shall be submitted to and approved, in writing, by the Local Planning Authority. The scheme shall include any proposed changes in ground levels and also accurately identify spread, girth and species of all existing trees, shrubs and hedgerows on the site and indicate any to be retained, together with measures for their protection which shall comply with the recommendations set out in the British Standards Institute publication "BS 5837: 2012 Trees in relation to design, demolition and construction.

Reason - To enhance the visual impact of the proposed works.

- 4 All changes in ground levels, hard landscaping, planting, seeding or turfing shown on the approved landscaping details shall be carried out during the first planting and seeding season (October - March inclusive) following the commencement of the development or in such other phased arrangement as may be agreed in writing by the Local Planning Authority. Any trees or shrubs which, within a period of 5 years of being planted die, are removed or seriously damaged or seriously diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority agrees in writing to a variation of the previously approved details.

Reason - To enhance the visual impact of the proposed works.

- 5 No caravan shall be occupied between 1 November and 28 February inclusive in any year.

Reason - To ensure that the accommodation remains in holiday use in support of planning policies aiming to encourage tourism and does not become a permanent residential use.

- 6 The caravans shall be occupied for holiday purposes only.

Reason - To ensure that approved holiday accommodation is not used for unauthorised permanent residential occupation.

- 7 The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

Reason - To ensure that the approved holiday accommodation is not used for unauthorised permanent residential occupation.

- 8 Details of any outdoor lighting and CCTV cameras shall be submitted to and approved in writing by the local planning authority prior to their installation. Development shall be carried out in accordance with the approved details.

Reason - In the interests of preserving neighbouring amenities.

- 9 The winter storage of caravans shall take place solely within the red dashed line on drawing Ref 2537/05 of planning permission 12/00321/FUL between 15 January and 1 March, and shall not take place at any other time or part of the site.

Reason - To ensure the site is not occupied as full time residence.

- 10 No more than 50 caravans shall be stationed on the site at any one time, except in accordance with condition 9 above.

Reason - A more intensive development would give rise to additional matters that would require the consideration of the local planning authority in regard to landscaping, visual harm to the area and highway matters.

- 11 The use hereby permitted shall be solely for holiday accommodation. No person shall occupy the site for more than 28 consecutive days.

Reason - To ensure the site is maintained as a tourist location and not for permanent occupation.

- 12 No caravan shall be permitted to return to the site within less than 14 days of vacating the site.

Reason - To ensure the site is maintained as a tourist location and not for permanent occupation.

- 13 No public address or sound system shall be installed or operated.

Reason - In the interests of visual and neighbouring amenity.

- 14 The vehicular access and visibility splays as shown on drawing number 2357/01 Rev B of decision 12/00321/FUL and approved at appeal shall be maintained in perpetuity.

Reason – In the interest of highway safety.

## 8. Informatives

### Highways:

There should be no obstruction above ground level in relation to the existing vegetation and camp site sign on the north side of the existing vehicle access and retained free of obstruction above 600mm at all times.

This is to provide adequate inter-visibility between users of the access and the public highway in the interests of highway safety.

All work within or affecting the highway is to be laid out and constructed by prior arrangement with and to the requirements and specifications of the Highway Authority; all details shall be agreed before the commencement of works.

### Positive and Proactive Statement:

The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.