

<b>APPLICATION NO</b>	<b>PA/2009/1459</b>
<b>APPLICANT</b>	Mr & Mrs M & H Thompson
<b>DEVELOPMENT</b>	Planning permission to change the use of an existing mobile home to a holiday let
<b>LOCATION</b>	Acorn Wood Caravan Site, Darby Road, Burton-upon-Stather
<b>PARISH</b>	<b>BURTON-UPON-STATHER</b>
<b>WARD</b>	Burton Stather and Winterton
<b>SUMMARY RECOMMENDATION</b>	<b>Refuse permission</b>
<b>REASONS FOR REFERENCE TO COMMITTEE</b>	Support by Burton-upon-Stather Parish Council

## **POLICIES**

**Planning Policy Statement 7 (Sustainable Development in Rural Areas)** sets out the Government's policies on planning in rural areas, including country towns and villages and the wider, largely undeveloped countryside up to the fringes of larger urban areas. This policy states that when considering planning policies and development proposals for static holiday and touring caravan parks and holiday chalet developments, planning authorities should:

- (i) carefully weigh the objective of providing adequate facilities with the need to protect landscapes and environmentally sensitive sites, and examine the scope for relocating any existing, visually or environmentally intrusive sites away from sensitive areas, or for relocation away from sites prone to flooding or coastal erosion;
- (ii) where appropriate (eg in popular holiday areas), set out policies in LDDs on the provision of new holiday and touring caravan sites and chalet developments, and on the expansion and improvement of existing sites and developments (eg to improve layouts and provide better landscaping); and
- (iii) ensure that new or expanding sites are not prominent in the landscape and that any visual intrusion is minimised by effective, high quality screening.

**The Good Practice Guide on Planning for Tourism** gives guidance for local planning authorities when preparing development plans. The guidance may also be material to individual planning decisions. The guide states that the provision of essential facilities for visitors is vital for the development of the tourism in rural areas. Tourism can:

- be a key element in rural and farm diversification;
- help to revitalise market towns and villages;
- support important rural services and facilities; and

- underwrite environmental schemes and improvements to the built and natural environment.

RSS and LDF policies should therefore engender a positive approach to rural tourism proposals, applying the following principles:

- Wherever possible, tourist and visitor facilities should be housed in existing or replacement buildings, particularly where they are located outside existing settlements.
- In statutorily designated areas they should seek to conserve and enhance the qualities and features that justified the designation.
- Large-scale tourist proposals must be assessed against the whole range of sustainable development objectives. This includes not only their transport implications but also other sustainability considerations such as how they assist rural regeneration and the wellbeing of communities.

**Regional Spatial Strategy for Yorkshire and the Humber:** Policy E6 (Sustainable Tourism) states that:

(A) local authorities, Yorkshire Forward, Yorkshire Culture, the Yorkshire Tourist Board, and other agencies should promote, support and encourage tourism by adopting an overall approach which:

1. recognises the sustainable growth of tourism as an integral contributor to the economy and makes best use of indigenous resources and existing tourism infrastructure;
2. promotes responsible investment in the quality of the tourism and related services in order to provide a high quality experience, throughout the year, for all segments of the market;
3. secures investment in local people skills and capacities in Yorkshire's tourism industry, making full use of the local labour supply to fill a range of existing and new high quality jobs in the tourism sector;
4. supports local cultural distinctiveness and contributes to the quality of life in the communities of the region;
5. conserves and enhances the built and natural environment, particularly internationally and nationally important biodiversity sites and high quality historic environment, through effective visitor management;
6. integrates tourism activity with a viable transport infrastructure that enables a realistic choice of travel mode to and within the region, supported by a management regime that encourages greater use of public transport by visitors; and

(B) plans, strategies, investment decisions and programmes should promote tourism in the following priority areas:

1. coastal resorts - economic diversification while consolidating and upgrading tourism facilities in ways which promote higher value activity, reduce seasonality and support urban regeneration
2. rural areas - where tourism and recreation can provide jobs for local residents of a scale and type appropriate to their location
3. waterways – promoting tourism and associated development of an appropriate scale and type along waterways in both urban and rural areas
4. cities and towns - realise the potential of the heritage, leisure and cultural assets by promoting their roles as modern, varied and colourful destinations of choice. Local distinctiveness should be promoted, for example by encouraging use of local produce and services by businesses and visitors

**North Lincolnshire Local Plan:** Policy ST3 (Development Limits) states that development outside development boundaries will be considered as development in the open countryside and will only be permitted if it is essential for the purposes of agriculture, forestry or to meet a special need associated with the countryside.

Policy RD2 (Development in the Open Countryside) states that development in the open countryside will be strictly controlled. Planning permission will only be granted for development which is:

- (i) essential to the efficient operation of agriculture or forestry;
- (ii) employment-related development appropriate to the open countryside;
- (iii) affordable housing to meet a proven local need;
- (iv) essential for the provision of outdoor sport, countryside recreation or local community facilities;
- (v) for the re-use and adaptation of existing rural buildings;
- (vi) for diversification of an established agricultural business;
- (vii) for the replacement, alteration or extension of an existing dwelling;
- (viii) essential for the provision of an appropriate level of roadside services or the provision of utility services;

provided that:

- (a) the open countryside is the only appropriate location and the development cannot reasonably be accommodated within defined development boundaries;
- (b) the proposed development accords with the specific requirements set out in the relevant policies of this chapter and elsewhere in this local plan;

- (c) the development would not be detrimental to the character or appearance of the open countryside or a nearby settlement in terms of siting, scale, massing, design and the use of materials;
- (d) the development would not be detrimental to the residential amenity or highway safety;
- (e) account is taken of whether the site is capable of being served by public transport;
- (f) the development is sited to make the best use of existing and new landscaping.

Policy R11 (Camping and Caravan Sites) states that a change of use of existing transit and touring caravan and camping facilities to static holiday caravans or chalets will not be permitted unless the site is:

- (i) closely associated with a major existing or proposed recreational and tourist attraction; and
- (ii) the development is of an appropriate scale in relation to its setting and there is no material adverse impact upon the amenity and character of the locality; and
- (iii) existing sewerage facilities are capable of being upgraded to accommodate the intensified use of the site. Conditions will be imposed requiring such improvements in landscaping and screening as are necessitated by the intensified use of the site

Policy R13 (Tourism) supports development proposals for tourism uses where they:

- (i) reinforce existing or provide new visitor facilities at a locally appropriate scale; and
- (ii) have due regard to protecting the areas natural and heritage assets and the amenities of local communities; and
- (iii) provide for visitor enjoyment of the countryside.

Policy DS1 (General Requirements) also applies as amenity value and environmental quality of the area are key considerations.

## **CONSULTATIONS**

**Highways:** No comments received.

## **PARISH COUNCIL**

Support the application on the grounds that the business is an asset to the town, will enhance tourism in the area and offers a good standard of accommodation which fulfils a local need.

## **PUBLICITY**

Neighbouring properties have been notified and a site notice posted. No letters of comment have been received.

## ASSESSMENT

The application site is located in the open countryside close to the settlement of Burton-upon-Stather. The site is currently operating as a small caravan and camping site (restricted to five caravans) under permitted development rights by virtue of it being certified by the Caravan and Camping Club. The site is set back from the main road into Burton (Darby Road) and is well screened from view by an existing mature coniferous hedgerow along its northern boundary. Along with an area catering for a small number of caravans and tents there is also a small fishing pond to the rear of the site, which can be used by visitors.

At present there is an unauthorised mobile home unit on the site which has been used as a dwelling by the applicants. This application seeks planning permission to retain the mobile home and use it as a holiday let. The mobile home unit is located on the northern edge of the caravan site, directly to the south of the tall hedge which screens the site from the road.

The applicants have previously been refused planning permission for the erection of a dwelling to the north of the site adjacent to Darby Road (PA/2003/1672 and PA/2007/0395). These applications were refused because the site was located outside the development boundary for Burton and there was no functional need for a dwelling to be on site in connection with an agricultural or forestry business. Both these previous applications were also dismissed at appeal.

**The key issue in determining this application is whether the proposal complies with policy R11 (Camping and Caravan Sites) of the North Lincolnshire Local Plan.**

The applicants have questioned which local plan policy is the relevant policy for consideration in this case, policy R11 (Camping and Caravan Sites) or policy R14 (Hotel and Guest House Accommodation). It is suggested, due to the degree of permanence and physical attachment to the land, that the mobile home should be considered to be a building. As such the applicants claim that the proposal should be considered as the conversion of an existing rural building as set out in policy R14. As stated previously the application relates to the retention and use of a mobile home unit that has been brought onto the site and occupied without planning permission. Therefore, even if by legal definition it could be classed as a building, the mobile home unit is definitely not an existing rural building as described in policy R14. As such, it is the opinion of the local planning authority that the most relevant policy of the North Lincolnshire Local Plan is policy R11 (Camping and Caravan Sites) as this relates to new static caravans and chalets on existing camping and caravan sites.

Static holiday caravans and chalets are an all year round feature in the countryside and place demands on infrastructure and services. By directing these sites to principal recreational and tourist attractions their environmental impact on the countryside can be minimised. Policy R11 (Camping and Caravan Sites) requires that where existing touring caravan and camping sites wish to have static caravans or chalets, then the sites should be closely linked to a major tourist or recreational attraction. This prevents sporadic development of such sites from damaging the character and appearance of the open countryside.

The applicants have provided details of a survey carried out to show which tourist attractions were visited by patrons of the caravan site. This shows that certain attractions in North Lincolnshire were visited by a large percentage of visitors. However this does not

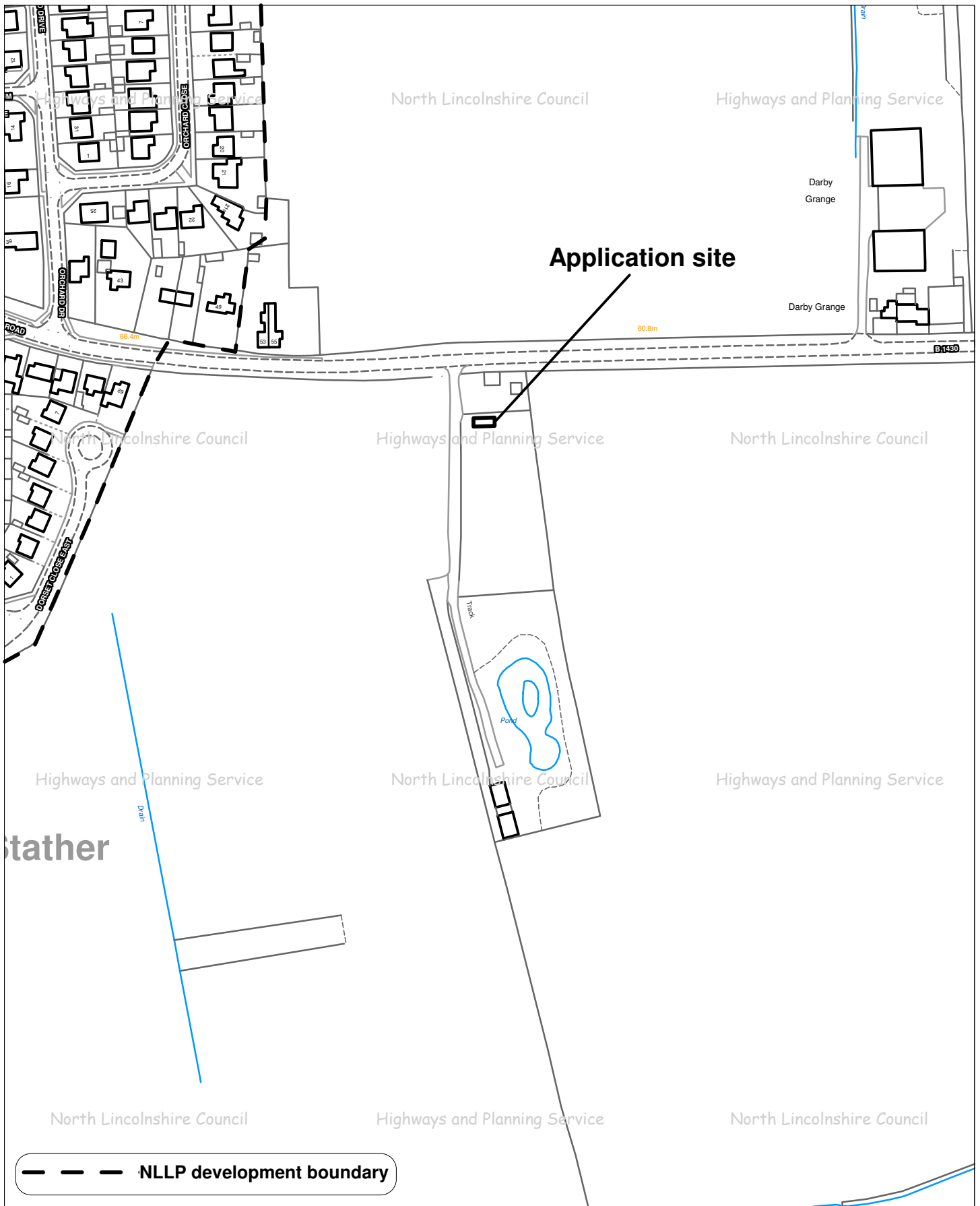
demonstrate that the caravan site is closely associated with any of these attractions. Apart from Normanby Park, which is in quite close proximity to the site, the majority of the other tourist attractions are a substantial distance from the application site. As the site will not be closely associated with a major recreational or tourist attraction there is no justification for a holiday let in this location.

The existing mobile home unit on the site is an unauthorised structure that has been used as a dwelling without planning permission. An enforcement notice was issued by North Lincolnshire Council in September 2008 requiring the applicants to cease the use of the land for the siting of the mobile home for residential purposes; this notice was upheld at the subsequent appeal. As stated above, the site is not closely linked to a major tourist or recreational attraction and there is insufficient justification for the need for a single holiday let unit on the site. It is considered that a single holiday let could easily be accommodated within a defined development boundary. Additionally it should be noted that the existing caravan and camping site was developed under permitted development rights and was not subject to planning permission. It was not, therefore, subject to assessment by the local planning authority to determine whether it is an appropriate location for a caravan/camp site.

In conclusion, the proposed development fails to comply with policy R11 (Camping and Caravan Sites) as it is not closely linked with an existing or proposed major recreational or tourist attraction. As such there is insufficient justification for a year-round holiday let on the site.

**RECOMMENDATION      Refuse permission for the following reasons:**

Acorn Wood camping and caravan site is not closely associated with a major existing or proposed recreational and tourist attraction. The proposal is therefore contrary to policy R11 (Camping and Caravan Sites) of the North Lincolnshire Local Plan which is aimed at preventing the sporadic development of static holiday caravan and chalet sites in the countryside.



--- NLLP development boundary

Drawing Title: 2009/1459

OS Grid Ref: SE87761783

Drawn by: KC

Scale: 1:2500

Date: 28/08/2009



Based upon the Ordnance Survey mapping with the permission of Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown Copyright.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

NORTH LINCOLNSHIRE COUNCIL 0100023560 2010



**Highways and Planning Service**

**Service Director,  
G Pople**

The Ordnance Survey map data included within this publication is provided by North Lincolnshire Council under license from Ordnance Survey in order to fulfil its public function to act as a highways and planning authority. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to license Ordnance Survey map data for their own use.