

DELEGATED REPORT

Application No:	20/P/2614/FUL	Target date:	07.01.2021
Case officer:	Judith Porter	Extended date:	28.02.2021
Proposal:	Change of use of land from pasture to a site for 10No. timber lodges, for year round holiday use, in association with the existing holiday park		
Site address:	Land At Purn Holiday Park, Bridgwater Road, Bleadon,		

SUMMARY OF MAIN ISSUES AND RECOMMENDATION

Planning History/Background – most recent applications

Reference	Proposal	Decision
19/P/0427/FUL	Application to vary condition 2 and remove condition 5 on application 17/P/1502/F (change of use of land from camp site to the siting of 40no. static and touring caravans) to allow a change to the approved layout.	Approved
17/P/5649/FUL	Construction of equipment store	Refused
17/P/1515/F	Construction of equipment store	Refused
17/P/1502/F	Proposed change of use of land from camp site to the siting of 40no. static and touring caravans	Approved

Policy Framework

The site is affected by the following constraints:

- Outside the settlement boundary for Bleadon
- Landscape character A5 Bleadon Moor
- Adjoins Local Wildlife site (River Axe, includes pond)
- Flood zone 3A, partially 3B
- PROW AX6/14/10
- Consultation Zone C Horseshoe bats SAC

The Development Plan

North Somerset Core Strategy (NSCS) (adopted January 2017)

The following policies are particularly relevant to this proposal:

Policy Ref	Policy heading
CS3	Environmental impacts and flood risk management
CS4	Nature Conservation
CS5	Landscape and the historic environment
CS11	Parking
CS12	Achieving high quality design and place making
CS22	Tourism Strategy
CS33	Smaller settlements and countryside

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
DM11	Mendip Hills Area of Outstanding Natural Beauty
DM24	Safety, traffic and provision of infrastructure etc associated with development
DM25	Public rights of way, pedestrian and cycle access
DM28	Parking standards
DM32	High quality design and place making
DM58	Camping and caravan sites

Sites and Policies Plan Part 2: Site Allocations Plan (adopted 10 April 2018)

The following policies are particularly relevant to this proposal:

Policy	Policy heading
SA2	Settlement boundaries and extension of residential curtilages

Other material policy guidance

National Planning Policy Framework (NPPF) (February 2019)

The following is particularly relevant to this proposal:

Section No	Section heading
1	Introduction
2	Achieving Sustainable Development
3	Plan-making
4	Decision-taking
6	Building a strong, competitive economy
12	Achieving well designed places

- 14 Meeting the challenge of climate change, flooding and coastal change
15 Conserving and enhancing the natural environment

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

- Residential Design Guide (RDG1) Section 1: Protecting living conditions of neighbours SPD (adopted January 2013)
- North Somerset Parking Standards SPD (adopted November 2013)
- North Somerset Landscape Character Assessment SPD (adopted September 2018)
- Biodiversity and Trees SPD (adopted December 2005)
- North Somerset and Mendip Bats Special Area of Conservation (SAC) Guidance on Development: SPD (Adopted January 2018)

Consultation summary

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

Bleadon Parish Council

- ***The Parish Council recommends refusal for the following reasons – Too close to the river – the lake previously formed part of the river years ago and has now been separated by a bank – would have a detrimental effect on the wild life – and is over development***

Natural England

SUMMARY OF NATURAL ENGLAND'S ADVICE FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES As submitted, the application could have potential significant effects on the North Somerset and Mendip Bats Special Area of Conservation. Natural England requires further information in order to determine the significance of these impacts and the scope for mitigation. The following information is required: • Ecological Surveys Without this information, Natural England may need to object to the proposal. Please re-consult Natural England once this information has been obtained. Natural England's further advice on designated sites/landscapes and advice on other issues is set out below.

The application site is within Consultation Zone Band C of the North Somerset and Mendip Bats Special Area of Conservation Supplementary Planning Document (SPD). This reflects the likely importance of the area to bats associated with the North Somerset and Mendips Bats SAC due to its proximity to known horseshoe bat roosts. The application site has not been assessed by an ecologist to establish the potential for the site to be used by SAC bats and as such there is currently not enough information to determine the impact of the application on the SAC. The application proposes to build 10 timber lodges adjacent to a lake which lies within a field. The Landscape Impact Assessment (Shattock Associates, October 2020) states that the field is regularly mowed so will have little interest to wildlife. However the lake has potential to be a foraging resource used by lesser horseshoe bats. Some insect species which lesser horseshoe bats predate reside in water bodies such as ponds during their larval stages. The lake appears to be joined to a rhyne to the north which has potential to act as a commuting corridor for SAC bats to travel the lake. The River Axe to the south may also act as a commuting corridor. Without ecological surveys the importance of these habitats to SAC bats cannot be established therefore it cannot be

determined if the proposals will have a detrimental impact to the Favourable Conservation Status of the SAC. Ecological surveys are needed to establish the importance of the application site to bats associated with the SAC. The SPD states that in Band C developers should seek advice from an ecologist on the potential for their proposal to impact the SAC. A report from a qualified ecologist must be submitted assessing the habitats on site for use by SAC bats and the potential for the proposal to impact these habitats. If impacts from the development can be proven to be minor and can be fully mitigated then a full season of bat surveys is not needed. If this is the case it must be clearly demonstrated in the ecologists report. If any habits within or adjacent to the site are found to be used by SAC bats it must be demonstrated that the proposal will not impact these habitats. Impacts could arise from lighting or from the introduction of fish into the lake (as fish may predate insect species used as prey by lesser horseshoe bats therefore reducing the quantity of prey available).

Other advice In addition, Natural England would advise on the following issues. Protected Landscapes The proposed development is for a site within or close to a nationally designated landscape namely the Mendip Hills AONB. Natural England advises that the planning authority uses national and local policies, together with local landscape expertise and information to determine the proposal. The policy and statutory framework to guide your decision and the role of local advice are explained below. Your decision should be guided by paragraph 172 of the National Planning Policy Framework which gives the highest status of protection for the 'landscape and scenic beauty' of AONBs and National Parks. For major development proposals paragraph 172 sets out criteria to determine whether the development should exceptionally be permitted within the designated landscape. Alongside national policy you should also apply landscape policies set out in your development plan, or appropriate saved policies. We also advise that you consult the relevant AONB Partnership or Conservation Board. Their knowledge of the site and its wider landscape setting, together with the aims and objectives of the AONB's statutory management plan, will be a valuable contribution to the planning decision. Where available, a local Landscape Character Assessment can also be a helpful guide to the landscape's sensitivity to this type of development and its capacity to accommodate the proposed development. The statutory purpose of the AONB is to conserve and enhance the area's natural beauty. You should assess the application carefully as to whether the proposed development would have a significant impact on or harm that statutory purpose. Relevant to this is the duty on public bodies to 'have regard' for that statutory purpose in carrying out their functions (S85 of the Countryside and Rights of Way Act, 2000). The Planning Practice Guidance confirms that this duty also applies to proposals outside the designated area but impacting on its natural beauty.

Local Sites We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application: • local sites (biodiversity and geodiversity) • local landscape character • local or national biodiversity priority habitats and species

Environment Agency

No objection subject to sequential test and conditions

Axe Brue IDB

No objection subject to conditions (s)

Neighbours' views

14 objection comments

The principal planning points made are as follows:

- Landscape impact incl from AONB
- Out of character
- Cumulative impact
- Precedent for further expansion
- Alterations made to pond (historic importance)
- Harm to wildlife/ incl Wildlife Site
- Little economic benefit to Bleadon
- Harm to PROW
- Highway safety
- Flood risk

Conclusions

The principle of development

The application seeks to extend the existing holiday park with lodges described as being for people fishing. Policies CS22 of the North Somerset Core Strategy sets the tourism strategy and DM58 of the North Somerset Sites and Policies Plan Part 1 permits the expansion of caravan sites subject to criteria including character, landscape, highways and living condition. These issues are considered below.

Flood risk

The site lies in flood Zone 3A and partially within Zone 3B (functional flood plain) as identified in the SFRA. Given the lack of fine detail in the split between 3A and 3B, the application is assessed as being within 3A, although if approval was recommended, an amended layout would be sought to take the lodges out of the area of 3B.

In 3A, more vulnerable uses such as holiday caravans are acceptable only subject to satisfactory sequential and exceptions tests. As an existing business, a pragmatic approach is taken to the search area for the sequential test. It is accepted that there are not sites at lower risk of flooding reasonably available in close proximity to the business so the sequential test is passed.

The exceptions test has 2 parts. There is an acceptable FRA, but it has not been shown that there will be sustainability benefits to the community which outweigh the risk of flooding. There is likely to be some economic benefit from the increased accommodation, but the benefits of this (given the range of facilities on site) would be to the owners more than the community, although a marginal increase in employment may be likely. However, as described below, the development would cause harm to the landscape, the character of the area and to nature conservation, so it causes on balance sustainability harm not sustainability benefit. The exceptions test is not passed and in its absence, the proposed development would be at an unacceptable risk of flooding, contrary to policy CS3 of the North Somerset Core Strategy, policy DM1 of the Sites and Policies Plan (Part 1) and section 14 of the NPPF.

Landscape and character including public right of way

The expansion of the caravan site with the fishing lodges into the undeveloped area adjacent to the River Axe will have an unacceptable adverse impact on the open and undeveloped character of the riverside, harming the landscape character. It will be highly prominent from the well-used public footpath, the official route of which would become

confined between lodges and caravans. It would encroach on undeveloped and and make it harder to resist future expansion of the site.

The Landscape Guidelines for Character area A5 Bleadon Moor particularly refers to:

- Control marginal/leisure uses of land such as that can have a significant visual impact within this flat open landscape.

The expansion of the caravan site as lodges would not Conserve the landscape character as is required by the Landscape Strategy or control leisure uses.

It considered that the proposed development would not have a significant adverse impact on the Mendip Hills AONB as it would be behind the highly prominent existing caravan park.

The proposed development is contrary to Policy CS5 and CS12 of the Core strategy and Policies DM10, DM32 and DM 58 of the Sites and Policies Plan part 1, and the North Somerset Landscape Character SPD.

Nature conservation

As can be seen from the recent comments from Natural England, the application lacks vital information and cannot be approved, as it lacks survey information in respect of the Horseshoe Bats SAC. A likely significant effect cannot, therefore, be ruled out. In respect of other ecological issues, the lake is designated as a local wildlife site, and no information has been included to assess the impact of the proposal , including the presence of the lodges, stocking with fish and recreational fishing use, on the wildlife site, nor has the presence or absence of other protected species been assessed. The proposed development is therefore contrary to Conservation of Habitats and Species Regulations 2017 and the Natural Environment and Rural Communities Act 2006, and to policy CS4 of the North Somerset Core Strategy, policy DM8 of the Sites and Policies Plan (Part 1) and the council's Biodiversity and Trees SPD and the North Somerset and Mendip Bats Horseshoe Bats SAC SPD

Parking and highway safety

The proposal would not add significantly to traffic and 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 DM58 of the Sites and Policies Plan (Part 1).

Living conditions:

There are no close neighbours

EIA Screening

The proposed development falls within Schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 - Column 1, Part 12 (Tourism and Leisure) and exceeds the thresholds in Column 2. It must, therefore, be screened in accordance with these Regulations. The proposal has, therefore, been screened in accordance with these Regulations and found not likely to have significant effects on the environment. The proposal does not, therefore, constitute EIA development.

Setting of Listed Building

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

Recommendations

REFUSE (see draft decision for reasons)

Reason for Overriding Parish Council comments (if appropriate)

n/a

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
- Public Sector Equality Duty, Equality Act 2010

Signed: Judith Porter