

31/12/0009

MRS J L HARRIS

CHANGE OF USE OF LAND FROM AGRICULTURAL TO CARAVAN PARK AT DAIRY HOUSE FARM, STOKE HILL, HENLADE (AS AMENDED)

Grid Reference: 327439.122957

Full Planning Permission

RECOMMENDATION AND REASON(S)

Recommended Decision: Conditional Approval

The proposed caravan site, subject to the orchard planting conditioned below, will have no significant adverse impact upon the landscape character and is deemed to preserve the appearance of the countryside. It is not deemed to result in any material detriment to the residential amenities of the occupiers of nearby properties or to highway safety. As such, the proposal is in accordance with Policies STR6 (Development Outside Towns, Rural Centres and Villages) and 5 (Landscape Character) of the Somerset and Exmoor National Park Joint Structure Plan Review, Policies S1 (General Requirements), EC25 (Touring Caravan and Camping Sites) and EN12 (Landscape Character Areas) of the Taunton Deane Local Plan and Policy DM1 (General Requirements) and DM2 (Development in the Countryside) of the emerging Taunton Deane Borough Council Core Strategy 2011-2028.

RECOMMENDED CONDITION(S) (if applicable)

1. The development hereby permitted shall be begun within three years of the date of this permission.

Reason: In accordance with the provisions of Section 91 Town and Country Planning Act 1990 (as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

(A3) DrNo 1957-01 Location Plan
(A3) DrNo 1957-02 Site Plan
(A3) DrNo 1957-03 Access Plan

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

3. (i) The landscaping/planting scheme shown on the submitted plan 1957-02 shall be completely carried out prior to the commencement of the

development.

(ii) For a period of five years after the completion of the landscaping scheme, the trees and shrubs shall be protected and maintained in a healthy weed free condition and any trees or shrubs that cease to grow, shall be replaced by trees or shrubs of similar size and species or other appropriate trees or shrubs as may be approved in writing by the Local Planning Authority.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2 and EN12.

4. The occupation of the building shall be restricted to bona fide holidaymakers for individual periods not exceeding 4 weeks in total in any period of 12 weeks. A register of holidaymakers shall be kept and made available for inspection by an authorised officer of the Council at all reasonable times.

Reason: The site lies in a location where the Local Planning Authority would not look favourably upon permanent occupation, which would be contrary to countryside policies set out in the NPPF.

5. No more than four touring caravans shall be positioned on the caravan site hereby permitted at any one time and these shall be positioned within the orchard planting.

Reason: To ensure that the proposed development makes a satisfactory contribution to the preservation and enhancement of the local character and distinctiveness of the area in accordance with Taunton Deane Local Plan Policy S2 and EN12.

6. There shall be no obstruction to visibility greater than 900 millimetres above adjoining road level in advance of a line drawn 2.4 metres back from the carriageway edge on the centre line of the access and extending to a point on the nearside carriageway edge 33 metres to the south of the access. Such visibility shall be fully provided before works commence on the development hereby permitted and shall thereafter be maintained at all times.

Reason: To ensure sufficient visibility splays are provided in the interests of highway safety in accordance with Policy 49 of the Somerset and Exmoor National Park Joint Structure Plan Review and relevant guidance in the NPPF.

Notes for compliance

PROPOSAL

Dairy House Farm is located on Stoke Hill, to the south-east of Henlade, between Stoke St Mary and Thornfalcon. To the north is the former Presidents Health Club, which has been converted into a complex of residential units. To the west is Mount Somerset Hotel and agricultural fields lie to the south and east. Dairy House Farm has two accesses from the highway, including a private access to the south and one to the north, which shares the junction to the main road with the access to Presidents Court.

This application seeks a change of use of an agricultural field to a caravan site. The site would be planted with orchard trees, leaving gaps within the traditional orchard grid for the siting of the caravans. It is understood that the site has in the past been used as a caravan site under an exempted organisation licence and as such, a block providing wash facilities is already present and this is proposed to serve the caravan site now proposed.

The caravan site would not be a typical touring site that would encourage people to bring their touring caravans with them, but instead there would be classic/vintage touring caravans permanently provided on the site for holiday makers to use. It is proposed to site four caravans at the present time. Although the four caravans will remain permanently on the site, they will be moved around the site within the orchard area, to allow the meadow grass to re-establish. A parking and turning area is provided in the western part of the field. It is proposed to utilise the northern access to the site, to access the caravan site and improvements to visibility are proposed.

SITE HISTORY

Planning permission was refused for the erection of a building for vehicle restoration and storage in August 2005. A subsequent planning permission for the erection of a building for vehicle storage was permitted in November 2005.

Prior to this, planning permission was initially refused for a caravan park in 1974 on an adjacent site and subsequently temporary approval was given later that year, which was renewed in 1975. Later in 1977, temporary permission was granted for the storage of 5 caravans, which was renewed in 1980. In 1983, planning permission was refused for the storage of five caravans, as it was regarded as commercial development in the open countryside, prominent in view to the detriment of the visual amenities of the rural area. This was subsequently dismissed at appeal.

CONSULTATION AND REPRESENTATION RESPONSES

Consultees

SCC - TRANSPORT DEVELOPMENT GROUP - The proposed development site lies outside of any recognised development boundaries and is remote from any urban area and therefore distant from adequate services and facilities, in addition, public transport services are infrequent. As a consequence, occupiers of the new development are likely to be dependant on their private vehicles. Such fostering of growth in the need to travel would be contrary to government advice given in National Planning Policy Framework (NPPF) and RPG10, and to the provisions of

Policies STR1 and STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review 1991-2011 (Adopted: April 2000), and Policy S7 of the Taunton Deane District Local Plan, and would normally receive a recommendation of refusal from the Highway Authority as a result. However, it is noted that the application is for a tourism use and as such the proposed development must be viewed in conjunction with other policies as set out in National, Regional, County and Local policies. It is therefore a matter for the Local Planning Authority to decide whether the development is appropriate in these terms.

In detail, the application seeks a change of use of land from agricultural to a caravan park. Having made a site visit the Highway Authority requested additional information detailing improvements to visibility, which was received on the 31st July 2012. The site is located along Stoke Hill a designated unclassified highway to which the National Speed Limit applies. At the time of my site visit it was observed that vehicle movements in this location were low. Additionally vehicle speeds past the site are likely to be less than the posed limit due to the restricted width of Stoke Hill and proximity of the junction with Greenway Lane.

The proposal seeks to provide four static caravans within a 2.25 hectare site. Access to the development is obtained via a shared access with numerous other properties. Therefore any improvements to visibility will not only benefit the proposal but the existing use of the access. It is estimated according to TRICS database that the caravan park is likely to generate approximately eight vehicle movements per day. It is evident that there will be an increase in vehicle movements utilising the access. However, it is not considered a significant level to warrant a refusal and in addition there are improvements to visibility.

In terms of visibility for vehicles emerging onto Stoke Hill, it is considered that visibility to the right of the access is acceptable. However, at the time of my site visit visibility to the left of the access looking south west was substandard due to overgrown vegetation. It is noted that this section of hedge adjoining and highway verge is in control of the applicant which is shown on the submitted drawing 1957-03. The recently received drawing (1957-03) shows improvements to visibility, which has only been shown as an approximation by the agent. Therefore, in this instance I would estimate that typical vehicle speeds are approximately 25mph, due to the restricted width of the carriage and that visibility splays of 2.4m x 33m to the nearside carriageway edge, with no obstruction to visibility greater than 900mm, to the left side of the access should be provided as stated in Manual for Streets. This will allow vehicles emerging from the access a clear line of site in both directions. No objection, suggests condition.

STOKE ST MARY PARISH COUNCIL - Object on the grounds of:

- Change of use would be detrimental to the area and set a precedent for other pockets of land in the locale.
- Extent of the site, 2.25 hectares is excessive for the current proposal.
- Concern than access to the site via Stoke Hills not suitable for larger vehicles.
- If planning permission granted, suggest conditions regarding no permanent residents, maximum visitors stay of 28 days, a ceiling on number of caravans and only classic caravans, all caravans must be owned by site owner and not a third party, tree planting and landscaping to take place in advance of site opening for business.

RUISHTON & THORNFALCON PARISH COUNCIL - No further comments

LANDSCAPE LEAD - Subject to landscape mitigation as proposed, the proposals are acceptable in landscape terms.

ECONOMIC DEVELOPMENT - Happy to support on the basis that it will deliver fresh business and job opportunities.

Representations

Six letters received (at the time of writing) raising objections on the following grounds:

- Presidents Court is within sight and sound of the site.
- Design and access statement refers to four caravans but area of 2.25 hectares implies applicant proposes to have much larger business. Concerned about future expansion plans and increased noise and traffic activity.
- Chose to live in this area as agricultural and concerned that change of use will set a precedent for other fields in area.
- Change of use to caravan site detrimental to peace and tranquillity of area due to additional traffic and caravan site users.
- Find it difficult to understand why change of use is required for 4/5 caravans, seems that 2.25 hectares is more than enough to site 4/5 caravans.
- Suggest conditions including orchard should be planted and further screening on boundary to Presidents Court, screening and landscaping to take place before occupation of caravans, no permanent residents, maximum stay of 28 days, all caravans to be owned by site owner and not third party, number of caravans limited to 4, 6 or 8 to avoid substantial increase of traffic, only classic caravans to be placed on site, no further permanent or semi-permanent structures, no touring caravans to be allowed as access to site is via narrow lanes, caravan pitches to be clearly identified and agreed prior to approval.

PLANNING POLICIES

EN12 - TDBCLP - Landscape Character Areas,
S1 - TDBCLP - General Requirements,
EC25 - TDBCLP - Touring Caravans and Camping Sites,
DM1 - TD CORE STRATEGY - GENERAL REQUIREMENTS,
DM2 - TD CORE STRATEGY - DEV,
STR6 - Development Outside Towns, Rural Centres and Villages,
S&ENPP5 - S&ENP - Landscape Character,

DETERMINING ISSUES AND CONSIDERATIONS

It is acknowledged that there has been site history relating to the storage of caravans and a touring caravan site. This however dates back to the 1970s and early 80s with the most recent being 1983. As such, this is nearly thirty years ago, in which time, circumstances and policies have changed significantly.

The current policies, Policy EC25 (Touring Caravans and Camping Sites) of the Taunton Deane Local Plan and Policy DM2 (Development in the Countryside) of the emerging Core Strategy both look favourably upon a touring caravan site where the proposal would not harm the landscape and would be adequately screened; has good access to the main road network; and is not situated on a floodplain or an area at high risk of flooding.

It is also important to note that it is possible to site up to five touring caravans on land, without the need for any planning permission, where this is authorised by exempted organisations such as the 'Caravan Club' and the 'Camping and Caravanning Club'. This is authorised where members of such clubs bring their caravans to the site.

In this instance, planning permission is required as the four classic caravans are owned by the site owner and would be on site permanently, albeit that they would be moved around the site. In terms of landscape impact, it is important to consider that, without planning permission, five touring caravans could be parked in this field, which are most likely to be more modern than those proposed and consequently brighter and starker in appearance, without the need for any additional planting. Furthermore, five caravans could be towed to the site on a regular basis e.g weekly, thereby resulting in an impact on the adjacent highway network. This is regarded a material consideration and there is a caravan site authorised by one of the exempted organisations in close proximity to the site in the direction of the A358.

This application seeks to permanently site four classic caravans within the meadow amongst proposed orchard planting. No hardstanding is proposed and cars are to be parked in the allocated parking area, hence the meadow will remain of a natural surface. The fact that these caravans are classic/vintage caravans, does result in them being of more muted and sepia colours than that of modern caravans and consequently less stark in appearance. There are well established mature trees to the south-west boundary, a well established hedge, albeit lower on the south-east boundary and a line of mature trees along the hedge to the north-east. There is therefore a good element of screening to the site. In addition, the orchard planting will help integrate the proposal into the landscape and minimise the impact on the appearance of the countryside. In order to reduce this impact as far as possible, a condition has been attached requiring the orchard planting to be undertaken prior to the caravans being positioned on site. Whilst it is acknowledged that it is proposed to move the caravans around the site, a condition has been attached to ensure that these remain positioned within the orchard planting area. Taking into account the existing boundary landscaping and the proposed orchard planting, it is not considered that further planting is required on the field boundaries, as requested by objectors. The site is located on the lower part of Stoke Hill approximately 1km from the A358 and therefore has good access to the main road network. Due to its location, it is not at high risk of flooding. As such, the proposal complies fully with the requirements of both Policies EC25 and DM2.

It is also deemed that holiday-makers visiting the caravan site are likely to spend in the local area, therefore supporting local businesses and contributing to the rural economy, as set out in Policy STR6 of the Somerset and Exmoor National Park Joint Structure Plan Review. In order to ensure that the caravans remain available for holiday makers, a condition has been attached limiting occupancy to bona fide holiday makers for individual periods not exceeding 4 weeks in any period of 12

weeks.

To the north of the proposed caravan site is Presidents Court. Although nearby, the dwellings do not abut the caravan site. It is not considered that the proposal would result in an unacceptable level of noise and disturbance to these nearby dwellings and a no greater impact than that of five caravans that could be sited on the land without any planning permission, which would also involve the regular comings/goings and setting up of the touring caravans themselves.

In terms of highway safety, visibility to the north is considered acceptable, although visibility to the south is substandard due to overgrown vegetation. On the basis that vehicle speeds would be low due to the restricted width of the carriageway, a visibility splay of 33 metres to the nearest carriageway edge to the left of the access would be considered acceptable in this instance. As the adjoining section of hedge and verge is within the control of the applicant, as shown on the submitted drawing 1957-03, it is considered that the required visibility splay can be conditioned accordingly. As a result, the County Highways Authority is of the opinion that the improvements to visibility would benefit vehicles exiting Presidents Court as well as the proposal. Whilst the proposed caravan site would be considered to increase vehicular movements, this is not considered to be to a level that would warrant refusal, particularly in view of the overall improvements to visibility of an existing access.

Concerns have been raised by local residents regarding the large area and future expansion of the site. The application has been assessed and it is considered that the suggested four caravans are acceptable in planning terms, and this has been conditioned accordingly. A Planning Application would therefore be required to increase the level of caravans above four, as it would for any permanent structures on the site. Neighbours would therefore be consulted, as they were on this application, if further applications came forward. Local residents also suggested a number of conditions, some of these conditions or a slight variation to these have been attached and would have in any event due to the nature of the proposal. It is however not considered necessary to condition that the caravans need to be limited to classic caravans only as the level of existing and proposed landscaping will in time, provide significant screening. Furthermore, it is not considered necessary to limit the caravans to those owned by the site owner. The number of caravans has been limited to four, to be positioned within the orchard planting area and this is deemed to be the important consideration in order to minimise landscape impact, rather than who the caravans belong to. Due to the nature of the meadow and the intention to move caravans around, provided the caravans remain within the orchard planting, it is not considered reasonable to insist on precise pitches as the constant use of one area could poach the land, resulting in another form of impact on the landscape.

In preparing this report the Planning Officer has considered fully the implications and requirements of the Human Rights Act 1998.

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