

<b>Application No:</b>	<a href="#">3/07/21/007</a>
<b>Parish</b>	Crowcombe
<b>Application Type</b>	Full Planning Permission
<b>Case Officer:</b>	Briony Waterman
<b>Grid Ref</b>	Easting: 314218    Northing: 135003
<b>Applicant</b>	Mr John Buckland
<b>Proposal</b>	Erection of a first floor balcony extension to clubhouse with siting of additional 34 No. static caravan pitches and changes to internal road layout
<b>Location</b>	Quantock Orchard Caravan Park, Station Road, Crowcombe, TA4 4AW

## Recommendation

Recommended decision: Grant

### Recommended Conditions

- 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 001 Survey Plans  
(A3) DrNo 002 Proposed Plans  
(A3) DrNo 003 Elevations  
(A3) DrNo 004 Proposed Elevations  
(A3) DrNo 005 Site & Location Plan  
(A3) DrNo 003 Elevations  
(A3) DrNo 007 Rev D Proposed Site Plan  
(A3) DrNo 006 Block Plan

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

- 3 Prior to construction above damp-proof course level, a lighting design for bats, following Guidance Note 08/18 Bats and artificial lighting in the UK (ILP and BCT 2018), shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it

can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. The design should accord with Step 5 of Guidance Note 08/18, including submission of contour plans illustrating Lux levels (Lux levels should be below 0.5 Lux). All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity.

- 4 Any vegetation in the construction area should initially be reduced to a height of 10 centimetres above ground level by hand, brushings and cuttings removed and the remainder left for a minimum period of 48 hours of fine warm weather (limited rain and wind, with temperatures of 10°C or above) before clearing to minimise the risk of harming/killing any reptiles or amphibians that may be present and to encourage their movement onto adjoining land. This work may only be undertaken during the period between March and October. Written notification of the date of the operations will be submitted to the Local Planning Authority prior to the works being undertaken. Once cut vegetation should be maintained at a height of less than 10cm for the duration of the construction period. A letter confirming these operations and any findings will be submitted to the Local Planning Authority.

Reason: In the interests of UK protected and priority species and in accordance with West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity.

- 5 Retained hedgerows and trees shall be protected from mechanical damage, pollution incidents and compaction of roots in accordance with BS5837:2012 during site clearance works, groundworks and construction and to ensure materials are not stored at the base of trees, hedgerows and other sensitive habitats. Photographs of the measures shall be submitted to the Local Planning Authority prior to the commencement of any vegetative clearance or groundworks. The measures shall be maintained throughout the construction period.

Reason: A pre-commencement condition in the interests of European and UK protected species and biodiversity generally and in accordance with West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity.

- 6 The following will be integrated into the design of the proposal
  - A) 3x Schwegler 1B and 3x Schwegler 2H bird boxes, or similar, will be installed on retained trees at the boundary and maintained thereafter.
  - B) Where the landscaping scheme allows, new trees will be planted up with

native species comprised local native stock including a minimum of 5 of the following species: field maple, hornbeam, small-leaved lime, pedunculate oak, silver birch, beech, hazel, blackthorn, hawthorn, elder and bird cherry.

- A) Where the landscaping scheme allows new shrubs will be planted across the site, all of which must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, "RHS Perfect for Pollinators, [www.rhs.org.uk/perfectforpollinators](http://www.rhs.org.uk/perfectforpollinators)" provides a list of suitable plants both native and non-native.

Plans and photographs of the installed features will be submitted to and agreed in writing by the Local Planning Authority prior to first use.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 174(d) of the National Planning Policy Framework

- 7 The caravans shall be occupied for tourism purposes only.

The caravans shall not be occupied as a person's sole or main residence.

The site operator or owner 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 the duration of their stay and shall make this information available at all reasonable times to the Local Planning Authority.

Reason: To prevent permanent occupation of the residential units within the open countryside.

- 8 No work on the hereby approved development shall commence nor any static caravan/mobile home shall be brought onto the site until a detailed sewage disposal scheme for the development and a programme of implementation for that scheme has been submitted to and approved in writing by the Local Planning Authority. Such approved scheme shall be fully implemented in accordance with the approved details and programme of implementation.

Reason: To ensure the satisfactory drainage of the development and to prevent pollution and/or flooding in accordance with Policy W/1 of the West Somerset District Local Plan.

### **Informative notes to applicant**

In accordance with paragraph 38 of the National Planning Policy Framework the Council has worked in a positive and pro-active way and has imposed planning conditions to enable the grant of planning permission.

The developers are reminded of the legal protection afforded to badgers and their resting places under the Protection of Badgers Act 1992 (as amended). It is advised that during construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers, or signs of badgers are unexpectedly encountered during implementation of this permission it is recommended that works stop until advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

The applicant proposes use of non-mains drainage facilities. However, if the site is located within an area served by a public sewer, connection should be made to the public sewer in preference to private drainage options, unless the applicant can provide good reason why this is unfeasible. This is in accordance to the National Planning Policy Framework, Planning Practice Guidance. If non-mains foul drainage is the only feasible option an Environmental Permit may be required. This must be obtained from the Environment Agency before any discharge occurs and before any development commences. This process can take up to four months to complete and it cannot be guaranteed that a Permit will be granted. The applicant should contact the Environment Agency on 03708 506506 for further details on Environmental Permits or visit

<https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits>.

There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.

The applicant is advised that this decision grants permission for a total of 42 static caravans for use as holiday accommodation on the site which replaces the existing permission for 15 static pitches and 61 touring pitches granted under the 2013 permission.

## **Proposal**

Permission is sought for a first floor balcony extension to the existing clubhouse and an additional 34 static caravans pitches on concrete bases and internal road layout.

There are currently 15 static caravan pitches on site, with the capacity for an additional 61 touring caravans as per the permission granted in 2013 this would allow for a total of 76 pitches. If granted this proposed development would allow for a total of 42 static caravans which if implemented, due to the size of the pitches required would remove the capacity for touring caravans within the site.

The internal road layout involves moving the road to the south east of the site further north to allow for statics along the boundary, the removal of the loop in the centre of

the site in favour of an additional two branches one to the north and one to the west to serve the static caravans. The new layout and provision of static caravan pitches removes the capacity for hosting touring caravans.

## Site Description

The site is currently used as a touring and static caravan site situated at the top of Flaxpool Hill. The site is surrounded by trees and hedges on the north-west, south-west and south east boundaries beyond which are fields. To the northeast there is a garage and dwellings.

## Relevant Planning History

3/07/13/004 - Change of use of 18 touring pitches to 15 static caravan pitches.granted 12/07/13

3/07/08/016 - Variation of conditions 3 and 5 on 3/07/08/001 - granted 13/11/08

3/07/08/001 - Change of use from small touring caravans to large holiday pitches (8-14) Granted 27/02/08.

## Consultation Responses

*Crowcombe Parish Council* - The Parish Council have no objections to the proposed development as they could see that there was a need for improving the site but they did show concern about what has already been done prior to the application and breaches to present planning restrictions.

There had been significant signs of the removal of trees that had been done against the comments on a previous application. This matter has been highlighted with the Council Tree Officer and the Forestry Commission.

There have also been concerns about the present sewerage system on the site. These concerns were brought up in the report on a previous application (Ref: 3/07/13/004) and they are still ongoing to the extent that 2 owners of the adjoining properties paid for the system to be emptied. It is not acceptable to the adjoining residents and businesses to the site to suffer the smells emitted from the sewerage system on a regular basis. The system is now in an area that is not owned by the site, this should be addressed so that it is within the site, away from the neighbours, with the appropriate planning application and works carried out prior to the approval of this current application.

There is also significant signs of caravans on the site being used as permanent residences and/or for longer periods stipulated in the previous planning decisions. This has also previously been brought to the Councils attention in a previous application (Ref: 3/07/13/004).

The current application has been submitted without a full ecological report on the bat and newt population on the site and a full tree survey.

Crowcombe Parish Council would like to see this application suspended until these reports are done and submitted and a full sewerage scheme application submitted, approved and completed prior to the approval of the current application. There is also the need for a change of the length of stay for the residents if it is to comply with what the current owner has inherited

*Highways Development Control -*

I refer to the above application received on 2 June 2021 and following a site visit by the Highway Authority on 10 June 2021 have the following observations on the highway and transportation aspects of this proposal.

The proposal includes the siting for an additional 34 static caravan pitches within the site, with changes to the internal layout. It is to our understanding that the site already accommodates touring caravans, where this application would see these pitches replaced by static ones and additional areas provided. However, a desktop assessment will appear to indicate that other areas of the site are also being utilised for touring caravans.

Once active (and if consented), although there is likely to be an increase in trip generation to and from the site the proposal will see a reduction in touring caravans/vehicles towing caravans and replaced by 'standard vehicles.

Whilst there are no proposed alterations to the existing access, there would appear scope to improve existing visibility arrangements to the west, which the Highway Authority would advise the applicant ascertain (with consideration of Manual For Streets guidance).

*Wessex Water Authority - No comments received*

*Environment Agency -*

The Environment Agency has no objection to this proposal, in principle, but would wish the following informatives and recommendations are included within the Decision Notice:

The applicant proposes use of non-mains drainage facilities. However, if the site is located within an area served by a public sewer, connection should be made to the public sewer in preference to private drainage options, unless the applicant can provide good reason why this is unfeasible. This is in accordance to the National Planning Policy Framework, Planning Practice Guidance. If non-mains foul drainage is the only feasible option an Environmental Permit may be required. This must be obtained from the Environment Agency before any discharge occurs and before any development commences. This process can take up to four months to complete and it cannot be guaranteed that a Permit will be granted. The applicant should contact the Environment Agency on 03708 506506 for further details on Environmental Permits or visit

<https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits>.

There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or

lakes, or via soakaways/ditches.

SCC - *Ecologist* - On receipt of further site photos from the applicant and the applicant explaining that the existing trees within the centre of the site were already removed some time ago I am satisfied that the habitats on site that will be impacted are predominantly well managed amenity grassland areas.

## **Recommendations**

To comply with local and national policy, wildlife legislation, and the requirements of the mitigation hierarchy and for biodiversity net gain, please attach the following conditions to the planning permission if granted.

### **Bats**

As no bat activity surveys have been submitted, I have to assume the presence of light averse species. The proposals should avoid external lighting of the boundaries of the site, therefore please attach the following condition:

- Prior to construction above damp-proof course level, a lighting design for bats, following Guidance Note 08/18 Bats and artificial lighting in the UK (ILP and BCT 2018), shall be submitted to and approved in writing by the Local Planning Authority. The design shall show how and where external lighting will be installed (including through the provision of technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory. The design should accord with Step 5 of Guidance Note 08/18, including submission of contour plans illustrating Lux levels (Lux levels should be below 0.5 Lux). All external lighting shall be installed in accordance with the specifications and locations set out in the design, and these shall be maintained thereafter in accordance with the design. Under no circumstances should any other external lighting be installed without prior consent from the Local Planning Authority.

Reason: In the interests of the 'Favourable Conservation Status' of populations of European protected species and in accordance with West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity.

### **Badgers**

Due to the potential for badgers to use the habitat on site the following informative will be attached:

- The developers are reminded of the legal protection afforded to badgers and their resting places under the Protection of Badgers Act 1992 (as amended). It is advised that during construction, excavations or large pipes (>200mm diameter) must be covered at night. Any open excavations will need a means of escape, for example a plank or sloped end, to allow any animals to escape. In the event that badgers, or signs of badgers are unexpectedly encountered during implementation of this permission it is

recommended that works stop until advice is sought from a suitably qualified and experienced ecologist at the earliest possible opportunity.

### **Reptiles and amphibians**

The grassland in the footprint of the construction areas should be maintained below 10cm in height, if left unmanaged there is potential for encountering amphibians and reptiles foraging and commuting through the wider landscape. In order to avoid harm to reptiles the following will be conditioned:

- Any vegetation in the construction area should initially be reduced to a height of 10 centimetres above ground level by hand, brushings and cuttings removed and the remainder left for a minimum period of 48 hours of fine warm weather (limited rain and wind, with temperatures of 10°C or above) before clearing to minimise the risk of harming/killing any reptiles or amphibians that may be present and to encourage their movement onto adjoining land. This work may only be undertaken during the period between March and October. Written notification of the date of the operations will be submitted to the Local Planning Authority prior to the works being undertaken. Once cut vegetation should be maintained at a height of less than 10cm for the duration of the construction period. A letter confirming these operations and any findings will be submitted to the Local Planning Authority.

Reason: In the interests of UK protected and priority species and in accordance with West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity.

### **Trees and hedgerows**

The proposals will involve ground works adjacent to boundary hedgerows and trees, to ensure their protection the following condition should be applied:

- 1 Retained hedgerows and trees shall be protected from mechanical damage, pollution incidents and compaction of roots in accordance with BS5837:2012 during site clearance works, groundworks and construction and to ensure materials are not stored at the base of trees, hedgerows and other sensitive habitats. Photographs of the measures shall be submitted to the Local Planning Authority prior to the commencement of any vegetative clearance or groundworks. The measures shall be maintained throughout the construction period.

Reason: A pre-commencement condition in the interests of European and UK protected species and biodiversity generally and in accordance with West Somerset Local Plan to 2032: Policy NH6: nature conservation and the protection and enhancement of biodiversity.

### **Biodiversity Enhancement (Net Gain)**

As compensation and enhancement measures, and in accordance with National

Planning Policy Framework (NPPF) and draft Environment Bill, please apply the following conditions to any planning permission granted.

- The following will be integrated into the design of the proposal
- A) 3x Schwegler 1B and 3x Schwegler 2H bird boxes, or similar, will be installed on retained trees at the boundary and maintained thereafter.
- B) Where the landscaping scheme allows, new trees will be planted up with native species comprised local native stock including a minimum of 5 of the following species: field maple, hornbeam, small-leaved lime, pedunculate oak, silver birch, beech, hazel, blackthorn, hawthorn, elder and bird cherry.
- A) Where the landscaping scheme allows new shrubs will be planted across the site, all of which must be high nectar producing to encourage a range of invertebrates to the site, to provide continued foraging for bats. The shrubs must also appeal to night-flying moths which are a key food source for bats. The Royal Horticultural Society guide, “RHS Perfect for Pollinators, [www.rhs.org.uk/perfectforpollinators](http://www.rhs.org.uk/perfectforpollinators)” provides a list of suitable plants both native and non-native.

Plans and photographs of the installed features will be submitted to and agreed in writing by the Local Planning Authority prior to first use.

Reason: In accordance with Government policy for the enhancement of biodiversity within development as set out in paragraph 174(d) of the National Planning Policy Framework

Provided the above conditions are applied as worded, I have no objection to this application.

*Economic Regeneration and Tourism* - No comments received

## **Habitats Regulations Assessment**

Due to the location of the proposal it is considered that a HRA is not required.

## **Representations Received**

Four letters of objection making the following comments (summarised):

- Sewerage treatment plant is not adequate to service another 34 units
- fumes of the Klargester emits means we cannot enjoy our garden.
- Klargester should be relocated to the south of the site
- the site was landscaped with small garden trees separating the caravan park
- trees have been removed which was part of the original planning to screen the site.
- area has housed bats
- additional 34 pitches - additional to or replacing the current tourer's?

- is the current use a clubhouse or ablutions/ service block? a club house would imply mainly social use which would have a greater impact on residents
- the existing services are not sufficient to meet the current use
- system has been checked but went on to say he would replace pipework and additional pumps suggesting additional work is required.
- whatever servicing has been conducted the system seems unable to meet the existing requirements
- proposal would see an uplift in occupancy numbers during the whole year.
- Works have already started with site clearance and trench work with almost all the internal screening hedges and trees been removed, natural sound deadening has been lost and visual impact increased, the site is now visible from the Quantock Hills and light pollution to my property with no suggested planting scheme to reduce the impact or absorb the noise
- assured the Klargestar is up to specification and will be maintained but still smells with limited numbers in the park.
- The survey requested by the EA in 2015 should be consulted and checked
- no objection to the principle of replacing touring with statics or balcony but foul water needs to be in place.

One letter making neutral comments:

no object to overall plan concerns over sewerage that has never been able to cope

## Planning Policy Context

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications are determined in accordance with the development plan unless material considerations indicate otherwise.

The development plan for the West Somerset planning area comprises the West Somerset Local Plan to 2032, retained saved policies of the West Somerset District Local Plan (2006) Somerset Minerals Local Plan (2015) and Somerset Waste Core Strategy (2013).

Relevant policies of the development plan are listed below.

### West Somerset Local Plan to 2032

OC1	Open Countryside development
EC9	Tourism outside settlements
SD1	Presumption in favour of sustainable development

### Retained saved policies of the West Somerset Local Plan (2006)

OC1	Open Countryside development
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EC9        Tourism outside settlements  
SD1        Presumption in favour of sustainable development

## **Determining issues and considerations**

The main considerations in determining this application are the principle of development, impact on visual and residential amenity and highway safety.

### Principle of development

The site is an established holiday site within the open countryside. Policies OC1 and EC9 are therefore relevant in determining whether the principle of development is acceptable or not. It is considered that it would not cause significant harm to the open countryside as the caravan park is an existing business and the additional 34 static caravans would replace the existing 61 touring pitches. The site sits behind a small cluster of properties and a garage, it is considered the additional static caravans will be read in conjunction with the existing site and the proposal is therefore considered acceptable in principle.

### Visual impact

It is noted that the addition of static caravans may have an impact on the visual amenity of the area as they are 'year round' compared to the touring caravans which were not permanent. However it is considered that these will be read in the context of the existing static caravans, clubhouse and dwellings to the north when viewed from the Quantock Hills Area of Outstanding Natural Beauty. There are trees and hedging on the boundaries screening the site with three Ash, one Elder and one Hazel within the centre of the site which will help with the screening of the proposal it is therefore considered to be acceptable.

### Residential amenity

It is considered that the replacement of touring caravans would not have a significant impact upon the residential amenity of the properties to the north, the site is a caravan park with touring pitches around the site. There is an active permission for 76 pitches on the site this proposal, if granted, reduces the number of pitches available to 42. It is therefore considered to not have a significant impact upon the residential amenity of the neighbouring properties due to the reduction in the number of pitches available and therefore the potential for a reduction in the number of vehicles and visitors to the site. It is noted that the caravans are close to each other but the residential amenity is acceptable for holiday occupiers of the caravans.

The extension to the clubhouse and inclusion of a balcony is not considered to have a significant impact upon the residential amenity of the area due to its location. It will look towards the caravans within the site and not to the neighbouring properties to

the north.

### Highway safety

Comments from the Highway Authority state that there is likely to be an increase in trip generation to and from the site, however there will be a reduction in touring caravans/vehicles these will be replaced by 'standard vehicles' which have a different impact upon the highway network. Overall there is a reduction in the number of pitches on the site and therefore potentially a reduction in the number of vehicles accessing the site. It is therefore considered that the proposal would not have a significant impact upon the highway network.

### Additional Matters

Comments have been received concerning whether the Klagester can cope with the increase in load, these concerns were raised under the earlier application where a condition was included which has subsequently been discharged. Comments from the Environment Agency raise no objections to the proposal. However a condition has been included to ensure a detailed sewerage disposal scheme is implemented prior to occupation of the additional static caravans to alleviate the concerns of neighbours and the parish council

A condition has been included for the use of the caravans as holiday use only to prevent any permanent occupancy which would be contrary to policies OC1 and SD1.

Comments relating to the landscaping and the removal of trees are noted and whilst their removal did not require permission a decision was made to make a Tree Preservation Order on the boundary and internal trees to ensure there is no further disruption to the visual amenity of the area.

It is therefore recommended that planning permission be granted.

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



