

## DELEGATED DECISION OFFICER REPORT

AUTHORISATION	INITIALS	DATE
File completed and officer recommendation:	ML	13/06/2018
Planning Development Manager authorisation:	AW	14/6/18
Admin checks / despatch completed	AS	15/6/18

*ML*

**Application:** 18/00572/FUL **Town / Parish:** St Osyth Parish Council

**Applicant:** Mr Robert Clarke - R F Clarke Farms

**Address:** Blackwater Farmhouse Lee Wick Lane St Osyth

**Development:** Variation of Condition 2 of 15/01760/FUL to replace plans numbered GP/1/2016 and GP/2/2016, and all plans and elevations relating to glamping pods. Discharge of conditions 3 (surface treatment), 8 (external lighting) and 9 (landscaping) of 15/01760/FUL.

### 1. Town / Parish Council

St Osyth Parish Council Following a discussion the Council voted in favour of the application, with 5 Councillors supporting, 4 objecting and 3 abstaining.

Whilst it is accepted that the majority of the 'glamping pods' are 3.53 m in height, as 4 of the pods will be up to 4.35 m in height (as per planning application 15/01760/FUL), the Parish Council would seek to ensure that the lighting and landscaping as per conditions 8 (external lighting) and 9 (landscaping) are adhered to, so as not to have a detrimental effect on the residents of Point Clear Road, whose properties will overlook the site.

### 2. Consultation Responses

Tree & Landscape Officer No trees or other significant vegetation will be affected by the development proposal.

In terms of soft landscaping the information provided is sufficient to discharge condition 9 of planning permission 15/01760

ECC Highways Dept The Highway Authority does not object to the discharge of these conditions.

Environmental Protection Environmental Protection are satisfied that the lighting condition can be discharged as there will be no significant adverse effect from the proposed lighting.

### 3. Planning History

00/00669/FUL	Replacement farmhouse and garage (variation to design as approved under planning permission TEN/96/1536)	Approved	14.06.2000
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96/01536/FUL	(Land adjacent The Potato Store, Leewick Lane, St Osyth) Demolish existing bungalow to improve access to the potato store and erect farmhouse and garage	Approved	28.01.1997
10/01451/FUL	Extension to existing farm building for housing micro-distillery business and warehouse operation, including photovoltaic installation for both new build and existing farm buildings, plus construction of new boiler room.	Approved	17.02.2011
15/30144/PREAPP	Glamping site for 12 units.		09.07.2015
15/01760/FUL	Change of use of part of seven acre field to create a "Glamping" site to accommodate up to twelve Glamping "Pod" units of various design and provision of access road and parking area.	Approved	11.04.2016
16/00638/COUNO T	Conversion of long barn to residence with ancillary car parking and garden.	Determinati on	14.06.2016
16/30133/PREAPP	Change of use from farm land to paddocks with erection of a stable block and associated tack room and muck store.		30.06.2016
16/01154/FUL	Change of use of land from agricultural to paddocks and to construct a block timber stable block on the eastern side of the site.	Approved	18.01.2017
16/30314/PREAPP	Change of Use.		05.01.2017
17/00049/FUL	Change of use of an area of farm yard to site 12 shipping containers for use as self storage.	Approved	07.06.2017
18/00572/FUL	Variation of Condition 2 of 15/01760/FUL to replace plans numbered GP/1/2016 and GP/2/2016, and all plans and elevations relating to glamping pods. Discharge of conditions 3 (surface treatment), 8 (external lighting) and 9 (landscaping) of 15/01760/FUL.	Current	

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

NPPF National Planning Policy Framework

National Planning Practice Guidance

Tendring District Local Plan 2007

QL1 Spatial Strategy

QL7 Rural Regeneration

QL9 Design of New Development

QL10 Designing New Development to Meet Functional Needs

QL11 Environmental Impacts and Compatibility of Uses

ER16 Tourism and Leisure Uses

ER20 Occupancy Timescales

EN1 Landscape Character

EN3 Coastal Protection Belt

TR1A Development Affecting Highways

TR7 Vehicle Parking at New Development

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

SPL3 Sustainable Design

PP8 Tourism

PP13 The Rural Economy

PPL3 The Rural Landscape

PPL4 Biodiversity and Geodiversity

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, despite some of its policies being out of date. Paragraph 215 of the NPPF 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 216 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 16<sup>th</sup> June 2017, the emerging Local Plan for Tendring is the Tendring District Local Plan 2013-2033 and Beyond Publication Draft. Part 1 was examined in January 2018 with the Inspector's report awaited and whilst its policies cannot yet carry the full weight of adopted policy, they can carry some weight in the determination of planning applications. 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 216 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 (including Site Description and Proposal)**

### Site Description

The application site is located on the western side of Lee Wick Lane to the south of dwellings that front onto Point Clear Road to the north. The site measures approximately 0.5 hectares and is open agricultural land. Directly to the east of the site are several dwellings that front onto an unmade track that is accessed via Lee Wick Lane.

### Proposal

This application proposes the variation of condition 2 of planning permission 15/01760/FUL to vary the design types of the individual holiday pods.

Details of the hard/soft landscaping specification and external lighting has also been submitted.

### Appraisal

The principle of siting 12 holiday pods on this site was established under the granting of planning permission 15/01760/FUL. As such the main planning considerations for this application relate to the visual impact of the changes to the pod types and an assessment of the submitted landscaping, lighting and surface finish details.

### Visual Impact

The original planning application approved in 2015 granted permission for the siting of 4 x Megapods, 4 x Lushna pods and 4 Armadilla pods. Each type of pod was of differing size and height with the tallest being 4.3m and the lowest 3m.

This application seeks to alter the design type of the units to all Lushna pods including the classic, suite classic, mezzanine and petite versions. The height and scale of these pods are similar to those proposed previously and would therefore not result in any additional landscape harm. All the pods are in finished in a larch and spruce wood that would relate appropriately to the character of the area.

### Landscaping/Lighting Details

The soft landscaping plan shows that native hedgerow planting is proposed either side of the access track and to the front and rear of the pods. Further hedgerow planting is proposed to sub-divide each plot. The Council's Tree/Landscaping officer has confirmed that the information provided is sufficient to suitably screen the development. The use of graded recycled road plantings to the access track is acceptable in this rural location.

In terms of lighting provision the details provided confirm that there will be no lighting along the access track and only low level lighting on the pods to guide users. For the car park and footpath lighting is to be provided via 15no. Path Lighting Bollards 1m in height. Environmental Protection is satisfied that the lighting is acceptable as there will be no significant adverse effect from the proposed lighting.

### Conditions

The conditions applied to the previous approval governing occupation, number of pods and refuse points will be re-applied. Further conditions securing the provision of the submitted landscaping/lighting schemes will also be included.

## Other Considerations

ECC-Highways do not have any additional comments to make upon the proposal over those previously submitted.

St Osyth Parish Council state the following; whilst it is accepted that the majority of the 'glamping pods' are 3.53 m in height, as 4 of the pods will be up to 4.35 m in height (as per planning application 15/01760/FUL), the Parish Council would seek to ensure that the lighting and landscaping as per conditions 8 (external lighting) and 9 (landscaping) are adhered too, so as not to have a detrimental effect on the residents of Point Clear Road, whose properties will overlook the site.

No further letters of representation were received.

## **6. Recommendation**

Approval

## **7. Conditions**

- 1 The development hereby permitted shall be begun before 11th April 2019.

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 not be carried out except in complete accordance with the details shown on the following plans/document;

- Layout Plan (Scale 1:500) titled Hobbes Field Glamping Project
- Specification Document for Lushna Suite Lux
- Specification Document for Lushna Suite Classic
- Specification Document for Lushna Petite
- Specification Document for Lushna Suite Mezzanine
- Kingfisher Lighting Datasheet

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

- 3 The communal refuse recycling point, as shown on approved Layout Plan (Scale 1:500) titled 'Hobbes Field Glamping Project', shall be implemented as approved prior to the first occupation of any of the hereby approved glamping pods and retained in its approved form thereafter.

Reason -To minimise the length of time a refuse vehicle is required to wait within and cause obstruction of the highway, in the interests of highway safety.

- 4 No person shall occupy any holiday pod on the site for more than 28 consecutive days and shall not be permitted to return to the site within less than 14 days of vacating the site.

Reason - To prevent the use of the site for permanent accommodation in the interests of the tourism economy and local community infrastructure:

- 5 The glamping pods hereby permitted shall be occupied for holiday purposes only and shall not be occupied as a person's sole or main place of residence. The operators of the site shall maintain an up-to-date register of the names of all occupiers of caravans, glamping pods and tents 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 prevent the use of the site for permanent accommodation in the interests of the tourism economy and local community infrastructure.

6 No more than 12 glamping pod pitches shall be provided at any time.

Reason - In the interest of visual amenity, minimising the impact of noise and disturbance on the residential amenity of the nearby farmhouse and to restrict the number of vehicular movements to and from the site for the benefit of highway safety.

7 The external lighting scheme shall be carried out in accordance with the details provided on the submitted Layout Plan (Scale 1:500) titled Hobbes Field Glamping Project and associated Kingfisher Lighting Data sheet. The external lighting shall only be carried out in accordance with the approved details and retained in the approved form.

Reason - In the interests of amenity to reduce the impact of night time illumination on the character of the area and on wildlife.

8 The approved scheme of landscaping shown on the Layout Plan (Scale 1:500) titled Hobbes Field Glamping Project, shall be implemented not later than the first planting season following commencement of the development (or within such extended period or phased arrangement as the Local Planning Authority may allow) and shall thereafter be retained and maintained for a period of five years. Any plant material removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season and shall be retained and maintained.

Reason - To ensure the effective implementation of the approved landscaping scheme, the interests of visual 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.

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.

<b>Are there any letters to be sent to applicant / agent with the decision? If so please specify:</b>	YES	NO
<b>Are there any third parties to be informed of the decision? If so, please specify:</b>	YES	NO