

DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	MP	19/12/19
Planning Development Manager authorisation:	AN	19/12/19
Admin checks / despatch completed	CC	23/12/19
Technician Final Checks/ Scanned / LC Notified / UU Emails:	AP	23/12/19

Application: 19/01633/FUL **Town / Parish:** Brightlingsea Town Council

Applicant: Mr Pitt

Address: Land at Folkards Lane Brightlingsea

Development: Extension of existing five pitch touring caravan site to eight pitches for touring caravans with associated parking.

1. Town / Parish Council

Brightlingsea Town Council If Tendring District Council are minded to refuse, Brightlingsea Town Council would like to call in the application.

2. Consultation Responses

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

Informative 1: 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.

Natural England Natural England has no comments to make on this application.

3. Planning History

16/00059/FUL	Continuation of Use of 0.13 hectares of land for the storage of up to 12 touring caravans.	Approved	08.03.2016
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16/00978/DISCON	Discharge of condition 5 (landscaping) of planning permission 16/00059/FUL.	Approved	01.08.2016
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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

ER19 Extensions to Static Caravans and Holiday 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

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 (2019) 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, which measures approximately 0.45 hectares, is located to the east of Folkards Lane. The site is situated within a grassed clearing set within an extensive woodland, and is accessed via Folkards Lane to the west. While the immediate site is of a rural nature, the surrounding areas character is more urbanised, with residential development to the south and west.

The existing site currently has five touring pitches.

Description of Proposal

This application seeks planning permission for the extension of the existing five pitch touring caravan site to eight pitches for touring caravans.

Two of the touring pitches will be for additional tourers, with the third a longer term unit. All of the pitches (seven in total) are for holiday purposes only and are to be occupied for 28 days per booking, and are proposed to be used throughout the year.

The longer term unit is to provide a pitch for a warden to reside during the summer months to oversee the operation, provide security and manage the woodland. It is proposed that this would not be restricted to a 28 day maximum period but would be removed from the site between 1 November and 28 February each year.

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 increasing the number of pitches from five to eight. The wardens unit (Plot 1) is to have a concrete basis for both the unit and parking space, however all other pitches will remain set to grass. Further, there will be a minimum of 6m separation distance between the pitches, ensuring the development does not appear cramped.

The application site is not visible from a public place and the proposed intensification of the existing use is not of a scale that would adversely affect the character of the area. The proposal describes the removal of a single tree, and although information relating to the species, size and location of the tree to be removed has not been provided, the site is well screened and this will not have an adverse impact on the character of the area. The site is also not located within a recognised flood zone.

The proposal is therefore considered acceptable against the above criterion.

2. 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 pitch. Further, the nearest residential properties to the west are approximately 50m apart, and the nearest properties to the south are approximately 60m apart. Given this, and that this is an extension to an existing use, there is not considered to be harm to existing amenities.

3. Highway Safety

Essex Highways Authority, following consultation, have stated that they do not object to the proposed development.

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

Other Considerations

Brightlingsea Town Council support the application.

There have been no other letters of representation 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, the untitled Site Location Plan and drawing number 111 01.

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

- 3 Plot 1 shall not 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.

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

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

- 5 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.

- 6 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.

- 7 The use hereby permitted shall be solely for holiday accommodation. No person shall occupy Plots 1-7 for more than 28 consecutive days.

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

- 8 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.

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

Reason - In the interests of visual and neighbouring amenity.

8. Informatives

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.