

**NORTH SOMERSET COUNCIL
DELEGATED PLANNING APPLICATION
REPORT SHEET**
Target Date: 30 November 2016
Extended date: 05 January 2017

Application No. 16/P/2471/F **Application Type:** Full Planning Permission
Proposal: Application to remove or vary condition Nos. 2, 4 & 9 on application 15/P/2304/F (Change of use of land from a mixed use of agriculture and seasonal car boot sales to use as a holiday lodge and caravan site) in respect of plans, occupancy restrictions and replacement caravans
Location: Land at Accommodation Road, Accommodation Road, Bleadon, BS24 0AP,

Planning History/Background – most recent applications

Reference	Proposal	Decision
15/P/2304/F	Change of use of land from mixed use of agriculture and seasonal car boot sales to use as a holiday lodge and caravan site.	Approved
14/P/1928/EIA1	Screening opinion as to whether an EIA is required for a change of use of the land from car boot sales to use as a caravan site	No EIA needed
05/P/0778/F	Retrospective application for change of use of agricultural land to car parking ancillary to car boot market and existing consolidated tracks	Approved
04/P/2977/LUE	Certificate of lawfulness for the existing use of the site for car boot sales on Fridays, Saturdays and Bank Holidays for a period two weeks before Easter until mid-October, stationing of portable toilets and formation of access track	Approved

Monitoring Details (if applicable)
Affordable Housing (if applicable)
Policy Framework

The site is affected by the following constraints:

- Outside the settlement boundary for Weston super Mare
- Within flood zone 3a

The Development Plan

North Somerset Core Strategy (NSCS) (adopted April 2012)*

The following policies are particularly relevant to this proposal:

Policy Ref	Policy heading
CS1	Addressing climate change and carbon reduction
CS3	Environmental impacts and flood risk management
CS4	Nature Conservation
CS5	Landscape and the historic environment
CS10	Transport and movement
CS11	Parking
CS12	Achieving high quality design and place making
CS20	Supporting a successful economy
CS22	Tourism Strategy

*** Core Strategy - High Court Challenge**

Following a legal challenge to the adopted Core Strategy, Policy CS13 (housing requirement) was remitted back to the Planning Inspectorate for re-examination. In addition, Policies CS6, CS14, CS19, CS28, CS30, CS31, CS32, CS33 were also remitted on the grounds that should the housing requirement be increased, then this may have consequences for one or more of these policies. All other policies remain adopted. Policy CS13 was approved by the Secretary of State on 18 September 2015 and forms part of the development plan. The examination of the other remitted policies is currently taking place.

North Somerset Replacement Local Plan (saved policies) (adopted March 2007)

None of the saved policies are particularly relevant to this proposal:

The Sites and Policies Plan Part 1: Development Management Policies (adopted July 2016)

The following policies are particularly relevant to this proposal:

Policy	Policy heading
DM1	Flooding and drainage
DM8	Nature Conservation
DM10	Landscape
DM24	Safety, traffic and provision of infrastructure etc associated with development
DM28	Parking standards
DM58	Camping and caravan sites

Other material policy guidance

National Planning Policy Framework (NPPF) (March 2012)

The following is particularly relevant to this proposal:

Section No	Section heading
1	Building a strong, competitive economy
3	Supporting a prosperous rural economy
10	Meeting the challenge of climate change, flooding and coastal change
11	Conserving and enhancing the natural environment

Supplementary Planning Documents (SPD) and Development Plan Documents (DPD)

- North Somerset Parking Standards SPD (adopted November 2013)
- North Somerset Landscape Character Assessment SPD (adopted December 2005)
- Biodiversity and Trees SPD (adopted December 2005)

Consultation Summary

Copies of representations received can be viewed on the council's website. This report contains summaries only.

Parish/Town Comments

The Parish Council does not support the application as the vehicular access from Accommodation Road onto the A370 is already inadequate and this would result in an increase in traffic at this dangerous junction.

Neighbour's Views

2 emails received with concerns expressed that the suggested changes to the wording should not make it more difficult for the local Authority to monitor and enforce restrictions on occupancy or control the quality of the units proposed.

Conclusions

The principle of development

The principle of the development was considered under planning application ref; 15/P/2304/F. Permission was granted for the stationing of up to 57 holiday lodges and caravans. This was subject to conditions to ensure that the proposed units were clad in timber and that they were only occupied for holiday units and not for year round occupation.

The agents acting for the current applicant explain that in respect of condition 2 (listing the approved plans and specifying the exact units that can be sited on the land) it might not be possible to station the exact models and makes of units specified because manufacturers change their designs on a regular basis and the specified types may not remain available, especially when an operator comes to replace and update his stock on site in the future. It is therefore argued that the condition as presently worded, is wider in scope than is

necessary to achieve the Council's desired objective. Another condition (condition 9) seeks to control the appearance of the units to ensure that they are not standard metal clad caravans but are finished in a form of timber cladding.

It is agreed that the condition listing the precise models of units proposed would be cumbersome to operate and enforce and that the condition requiring the units to be finished in cladding would be sufficient to exercise the necessary control.

Condition 4 requires the keeping of a register of holiday clients and for this to be made available to the LPA for inspection when requested. The applicant has no issues in respect of the principle but suggests an alternative wording in the form used by appeal inspectors in respect of other sites granted permission by the Secretary of State.

The alternative wording is considered to achieve the same objective as the existing condition and is therefore considered acceptable.

The current wording of condition 9 requires the operator to submit full details of any caravans or lodges to the LPA prior to their siting on the land as well as requiring these to have floor levels of at least 500mm above ground level. The agent contends that the first requirement is onerous as it would not allow the operator to replace units coming to the end of their useful lives, introducing new units with features that reflect market trends or new customer requirements, without further reference to the Authority. An alternative wording is suggested. This specifies that all of the units to be sited on the land shall be clad in a composite timber material as well as continuing with the requirement for a minimum floor level.

The alternative wording would achieve control over the appearance of the caravans to be located on the site without the need for each variation in the design to be submitted to the LPA for approval and is considered to be acceptable

Setting of Listed Building

The proposal does not affect the setting of any listed buildings.

Area of Outstanding Natural Beauty

The proposal will conserve and enhance the landscape and the scenic beauty of the AONB and is in accordance with policy CS5 of the North Somerset Core Strategy, policy DM11 of the Sites and Policies Plan (Part 1) and section 11 of the NPPF.

Flood Risk

The site is within a flood zone. A condition is recommended securing the recommendations in the submitted Flood Risk Assessment and an advice note is recommended setting out the Environment Agency's advice regarding flood proofing measures. In this respect, the proposal is in accordance with policy CS3 of the North Somerset Core Strategy, policy DM1 of the Sites and Policies Plan (Part 1) and section 10 of the NPPF

Impact on neighbours

There are no nearby neighbours that would be adversely affected by the proposed development. In this respect, the proposal complies with policy DM38 of the Sites and Policies Plan (Part 1). The concerns of the third parties are adequately addressed by the proposed conditions.

Parking and highway safety

On-site parking provision is adequate and complies with the standards set out in the North Somerset Parking Standards SPD. The proposal is therefore in accordance with policies DM24, DM28 and DM38 of the Sites and Policies Plan (Part 1).

Parish Council Comments

The concerns of the Parish Council have been carefully considered. However these relate to the principle of development rather than the merits of the changes to the conditions applied for. As the site has planning permission for the development it is not possible to re-examine the principle at this stage.

A financial contribution was made towards the improvement of the junction of Accommodation Road and this remains.

Recommendations

APPROVE subject to conditions (see draft decision for conditions).

Reason for Overriding Parish Council comments (if appropriate)

See report

In recommending this application, I have taken into consideration the relevant policies of the Development Plan and the comments made by the consultees and other interested parties and the:

- Natural Environment and Rural Communities (NERC) Act 2006
- Crime and Disorder Act 1998
- Human Rights Act 1998.

Signed: ...Mike Cole