

Case Officer: George Smith

Applicant: Mr D Hughes

Proposal: Change of Use of Land to Camping and Caravan Site together with access and amenity areas

Ward: Launton And Otmoor

Councillors: Councillor Timothy Hallchurch MBE
Councillor Simon Holland
Councillor David Hughes

Reason for Referral: Application submitted by a CDC Councillor

Expiry Date: 17 February 2020

Committee Date: 13 February 2020

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

RECOMMENDATION: GRANT PERMISSION SUBJECT TO CONDITIONS

Proposal

The applicant seeks planning consent for the change of use of a paddock/field into a 57-pitch camping and caravan site, including amenity buildings and a new access.

Consultations

No consultees have raised **objections** to the application

The following consultees have raised **no objections** to the application:

- CDC Arboriculture
- CDC Environmental Protection
- CDC Health Protection
- OCC Highways
- OCC Rights of Way

No letters of objection have been received and no letters of support have been received.

Planning Policy and Constraints

There are no significant planning policy or constraints

The application has also been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance as listed in detail at Section 8 of the report.

Conclusion

The key issues arising from the application details are:

- Principle of development
- Design, and impact on the character of the area
- Residential amenity
- Highway safety

The report looks into the key planning issues in detail, and Officers conclude that the proposal is acceptable subject to conditions.

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site, located to the southeast of Bicester, consists of a paddock with trees/vegetation to the boundaries and is generally. The site is south of a caravan sales/storage business and a scrap business which are operated by the applicant's family, and a residential dwelling named Hill House which is owned by the applicant. The land level is relatively flat to the majority of the site; however, the levels begin to slope up gradually to towards the eastern portion, which is curtailed by a Public Bridleway and a dwelling named Mill Cottage. The A41 runs across the south of the site.
- 1.2. On the opposite side of the A41, two former farm buildings at Blackthorn Hill Farm have been converted into a bus depot, together with associated hardstanding.
- 1.3. The remainder of the land around the site is an agricultural use. However, the Bicester 12 CLP 2031 policy allocation runs near the site. A Class B8 Use development named Symmetry Park has been completed on land two fields away (approx. 180m).

2. CONSTRAINTS

- 2.1. The Public Bridleway (131/9/10) is located to the east of the site. The site is located on Potentially Contaminated Land. There are no other constraints relevant to planning.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The applicant seeks planning consent for a change of use of a paddock to provide camping and caravan facilities. The site plan shows that 57 pitches are proposed. Built development is proposed in the form of three buildings to the western part of the site; an amenity hub, a laundry/shop building and site reception/office. A new access out of the paddock is proposed onto the lane leading to Hill House. The eastern part of the site would not feature any pitches and is proposed for amenity space and a dog field.
- 3.2. During the application process, further information was sought in relation to highway safety, and the proposals impact on trees. The applicant provided a Tree Retention Plan and

4. RELEVANT PLANNING HISTORY

- 4.1. The following planning history is considered relevant to the current proposal:
- 4.2. 05/00336/F – New showroom ancillary to existing caravan centre – Application Permitted

5. PRE-APPLICATION DISCUSSIONS

- 5.1. No pre-application discussions have taken place with regard to this proposal.

6. RESPONSE TO PUBLICITY

- 6.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records (amend as appropriate). The final date for comments was **20 August 2019**, although comments received after this date and before finalising this report have also been taken into account.
- 6.2. No comments have been raised by third parties.

7. RESPONSE TO CONSULTATION

- 7.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 7.2. BICESTER TOWN COUNCIL: **No comments received**

OTHER CONSULTEES

- 7.3. CDC ARBORICULTURE: **No objections** – as the proposal would result in minimal impact to trees within the site. The removal of 7 Cypress Trees can be balanced by replanting within the site. As there are no excavations or hard surfaces to be installed, and that protective fencing will be in place to protect retained trees, there are no objections.
- 7.4. CDC ENVIRONMENTAL PROTECTION: **No objections** – as there will be no permanent residency on the site.
- 7.5. CDC HEALTH PROTECTION: **No objections** – but the applicant should be made aware that a caravan site licence is required.
- 7.6. CDC LICENSING: **No objections** – but a caravan park licence would be required.
- 7.7. OCC HIGHWAYS: **no objections** – following the submission of a highways report, the Highways Liaison Officer is satisfied that the development will not cause a significant increase in traffic on the surrounding network during peak hours.
- 7.8. OCC RIGHTS OF WAY: **No objections** – as there is no diversion required to the adjacent Bridleway, there is no detrimental effect.

8. RELEVANT PLANNING POLICY AND GUIDANCE

- 8.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 8.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a

number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- PSD1 – Presumption in Favour of Sustainable Development
- SLE3 – Supporting Tourism Growth
- ESD15 - The Character of the Built and Historic Environment
- Bicester 12 – South East Bicester

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development
- C30 – Design control
- ENV1 – Environmental pollution

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)

9. APPRAISAL

9.1. The key issues for consideration in this case are:

- Principle of development
- Design, and impact on the character of the area
- Residential amenity
- Highway safety

Principle of Development

Policy Context

9.2. Policy SLE3 of the adopted Cherwell Local Plan 2031 supports proposals for new or improved tourist facilities in sustainable locations, where they accord with other policies in the plan, to increase overnight stays and visitor numbers within the district. This is partially about supporting the economy and the prosperity of the District. The NPPF encourages a prosperous rural economy and seeks to support the appropriate and sustainable growth of rural businesses.

9.3. Policy Bicester 12 of the Cherwell Local Plan 2031 is relevant in this case, as its development area runs from the edge of Bicester to a parcel of land which is one field from the application site (approx. 180m separation). This policy supports a mix of uses, in the form of residential and employment development.

Assessment

9.4. The proposal seeks to provide pitches for camping and caravanning. The applicant states that one of the reasons for providing such a facility is to support the adjacent caravan sales business. The intention would be to offer camping on site for customers as part of a comprehensive sales handover.

- 9.5. The site is not located within any settlement, but is adjacent to an existing business use related to the proposed use. Policy Bicester 12 supports housing and employment growth near to the site, and as such, the site will be adjacent a built-up area in the near future, whereby it would be considered more sustainably located than it currently is. In any case, a caravanning and camping use cannot be reasonably expected to be accommodated in a built-up environment, typically accommodated at the edge of settlements in open fields.

Conclusion

- 9.6. There is a general presumption in favour of supporting tourism development providing there is no identified harm arising therefrom. This will be considered in the sections below.

Design, and impact on the character of the area

Policy Context

- 9.7. Policy ESD15 of the adopted Cherwell Local Plan 2031 and saved Policy C28 of the Cherwell Local Plan 1996 seek to control the character of the built and historic environment and all new development including new buildings, extensions and conversions.
- 9.8. Policy ESD13 of the adopted Cherwell Local plan seeks to protect the character and appearance of the landscape. It sets out that development will not be permitted if it would cause undue visual intrusion into the open countryside. This reflects the general thrust of the NPPF which seeks the protection and enhancement of valued landscapes (paragraph 170). However, greatest weight is given to designated landscapes such as National Parks and AONBs.

Assessment

- 9.9. The proposal constitutes a permanent change of use of land for caravanning and camping. There would be only 3 'fixed' buildings, namely an amenity hub, a laundry/site store and a reception/office building. Whilst no pitches on the site are proposed to have fixed caravans or tents, in practice there could be up to 57 pitches occupied at any one time.
- 9.10. The site is in a rural location, but adjacent to the A41 (south) and the built-up caravan sales centre (north). The site, whilst pleasant in its openness, contributes only a limited amount to the wider landscape setting due to these adjacent uses. The site is also not readily visible from any adjacent rural fields due to the relatively flat nature of the land and the intervening buildings and roads.
- 9.11. Overall, officers do not consider that the proposal would have any significant impact on the wider landscape. The use of the site as a caravanning and caravan park is a transient use, with a large part of the site remaining open for amenity and only requiring 3 permanent structures, likely to be of a relatively light-weight construction. Their appearance and materials can be conditioned.
- 9.12. The proposal would require the removal of trees along the western boundary of the site, to create an 'in and out' access arrangement into the site. The trees are not considered to be of any particular significance, but they do provide a certain level of amenity. However, officers consider that their loss can be offset through replacement tree planting within the site; in addition the Council's trees officer has been consulted and is content with the proposals in this regard subject to conditions.

Conclusion

- 9.13. The proposal as submitted is considered acceptable regarding visual amenity and its impact on the wider landscape setting, thus according with Policies ESD13 and ESD15 of the CLP 2031, saved Policy C28 of the CLP 1996 and relevant paragraphs of the NPPF.

Residential amenity

Policy context

- 9.14. Both the NPPF and Policy ESD15 of CLP 2031 seek to ensure new development proposals provide a good standard of amenity for both existing and proposed occupants of land and buildings. Furthermore, saved Policy ENV1 seeks to protect residents against environmental pollution, including noise.

Assessment

- 9.15. The application site is adjacent to two properties, “Hill House” and “Windmill Cottage”. Given the nature of the proposal the change of use of the site would not cause any harm to neighbours by way of loss of light, outlook, overlooking or over-domination.
- 9.16. Increased activity on the site would result in increased levels of noise. However, the Council’s Environmental Health Officer does not raise any concern in this regard, given there would be no permanent residency on site. Hill House, the dwelling located to the north, is also owned by the applicant and family and as such is likely to serve a role in relation to the business and any noise issues that may arise.
- 9.17. A gap in the fence to the eastern boundary of the site would be retained for pedestrians to leave the site. This gives the opportunity for users of the site to walk along the bridleway travelling north without having to use the A41. The latter is considered to be dangerous for pedestrians given it does not have a footpath at this section and considering vehicle speeds and frequency.

Conclusion

- 9.18. Overall, the proposal is considered to result in acceptable standards of amenity for future users of the development and adjoining neighbours, in accordance with Policy ESD15 of the CLP 2031, saved Policy ENV1 of the CLP 1996 and relevant paragraphs of the NPPF.

Highway safety

- 9.19. Policy ESD15 of the CLP 2031 Part 1 states, amongst other matters, that new development proposals should: *be designed to deliver high quality safe...places to live and work in*. This is consistent with Paragraph 110 of the NPPF which states that: *developments should create places that are safe, secure and attractive – which minimise the scope for conflicts between pedestrians, cyclists and vehicles*.
- 9.20. The camping and caravanning park would utilise an existing access from the A41, which currently also serves the caravan retailer to the north of the site, and Hill House. The Local Highways Authority is satisfied that the proposal would not increase traffic at peak times to the overall detriment of the local highways network. Officers see no reason to disagree with this assessment. The proposal also has sufficient space within the turning area to accommodate visitor and staff parking.

9.21. Overall, the proposal is considered acceptable on matters of highway safety and parking and is thus compliant with Policy ESD15 of the CLP 2031 and relevant paragraphs of the NPPF.

10. PLANNING BALANCE AND CONCLUSION

10.1. The proposal complies with the relevant Development Plan policies and guidance listed at section 8 of this report and is therefore considered to be sustainable development. In accordance with Paragraph 11 of the NPPF, permission should therefore be granted

11. RECOMMENDATION

RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION, SUBJECT TO THE CONDITIONS SET OUT BELOW

CONDITIONS

Time Limit

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

Compliance with Plans

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:

- Site Location Plan – 6218CAMP-04
- Tree Retention and Loss Plan – LAS101-02

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

Landscaping Scheme

3. Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-

- (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas,
- (b) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.

The hard landscape elements shall be carried out in accordance with the approved details and prior to the first use of the development.

All planting, seeding or turfing comprised in the approved details of landscaping

shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason - In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Details of amenity buildings

4. Prior to the commencement of development, and notwithstanding the details submitted, full details of the buildings proposed (amenity hub, site store and office), including floor plans and elevations, shall be submitted to and approved in writing by the Local Planning Authority. The development shall not be carried out other than in accordance with the approved details.

Reason - In the interests of the visual amenities of the area and to comply with Policies ESD13 and ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

PLANNING NOTES

1. To operate a caravan site, a licence will need to be obtained. The application can be completed online at <https://www.cherwell.gov.uk/directory-record/1856/caravan-and-mobile-home-sites-licence>. In order for a licence to be granted the site must comply with the caravan site licence conditions. Whilst the conditions refer to fire safety, fire safety on the site is enforced by Fire service under the Regulatory Reform (Fire Safety) Order 2005 and therefore for any guidance on fire risk assessment or provision off firefighting equipment should be sought from the local fire service.