



COMMITTEE DATE 28/08/2019 **WARD** Stanton Hill and Teversal

APP REF V/2019/0102

APPLICANT C & J Woods

PROPOSAL Change of Use from Paddock to Caravan Park

LOCATION The Campsite, Silverhill Lane, Teversal, Sutton in Ashfield,
Nottingham, NG17 3JJ

WEB-LINK <https://www.google.com/maps/@53.1496994,-1.2995897,17z>

BACKGROUND PAPERS A, C, D, E, F, K

App Registered: 26/02/2019 Expiry Date: 01/07/2019

Consideration has been given to the Equalities Act 2010 in processing this application.

This application has been referred to Planning Committee by Cllr. H Smith on the grounds of environmental implications.

Background

Members will recall that this application was deferred by the Planning Committee on 19th June 2019 on the grounds that it was considered that the ecological appraisal submitted by the applicant was insufficient due to it not being undertaken at the recommended time of year for surveying of a protected species. It was also deferred on highway grounds due to concerns about on-street parking and to see whether the applicant was willing to explore an alternative to static caravans for the site.

Comment

Ecology:

The applicant has submitted a comprehensive ecological appraisal, undertaken and prepared by a qualified ecologist, as part of the application. The survey was undertaken and the report prepared in January 2019. The appraisal is extensive and offers in depth information regarding the site, methods used in the site survey, results from the site survey and recommendations.

Concerns were raised by members that the submitted ecological appraisal was insufficient due to it not being undertaken at the recommended time of the year for surveying a protected species.

As the UK Government's own guidance states in relation to surveying this protected species: "You can survey [the species] at any time of year". Whilst the optimum time

of the year is in early spring or late autumn, there is no restriction on when surveys can be undertaken as previously discussed between members.

Regardless, the ecological appraisal clearly acknowledges that there was evidence of the protected species and activity from this species outside the application site to the south-west. Evidence of the protected species on site related to field signs only (i.e. tracks and prints). The results of the site survey also indicate that the application sites southern boundary is used as a shelter for this protected species.

Taking these constraints into account, the scheme has been designed to include a minimum protection radi around the protected species habitat, in line with guidance provided by Natural England, to ensure the species remains undisturbed by the development both during construction and when in use. Furthermore the vegetation along the southern boundary of the site will remain in situ as part of the proposal.

The ecological appraisal provides a series of recommendations to protect and enhance ecology on the site. A condition would be imposed as part of any approval requiring the development to be carried out in accordance with the recommendations contained within the ecology appraisal.

Highways:

Concerns were raised by members in respect of highway safety implications at the site access as a result of the proposal.

Comments received from the Highway's Authority as part of the initial consultation process confirmed that the site already has an existing access with no history of recorded collisions. It was also considered that the additional traffic generated by the proposal would be unlikely to result in a significant number of trips to/from the site, and it was further considered that the proposal would not result in an unacceptable risk to highway safety. As such, no objections were raised in respect of the proposal.

Following the deferral of the application at the June committee meeting, officers re-consulted the Highway's Authority regarding the proposal, who have reaffirmed that their original comments still stand.

It is pertinent to reiterate that each of the static holiday units will benefit from at least one parking space, with an additional five parking spaces spread across the site for any additional ad hoc parking. With all the proposed static holiday caravans comprising of two bedrooms, it is reasonable to assume that any individuals/families occupying the caravans will arrive at the site in one car, reducing the likelihood of any on-street parking along Silverhill Lane arising from the development.

It is also not unusual for vehicles to park on grassed areas within the site on the odd occasion. Vehicles from users holidaying in the static units would not be expected to park on the adjacent highway given the layout of the units and the distance of the units from the site access.

It is therefore considered that the proposal will not result in any detrimental impact on the capacity of the highway network in this location, nor would it give rise to any significant impact on highway safety.

Alternative Options:

At the previous meeting, members discussed the possibilities of an alternative scheme coming forward at the site. Discussions included the reduction in static holiday units, and the increase in touring pitches as part of the proposal.

The applicant has confirmed that they do not wish to revise their scheme, and have provided a compelling case for not doing so.

Demand for touring pitches has decreased in recent years, where as demand for static holiday units has continued to increase, with the applicant having to turn people away who wish to acquire a static unit at Teversal Campsite. A further increase in touring pitches therefore does not fit with the sites business model, and would restrict the sustainable growth of the business.

New amenities, such as toilet and shower blocks, would also be required to be constructed on site to ensure the site remained compliant with licensing legislation should the site be used for further touring pitches.

Other Matters:

It is important to note that the static caravans will not be used as a person's main residence. Teversal Campsite is a holiday park, not a residential park as found elsewhere in the District.

Conditions would be attached to any approval notice restricting the use of the static caravans not to be a person's main or sole residence. The site owner would also be required to keep an up-to-date register of all names of all owners/occupiers of individual caravans on the site, and of their main home address and kept available for inspection by the Council at all reasonable times, to ensure compliance with conditions.

Conclusion

It is confirmed that the submitted Ecological Appraisal is sufficient and robust for the purpose of this application, and the ecological survey has been carried out in accordance with Government guidance. The Ecological Appraisal acknowledges the existence of a protected species, and the scheme has been designed having regard to legislation surrounding this protected species. As such, the proposed development will not give rise to any significant impact on ecology on or surrounding the site.

The Highway's Authority have reaffirmed that they have no objections to the proposal, and the proposed development will not result in any detrimental impact upon highway capacity or safety in this location.

The applicant has confirmed that the exploration of alternative options for the site would be inconsistent with their business model which coincides with increased demand for static caravans. They have also pointed out that a further increase in touring pitches at the site would lead to the requirement for further built development at the site.

It is essential to note that this application as submitted should be considered on its own planning merits and alternatives are not for consideration as part of this application.

Overall therefore, it is considered that the proposal accords with policies contained at both a local and national level, and as such, the application is recommended for approval, subject to the following conditions:

Recommendation: Grant Conditional Consent

CONDITIONS

- 1. The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.**
- 2. The materials and finishes to be used for the external elevations and roof of the proposal shall match those detailed in the submitted application form.**
- 3. This permission shall be read in accordance with the following plans:**
 - Site Location Plan, Drawing No. 001, Received 15/02/19;**
 - Site Plan As Proposed, Drawing No. 101 Rev A, Received 15/04/19;**
 - Proposed Electricity Kiosk, Drawing No. 104, Received 15/02/19;**
 - Surface Water Drainage Plan, Drawing No. 105, Received 05/04/19.**

The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.

- 4. The hereby approved development shall be undertaken in accordance with the submitted Ecology Appraisal (received 15/02/19), and all mitigation recommendations complied with.**
- 5. The static caravans hereby permitted shall be occupied for holiday purposes only.**

6. The static caravans hereby permitted shall not be occupied as a person's sole, or main place of residence.
7. The site 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 address, and shall make this information available at all reasonable times to the Local Authority.

REASONS

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.
2. To ensure the satisfactory appearance of the development.
3. To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.
4. In the interest of protecting ecology.
5. To ensure the holiday accommodation is not used for unauthorised permanent residential occupation.
6. To ensure the holiday accommodation is not used for unauthorised permanent residential occupation.
7. To ensure the holiday accommodation is not used for unauthorised permanent residential occupation.

INFORMATIVES

1. The applicant/developer is strongly advised to ensure compliance with all planning conditions, if any, attached to the decision. Failure to do so could result in LEGAL action being taken by the Ashfield District Council at an appropriate time, to ensure full compliance. If you require any guidance or clarification with regard to the terms of any planning conditions then do not hesitate to contact the Development & Building Control Section of the Authority on Mansfield (01623 450000).
2. Landowners, individual property owners and users are responsible for managing the drainage of their own land. The applicant must satisfy themselves that drainage is managed in such a way as to prevent adverse impacts of neighbouring land. The council take no responsibility for incorrect information or interpretations made by the

applicant or their representatives. The responsibility for the checking of the design, calculations and details remain with the developer, or agent acting on their behalf.

- 3. The site operator is strongly advised to contact the Council's Private Sector Enforcement Team at privatesectorenforcement@ashfield.gov.uk or on 01623 457345 to apply for any necessary variations to their existing caravan license.**

COMMITTEE DATE 19/06/2019 **WARD** Stanton Hill and Teversal

APP REF V/2019/0102

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Expiry Date: 01/07/2019

Consideration has been given to the Equalities Act 2010 in processing this application.

This application has been referred to Planning Committee by Cllr. H Smith on the grounds of environmental implications.

The Application

This is an application for the change of use of land from a paddock to a caravan park, forming an extension to the existing established campsite.

Consultations

Site Notices have been posted together with individual letters of notification to surrounding residents.

The following consultation responses have been received:

Resident Comments:

2x Letters of support received from local residents in respect of the following:

- Increase in tourism in the area
- Economic boost to other local businesses
- Will have no detrimental impact on the outlook from nearby properties
- Will not result in an increase in on-street parking
- No increase in towed caravans due to nature of the proposal
- Any increase in traffic will not be notable - Silverhill Lane is used as a thoroughfare from the A38 to junction 29 of the M1
- Campsite is a first class, award winning facility – site is well managed

7x Letters of objection received from local residents in respect of the following:

- Increase in traffic and parking on Silverhill Lane
- Noise disturbance
- Odour disturbance
- Paddock currently serves as an area for dog walkers and families to play
- Environment, character and openness of the area tarnished
- No retail facilities nearby
- Wildlife known to frequent the site
- Impact on views from nearby properties
- No employment opportunities from the expansion

ADC Drainage:

No known drainage issues with the site. Further information required on the proposed sustainable drainage system.

Further details of drainage system provided by applicant. No further comments received or concerns raised.

ADC Environmental Health (Private Sector Enforcement):

The site in its current occupation is well managed and compliant, and no additional involvement has been necessary from the Private Sector Enforcement Team. The Mobile Caravan Standards should be considered. A variation to their current license will be required in planning permission is granted.

NCC Highways:

Have no objections to the proposal. The site already has an established access with no history of recorded collisions. The additional traffic created by the proposal is unlikely to result in a significant number of trips to/from the result, and will not result in an unacceptable risk to highway safety.

Nottinghamshire Wildlife Trust:

No comments to make on the application.

Environment Agency:

No comments to make on the application.

Natural England:

No comments to make on the application.

Policy

Having regard to Section 38 of the Planning and Compulsory Purchase Act 2004 the main policy considerations are as follows:

National Planning Policy Framework (NPPF) 2019:

Part 6 – Building a Strong, Competitive Economy

Part 8 – Promoting Healthy and Safe Communities

Part 9 – Promoting Sustainable Transport

Part 12 – Achieving Well Designed Places

Part 15 – Conserving and Enhancing the Natural Environment

Ashfield Local Plan Review (ALPR) 2002:

ST1 – Development

ST4 – Remainder of the District

EV2 – Countryside

EV8 – Trees and Woodland

Teversal, Stanton Hill and Skegby Neighbourhood Plan 2016

NP1 – Sustainable Development

NP4 – Protecting Landscape Character

NP6 – Improving Access to the Countryside

Relevant Planning History

V/2014/0525 – Replacement reception and site shop (A1) building – Conditional Consent 08/12/14

V/2013/0627 – Wood cabin to be used as a holiday let – Conditional Consent 17/01/14

V/2007/0943 – Part demolition, refurbishment and extension to provide amenity facilities – Conditional Consent 20/12/07

V/2003/0987 – Construct two chemical disposal points to replace existing; increase number of workers caravans; provide area for holiday homes (static caravans); remove limit on number of caravans allocated for winter seasonal use; construct new toilet block; construct new reception, office sales shop – Conditional Consent 27/11/03

V/2001/0834 – Children’s play area and log cabin reception/shop – Conditional Consent 17/01/02

V/2001/0645 – Extend area for caravans to be sited; extend summer season for touring caravans; allow winter season for touring caravans within extended Area 1; allow siting of warden and assistant warden caravans; change of use of conservatory to office/reception/shop – Conditional Consent 25/10/01

V/1998/0270 – Caravan site for touring caravans, motor homes and tents – Conditional Consent 02/07/98

Comment :

The application seeks consent to change the use of a parcel of land sited directly adjacent to the west of the site from a paddock to a caravan park, to act as an extension to the existing caravan park, known as The Campsite, Silverhill Lane, Teversal.

The existing caravan park comprises of a mix of touring and static caravans, plus a tent pitch area. The park is equipped with a warden's caravan, amenity buildings, a reception and campsite shop, in addition to a children's play area. The caravan park is served by a vehicular access from Silverhill Lane.

The extension to the caravan park proposes the erection of 31 static caravans, a small electricity kiosk, and associated landscaping. The proposed site extension will be accessed through the existing caravan park utilising the existing vehicular access.

All 31 of the static caravans will be sold to perspective buyers as second homes. The static homes at no point would be used as a main residence.

The main issues to consider in this application are the principle of development, and the impacts of the development on the character and appearance of the area, economic development, ecology, residential amenity and highway safety.

Principle of Development:

The application site is located within an area designated as countryside as outlined within policy ST4 of the ALPR 2002. Under the provision of policy ST4, permission will only be granted for development appropriate to the countryside, as outlined in policy EV2 of the ALPR 2002.

Policy EV2 of the ALPR 2002 restricts development in the countryside to defined appropriate forms of development, which amongst other matters, includes the provision of development for outdoor sport, outdoor recreational and tourism uses, provided that they are designed and located in a way which complements and does not adversely affect the character of the countryside.

Part 6 – Building a Strong Compleitive Economy of the NPPF 2019 seeks to create the conditions in which businesses can invest, expand and adapt, with reference also made to supporting a prosperous rural economy. In particular, paragraph 83 of the Framework states that planning decisions should enable sustainable rural tourism and leisure developments, which respect the character of the countryside.

Having regard to policy EV2 of the ALPR 2002, and paragraph 83 of the NPPF 2019, it is considered that the proposal is acceptable in principle.

Character and Appearance:

Concerns have been raised by local residents that the proposed extension to the caravan park will result in a detrimental impact upon the appearance, character and openness of the countryside.

The area surrounding the application site is undulating in nature, with the land levels rising to the north of the site, towards Silverhill Colliery, and to the South. The boundary treatment presently surrounding the application site is extensive, with mature tree planting to the eastern and southern boundaries, in addition to substantial hedge and shrub planting along the northern and western boundaries. The northern boundary also exhibits a 1m high mound adjacent to the public highway.

The static caravans proposed to be installed on the site will be approximately 4m in height, and will be laid out in an informal manner. To complement the existing boundary treatments, an extensive landscaping scheme is also proposed, which includes significant evergreen and deciduous tree and hedge planting along the northern and western boundaries of the site, where planting is presently less dense. In addition to this, a 1.8m high rush fence is proposed to be erected along the northern and western boundaries to reduce views of the site in the interim, whilst planting becomes established.

The site can be viewed from various public vantage points within the locality, and whilst some views of the site are possible, particularly from the trails at Silverhill Colliery, it is considered that following the establishment of the planting scheme, views of the caravan park from public vantage points will be limited.

A similar planting scheme has been established around the perimeter of the existing caravan park, which significantly reduces any views of the park from public vantage points, and reduces any visual intrusion on the countryside that may exist as a result of the use.

Policy NP4 of the Teversal, Stanton Hill and Skegby Neighbourhood Plan 2016, seeks to protect the landscape character of the area. The proposal will not have any impact on any of the plans identified green corridors. In addition, the scheme has been designed to mitigate against any impact that the development could have on the landscape character of the area.

The proposal will not give rise to a significant detrimental impact on the character or the setting of the countryside, in accordance with policy EV2 of the ALPR 2002, and NP4 of the Teversal, Stanton Hill and Skegby Neighbourhood Plan 2016.

Economic Development:

The expansion of the caravan park is considered to result in the sustainable growth of an existing rural business, helping to sustain and improve its economic viability, in accordance with paragraph 83 of the NPPF 2019.

Details submitted with the application identify that the site presently employs nine members of staff.

Static caravans typically require low levels of maintenance. As such, whilst the proposed development may only generate an additional one or two jobs within the local community, the development will ensure that the existing nine jobs are retained and safeguarded.

In addition to this, the increase in visitors to the area generated by the proposal is likely to lead to an economic boost to surrounding local businesses, as visitors utilise and spend money on local services and facilities, within the village of Fackley, and slight further afield in Stanton Hill and Sutton in Ashfield.

Ecology:

Due to the nature of the site, an Ecological Appraisal has been submitted as part of the application.

Concerns have been raised by local residents in respect of the impact on wildlife which is known to frequent the site. Of particular concern to residents is the impact that the development would have on a nearby badger sett, located outside of the application site.

The Ecological Appraisal acknowledges that Badgers are present within the vicinity of the site, with the southern site boundary being used as a shelter for Badgers at any given time of the year.

Taking this constraint into account, the scheme has been designed to include a minimum 20m protection radi around the Badger sett in line with guidance provided by Natural England, to ensure the sett remains undisturbed by the development both during construction and when in use. Furthermore the vegetation along the southern boundary of the site will remain in situ as part of the proposal.

Whilst other species have also been identified as possibly frequenting the site, the Ecological Appraisal outlines a series of recommendations to prevent the loss of ecology on the site. This includes the provision of bat boxes, bird boxes and the retainment of vegetation along the sites boundaries, in addition to further planting. Any approval of the application would include a condition requiring all the recommendations outlined in the Ecological Appraisal to be implemented.

Based on the information provided as part of the application, Natural England and Nottinghamshire Wildlife Trust have stated that they have no comments to make on the application.

Residential Amenity:

Concerns have been raised by local residents in respect of the impacts that the proposal will have on their amenity by increased noise and odour arising from the development. The increase in comings and goings to the site has also been raised as a concern.

The nearest residential property is located approximately 100m to the west of the application site.

Typically, the only odour arising from a caravan park use would be the smell of BBQs in the summer months. Due to the proximity of the nearest residential property to the application site, it is reasonable to assume that most odours will have significantly dissipated by the time they reach any nearby residential dwellings

Furthermore, the inclusion of the extensive planting along the sites western boundary will substantially help to reduce any noise transmission between the proposed development and residential properties to the west.

As such it is considered that the proposal will result in a limited impact on the amenity of nearby residents by way of disturbance from noise and odour.

Due to the nature of the caravan park in that the proposed static caravans will be sold off to perspective buyers as second homes, it is considered that the increased levels of comings and goings above what is presently experienced will be limited, as this type of operation will prevent the regular turnover of visitors associated with traditional caravan lettings.

Highway Safety:

Local residents have raised concerns in respect of increased traffic and parking along Silverhill Lane as a result of the proposal.

The Highways Authority have stated that they have no objections to the proposed development, as the development is unlikely to result in a significant number of trips to and from the site. The proposal as such is considered to not result in an unacceptable risk to highway safety.

In regards to parking, each of the static caravans will benefit from one parking space, with an additional five parking spaces spread across the site for any additional ad hoc parking. With all the proposed static caravans comprising of two bedrooms, it is reasonable to assume that any individuals/families occupying the caravans will arrive at the site in one car, reducing the likelihood of any on-street parking along Silverhill Lane arising from the development.

Conclusion :

The proposed development will allow the sustainable growth of an existing rural business, helping to sustain and improve its economic viability. Additional visitors

generated by the proposal will also likely result in a small economic boost to the local area, created by further spending as visitors utilise local services and facilities.

The site is not subject to any environmental constraints. The site benefits from existing mature boundary planting and significant additional planting is proposed, to reduce any visual intrusion the development may have on the surrounding landscape. As such, the proposal will not result in any significant impact on the character or appearance of the countryside in this location.

It is considered that due to the nature and design of the development, the proposal will have a limited impact upon ecology, the amenity of nearby residents or on highway safety.

Overall therefore, it is considered that the proposal accords with policies contained at both a local and national level, and as such, the application is recommended for approval, subject to the following conditions:

Recommendation: Grant Conditional Consent

CONDITIONS

- 1. The development hereby approved shall be begun before the expiration of 3 years from the date of this permission.**
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The development shall thereafter be undertaken in accordance with these plans unless otherwise agreed in writing by the Local Planning Authority.

- 4. The hereby approved development shall be undertaken in accordance with the submitted Ecology Appraisal (received 15/02/19), and all mitigation recommendations complied with.**

5. The static caravans hereby permitted shall be occupied for holiday purposes only.
6. The static caravans hereby permitted shall not be occupied as a person's sole, or main place of residence.
7. The site 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 address, and shall make this information available at all reasonable times to the Local Authority.

REASONS

1. To comply with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended.
2. To ensure the satisfactory appearance of the development.
3. To ensure that the development takes the form envisaged by the Local Planning Authority when determining the application.
4. In the interest of protecting ecology.
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