

DONCASTER METROPOLITAN BOROUGH COUNCIL

PLANNING COMMITTEE - 7th March 2017

Application	4
--------------------	----------

Application Number:	17/00214/FUL	Application Expiry Date:	24th March 2017
----------------------------	--------------	---------------------------------	-----------------

Application Type:	Full Application
--------------------------	------------------

Proposal Description:	Change of use of existing paddock with 5 touring pitches to a maximum 10 pitch touring caravan site including amenity block (11.5m x 6.5m) (without compliance with condition 5 of planning application 11/03438/FUL, granted on 13.02.2012 - to allow for an increase in touring caravans allowed to use the site to a maximum of 20) (Without compliance of conditions 2-3 of application granted under Ref: 16/00867/FUL) - to include siting of warden accommodation and alterations to the approved layout
------------------------------	---

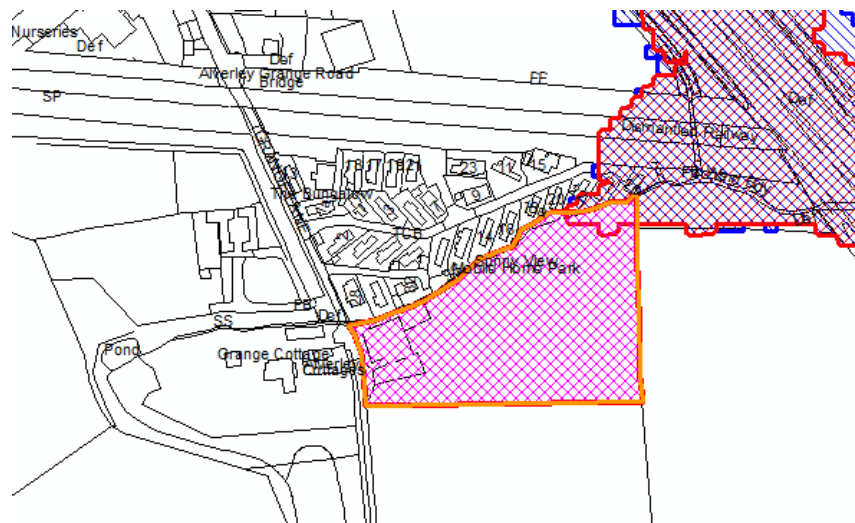
At:	Sunnyview Park Grange Lane Alverley Doncaster
------------	---

For:	Mr P Simmons
-------------	--------------

Third Party Reps:	A petition of 21 signatures in support of the application.	Parish:	Edlington Town Council
		Ward:	Edlington And Warmsworth

Author of Report	Tim Goodall
-------------------------	-------------

MAIN RECOMMENDATION:	Refuse
-----------------------------	--------



1.0 Reason for Report

1.1 This application is being presented to Members due to the level of public interest shown in the application.

2.0 Proposal and Background

2.1 The application site is currently a small field with planning permission for the siting of touring caravans. There is a single storey brick built amenity block towards the western end of the site. The site is roughly level with what appears as a mixed species hedge as the boundary treatment.

2.2 Vehicular access is from the north west via Grange Lane which leads to Broomhouse Lane. Directly to the north of the site is the existing park home development. There are open fields to the south west, south and east of the site, with the A1 (M) motorway further to the east.

2.3 The application seeks to vary conditions 02 and 03 of planning permission ref: 16/00867/FUL. This planning application was itself a variation of the original planning permission at the site ref: 11/03438/FUL.

2.4 The full planning history of the site, including the descriptions of the applications is detailed in section 3.

2.5 This current application seeks the siting of permanent residential accommodation for a warden at the site known as Sunnyview Park. Planning permission already exists for touring accommodation at this site.

2.6 The conditions to be varied are:

2. *The site shall be occupied by a maximum of 20 touring caravans at any one time.*

REASON

The local planning authority wishes to retain control over any subsequent change of use of these premises, in the interests of safeguarding the amenities of the area.

3. *The development hereby permitted shall not be used or occupied other than for the provision of short let holiday accommodation and shall not at any time be used, let, sold or otherwise occupied as a separate dwelling. No person, couple, family or group shall occupy or use the accommodation hereby permitted for a single period or cumulative periods exceeding 28 days in any calendar year.*

REASON

To ensure that the development is only used and occupied as short let holiday accommodation and to prevent the creation of an unjustified separate dwelling in the countryside, in accordance with policy ENV3 of the Doncaster Unitary Development Plan.

2.7 It was noted that in the original description of the application that condition 01 of the planning permission is to be varied. This condition refers to the three year period post decision in that development must commence for the planning permission to remain extant. Given development has already commenced at this site, this condition will be removed rather than varied and the description has been amended accordingly.

3.0 Relevant Planning History

11/03438/FUL Change of use of existing paddock with 5 touring pitches to a maximum 10 pitch touring caravan site including amenity block (11.5m x 6.5m). Granted 13/02/2012

16/00867/FUL Change of use of existing paddock with 5 touring pitches to a maximum 10 pitch touring caravan site including amenity block (11.5m x 6.5m) (without compliance with condition 5 of planning application 11/03438/FUL, granted on 13.02.2012 - to allow for an increase in touring caravans allowed to use the site to a maximum of 20. Granted 02/06/2016

16/02795/FUL Change of use of existing paddock with 5 touring pitches to a maximum 10 pitch touring caravan site including amenity block (11.5m x 6.5m) (without compliance with condition 5 of planning application 11/03438/FUL, granted on 13.02.2012 - to allow for an increase in touring caravans allowed to use the site to a maximum of 20 (without compliance with conditions 2 - 3 of planning application 16/00867/FUL, granted on 02.02.2016 - in accordance with plans and specifications, max number of caravans and occupancy (28 days) to include siting of a warden's caravan - Application withdrawn

4.0 Representations

4.1 The application was advertised by means of neighbour notification in accordance with Article 15 of the Town and Country Planning (Development Management Procedure) Order.

4.2 A petition was signed by 21 of the residents of the existing park requesting the application be approved for the following reasons:

- A warden will help the business and provide a better service to touring visitors
- The residents' main wish is to stay living in their homes as long as possible, not going into residential care and a warden will help achieve this
- A warden will help with the growing touring business so visitors follow the rules and sort things out

5.0 Parish Council

5.1 Edlington Town Council have no objection to the application.

6.0 Relevant Consultations

6.1 Environment Agency - No objection as the site lies within Flood Zone 1.

6.2 Coal Authority - No objection. The site lies within the low risk area and only standing advice is required.

6.3 Severn Trent Water - No objection. An informative is suggested if permission is to be granted.

6.4 Public Rights of Way - The applicant is advised that the proposed development lies in close proximity to an existing right of way.

6.5 Tree Officer - The Council's Tree Officer has not yet responded to this consultation. However, the response to the previous withdrawn application advised that there was no objection subject to a landscaping condition.

6.6 Highways - The Council's Highways Section have not yet responded to this consultation, but had no objection to the previous withdrawn application.

7.0 Relevant Policy and Strategic Context

7.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.2 In the case of this application, the Development Plan consists of the Doncaster Core Strategy and Unitary Development Plan. The most relevant policies are:

Doncaster Core Strategy Policy CS3: Countryside

Doncaster Unitary Development Plan (UDP) Saved Policies

ENV1: Green Belt Designation

ENV3: Green Belt General Development Control Policies

ENV7: Recreation and Leisure Developments

7.3 Other material considerations include the National Planning Policy Framework (NPPF) and the subsequent planning guidance; as well as the Council's supplementary planning guidance.

7.4 Edlington Town Council have published their draft Neighbourhood Plan. A 7 week period of consultation commenced on Friday 16 December 2016. Paragraph 216 of the NPPF indicates that ... "From the day of publication, decision takers may also give weight to the relevant policies in emerging plans according to, amongst other factors, the plan's stage of preparation (the more advanced the preparation the greater the weight may be given)." Given that the examination of the plan has not been completed, the policies of the neighbourhood plan at this stage have limited weight within the Development Plan for Doncaster.

7.5 While the existing park home development directly to the north of the application site is located within the defined area of the proposed Edlington Neighbourhood Plan, the current application sites falls outside of it.

8.0 Planning Issues and Discussion

8.1 The site is allocated as Green Belt as defined by the Doncaster Unitary Development Plan 1998 saved by the Secretary of State September 2007

Development in Green Belt

8.2 While the NPPF carries a presumption in favour of sustainable development, this policy is essentially reversed within the statutory green belt (Section 9 of the NPPF) and it is for an applicant to argue otherwise. The siting of a caravan for permanent residential occupation in the Green Belt is contrary to national and local planning policy unless very special circumstances can be demonstrated.

8.3 These very special circumstances are:

- buildings for agriculture and forestry

- provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it
- the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building
- the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces
- limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development

8.4 Policy CS3 states that national policy will be applied, including a presumption against inappropriate development other than in very special circumstances. Proposals which are outside development allocations will only be supported where, amongst other material planning considerations, they preserve the openness of the Green Belt.

8.5 Policy ENV1 advises that the purposes of including land in the Green Belt is to regulate the size and shape of urban areas in order to prevent unrestricted sprawl and to assist in safeguarding the countryside from encroachment. Saved policy ENV3 of the UDP advises that development in the Green Belt will not be permitted, except in very special circumstances for purposes other than those listed in the policy, which broadly accord with the purposes set out in national policy. Saved Policy ENV7 advised that small ancillary buildings and other essential facilities will be permitted in the Green Belt for recreation and leisure uses if they are genuinely required.

8.6 While it is recognised that there are the residential lodges to the north of the site and that the proposed warden accommodation would be located at the northern end of the site towards the amenity block, it is within a separate parcel of land that is clearly defined. The boundary treatment separating the application site from the residential lodges consists of mature hedgerow planting. Planning permission exists on this land only for touring caravans on a temporary basis restricted by planning conditions. The applicant has offered to mitigate the impact of the development by removing one of the approved touring pitches. The siting of a static caravan, all year round is not considered to preserve the openness of the Green Belt due to the degree of permanence which will differ from that of the temporary occupation of plots by touring caravans. This will not occur on the remainder of the site given its use for touring caravans, which can each only be sited for up to 28 days per calendar year, as per the existing planning condition. The proposed development would therefore be contrary to the NPPF, Policy CS3 of the Core Strategy and saved Policies ENV1 and ENV3 of the UDP. The proposed mitigation of the removal of a touring plot is not considered sufficient to overcome the harm caused to the openness of the green belt by the proposed development.

Justification for Permanent Accommodation

8.7 Section 6 of the NPPF states that local planning authorities should avoid isolated new homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside. Section 9 of the NPPF refers to Green Belt policies and as the agent for the application acknowledges in his accompanying statement, Annex A of the now revoked

Planning Policy Statement 7 remains a useful guide for indicating how the justification for new isolated dwellings associated with rural-based enterprises can be measured. There should be a clearly established existing functional need and that the need relates to a full time worker. Furthermore, the activity should have been established for at least three years, have been profitable for at least one of them, are currently financially sound and have a clear prospect of remaining so.

8.8 In an attempt to meet the financial requirements the applicant has submitted accounts for the tax years of 2014/15, 2015/16 and for 2016/17. The accounts show a continuing annual profit through rental income with additional income generated in certain years from the sale of mobile homes.

8.9 It is necessary also to establish whether there is a functional need for permanent accommodation on the site. The applicant has argued that due to the nature of the site, with elderly residents on site and also touring caravans arriving at irregular hours, there is a justification for the on-site accommodation.

8.10 While outside of the residential policy area, the application site is approximately 500 metres from the residential edge of Doncaster itself. Given this proximity, it is not considered the applicant has justified the need for what would essentially be a new dwelling in the green belt. The justification, as set out in the applicant's supporting statement, relates to the arrival of visitors at antisocial hours, security concerns and general customer service matters such as the provision of towels. These issues could be reasonably dealt with through alternative means such as CCTV or the contact details for an off-site manager in the case of late arrivals. Given the proximity to the residential area of Doncaster itself, it is clearly possible for an off-site manager to be very close to the site to deal with any issues such as those raised by the applicant in their statement. Furthermore, it is noted Policy ENV7 of the UDP only refers to small buildings with regarding to recreation and leisure development. The use of a static caravan for permanent residential accommodation to support a permanent residential community in the existing park homes clearly falls outside of the remit of ENV7 and therefore cannot be used in support of it. As such the applicant's justification for a permanent dwelling is not accepted, and it is recommended that planning permission is refused.

Summary and Conclusion

9.1 The proposed development is considered to constitute inappropriate development in the designated Green Belt and furthermore the permanent residential accommodation outside of the Residential Policy Area has not been justified. The proposal is contrary to national and local planning policies and is recommended for refusal.

RECOMMENDATION

Planning Permission REFUSED for the following reasons.

01. U50676 The proposed development would, due to its siting and the degree of permanence, fail to preserve the openness of the Green Belt, contrary to Policy CS3 of the Doncaster Core Strategy, Saved Policies ENV1 and ENV3 of Doncaster Unitary Development Plan and Section 9 of the National Planning Policy Framework,

02. U50677

The applicant has failed to demonstrate the essential need for a permanent residential accommodation outside of the designated Residential Policy Area and as such the proposal is contrary to Policy CS3 of the Core Strategy, Saved Policies ENV1, ENV3 and ENV7 of the Doncaster Unitary Development Plan and Sections 6 and 9 of the National Planning Policy Framework.

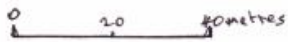
The above objections, considerations and resulting recommendation have had regard to Article 8 and Article 1 of the First Protocol of the European Convention for Human Rights Act 1998. The recommendation will not interfere with the applicant's and/or objector's right to respect for his private and family life, his home and his correspondence.

Appendix 1 Location Plan

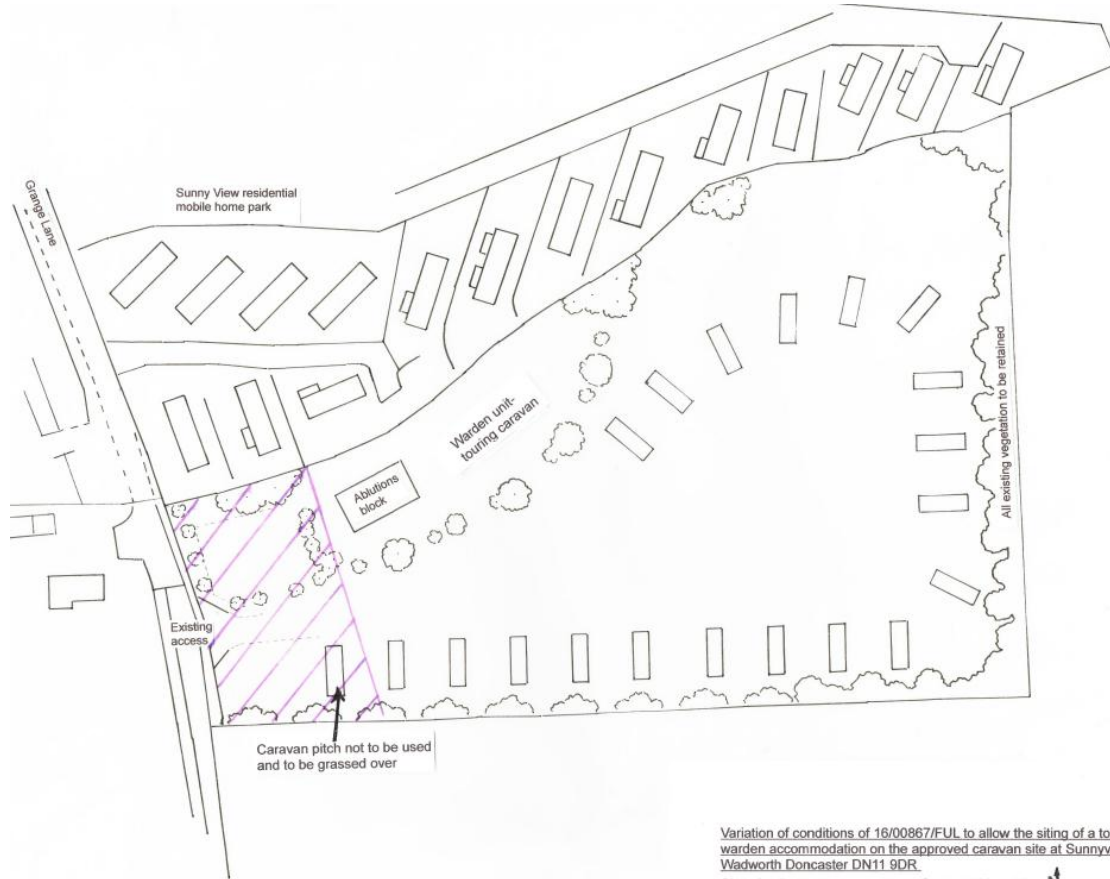


Location plan

Scale 1:1250 at A4



Appendix 2 Site Plan



Variation of conditions of 16/00867/FUL to allow the siting of a touring caravan as site warden accommodation on the approved caravan site at Sunnyview Park Grange Lane Wadworth Doncaster DN11 9DR.
Site plan/layout Scale 1:500 at A3 **N**