

RECOMMENDATION FOR PLANNING AND DEVELOPMENT COMMITTEE

APPROVAL

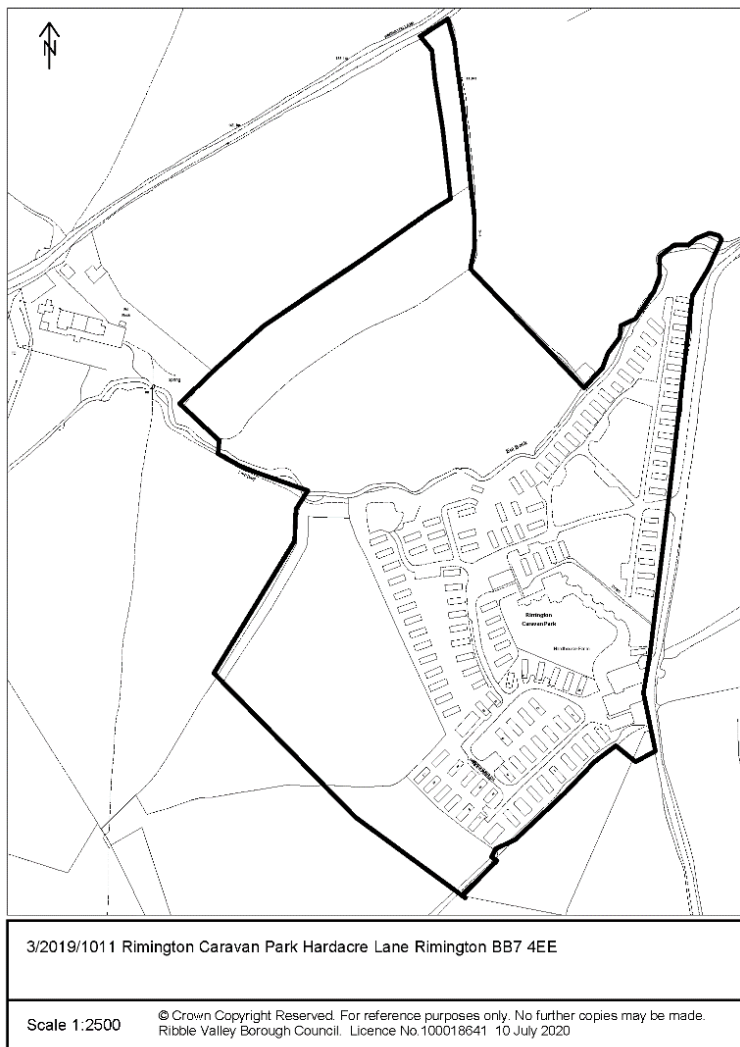
DATE: 27 May 2021
REF: JM
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APPLICATION REF: 3/2020/1104

GRID REF: SD 382491 446963

DEVELOPMENT DESCRIPTION:

VARIATION OF CONDITION OF PLANNING APPLICATION 3/2019/1011, CONDITION 13 – OCCUPANCY AT RIMINGTON CARAVAN PARK, HARDACRE LANE, RIMINGTON BB7 4EE



CONSULTEE RESPONSES/ REPRESENTATIONS MADE:

PARISH COUNCIL:

We believe the condition should remain in place and not be lifted. We also wish to register our continued concern over the increased traffic and its effect on Hardacre Lane due to the greater number of units on Rimington Caravan Park.

ADDITIONAL REPRESENTATIONS:

2 letters of objection which raise the following issues.

- Removal would create a precedent
- Danger of more permanent residence and impact on local resources
- Concerns that other conditions have not been complied.
- Impact on highway.

1. Site Description and Surrounding Area

- 1.1. The site is located is located approximately 1 mile south of Gisburn and 2 miles east of Rimington. It is situated in the open countryside.
- 1.2. The existing caravan park has a total of 120 static caravan pitches and 50 touring caravan pitches. Work is ongoing to develop an additional 30 pitches. There is currently planning consent for a total of 200 caravans on the site, with a maximum of 55 touring pitches.
- 1.3. In addition to the caravan pitches, there is a facility building on the site which includes a small shop and bar, which is available to people staying on the site.
- 1.4. Access to the site is taken from Hardacre Lane. There are two access points on Hardacre Lane, one which is utilised by visitors to the site and a second which is primarily used when static caravans are being delivered to or removed from the site.

2. Proposed Development for which consent is sought

- 2.1 The proposed development seeks to vary the occupancy condition attached to the most recent planning consent at the site by removing the reference to the occupancy clause limiting the occupation of the caravans to 3 months in any calendar year.

3. Relevant Planning History

BO1538 - Approved layout of land Hardacre Gate, Rimington as a holiday caravan site.
Approved 30/07/1970

3/1980/9044 - Proposed residential caravan for occupation by park warden. Approved
28/10/1980

3/1984/0470 - Proposed conversion of disused machines store building into a games building with bar, bottle and general store and toilets. Approved 23/10/1984

3/1989/0754 - Replacement of septic tank. Approved 24/11/1989

3/1990/0414 - Use of 12 static caravan pitches from 01 March to 31 January. Approved 24/06/1991

3/1999/0758 - Proposed modification of condition to permit 33 static caravan pitches to be used from 1 March to 31 January each year. Approved 31/11/1999

3/2006/0932 - Variation of condition to extend season to 10 months and 6 days. Approved 07/02/2006

3/2010/1027 - Variation of condition no. 1 (time/occupancy restrictions) of planning consent 3/2006/0932P, to read 'The caravans shall be used for the purpose of holiday accommodation only and not as a permanent residence'. Approved 21/03/2011

3/2010/1026 - Variation of condition no. 2 (time/occupancy restrictions) of planning consent. Approved 21/03/2011

3/2010/1025 - Variation of condition no. 2 (time and occupancy restrictions) of planning consent 3/1990/0414P, to be replaced with a condition reading 'The caravans shall be used for the purpose of holiday accommodation only and not as a permanent residence'. Approved 21/03/2011

3/2013/0059 - Extension of existing caravan park to allow for creation of 38 timber lodges. Approved 30/09/2013

3/2019/1011- Change of use of land to form extensions to existing caravan site for the siting of a further 62 holiday caravans and associated engineering works, demolition of existing building, erection of extension to facilities building, creation of new children's play area, erection of storage building and retention of access track. Approved with conditions

4. **Relevant Policies**

Ribble Valley Core Strategy

Key Statement DS1 – Development Strategy

Key Statement DS2 – Presumption in Favour of Sustainable Development

Key Statement EC3 – Visitor Economy

Key Statement EN2 - Landscape

Key Statement EN3 – Sustainable Development and Climate Change

Key Statement DMI2 – Transport Considerations

Policy DMB1 – Supporting Business Growth

Policy DMB3- Recreation and Tourism Development

Policy DMB5 – Footpaths and Bridleways

Policy DMG1 – General Considerations

Policy DMG2 – Strategic Considerations

Policy DMG3 – Transport and Mobility

Policy DME6 – Water Management

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

Technical Guidance to National Planning Policy Framework

5. **Assessment of Proposed Development**

5.1 **Principle of Development:**

- 5.1.1 The main issue is whether the modification of the condition would be harmful to planning considerations. The site was purchased by Holgates, who own and operate holiday parks, in 2019 at which time a number of the caravans were occupied as permanent residence in breach of the relevant planning conditions and site licence. These permanent occupations have now ceased, and the entire park is now for holiday use.
- 5.1.2 Policies within the Core Strategy seek to support business growth and the local economy, specifically in policy DMB1. Policy DMB3 supports the principle of tourism development which extend the range of tourism and visitor facilities in the Borough. The provision of holiday accommodation is acceptable in terms of Policy DMB3.
- 5.1.3 The purpose of attaching a restrictive occupancy condition reflects the stance taken on other holiday parks within the Borough, is to ensure that the caravans are used for people holidaying and visiting the area, which has an associated economic benefit to the local economy, and to ensure the caravans are not utilised as permanent residential accommodation which has historically occurred at this site and does at other sites across the Borough.
- 5.1.4 The agent for the application considers that a condition which restricts the use to holiday purposes and not the owner's main residence, which reflects the conditions on the other parts of this site, is sufficient. Hence the request to remove reference to three months occupancy. The agent for the application has cited appeal decision where similar suggested conditions have been imposed by the Inspectors.
- 5.1.5 The Framework makes clear that planning conditions should be kept to a minimum, and only used where they satisfy the following tests:
- necessary;
 - relevant to planning;
 - relevant to the development to be permitted;
 - enforceable;
 - precise; and
 - reasonable in all other respects
- 5.1.6 It is acknowledged that since this park was purchased by the current owners the issues experienced on other similar parks, people living in the caravans permanently, has been removed and this is now a holiday park. However, to ensure that this remains the case in the future and to ensure that the condition imposed is enforceable additional items of proof will be required to be provided to the Local Planning Authority on request.

5.2 Impact upon Residential Amenity:

5.2.1 The issues raised by local residents are noted but the many of the concerns relate to the substantive consent and not this application.

6 Observations/Consideration of Matters Raised/Conclusion

6.1 In this case it is considered that the condition can be modified to prevent the units being permanently occupied as a main residence.

RECOMMENDATION: That the application be APPROVED subject to the following conditions.

1 The development must be begun not later than the expiration of three years beginning with the date of the original consent (3/2019/1011) dated the 31/07/2020.

REASON: Required to be imposed by Section 51 of the Planning and Compulsory Purchase Act 2004

Plan related

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

Location Plan SK-RLP-001
Proposed Layout Plans SK-S-100A, SK-S-1.1A and SK-N-1.2A
Landscaping Planting Plan RTP 700 Rev 0 and RTP 701 Rev 0
Caravan Elevation Plan RTP 081 Rev 0
Proposed Conservatory site Plan SK-RLP-CH.103
Proposed Store Building site block plan SK-RLP-SB.101A
Proposed Conservatory Elevation Plan SK-RLP-CH.104
Proposed Store Building Elevation Plan SK-RLP-SB.100

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent.

Drainage

3. The sustainable drainage scheme shall be implemented in accordance with the WYG Drainage Technical Note (dated 21 September 2020) and drawings 500-01 Rev A02 and 500-02 Rev A02 as submitted and approved in the Discharge of Condition application 3/2020/0781.

REASON: To promote sustainable development, secure proper drainage and to manage the risk of flooding and pollution.

4. Foul and surface water shall be drained on separate systems.

REASON: To secure proper drainage and to manage the risk of flooding and pollution.

Highways

5. For the full period of construction, facilities shall be available on site for the cleaning of the wheels of vehicles leaving the site and such equipment shall be used as necessary to prevent mud and stones being carried onto the highway. The roads adjacent to the site shall be mechanically swept as required during the full construction period.

REASON: To prevent stones and mud being carried onto the public highway to the detriment of road safety.

6. Demolition or construction works shall not take place outside 08:00 hours to 17:00 hours Mondays to Saturday and not on Sundays or Bank Holidays.

REASON: To protect the amenities of the nearby residents.

7. The development shall be carried out in accordance with the Construction Method Statement dated 7 August 2020 as submitted and approved in the Discharge of Condition application 3/2020/0781.

REASON: To protect existing road users in the interest of highway safety.

8. Notwithstanding the access details shown on the submitted plans Sk-S-100A there shall be no vehicular access to and from the site on to Rimington Lane with the exception of emergency purposes or for construction traffic purposes previously agreed in accordance with the construction phasing plan submitted in compliance with Condition 7.

Within one month of the commencement of the development full details of a gate or other form of enclosure shall be submitted to and approved in writing by the Local Planning Authority. The approved measure(s) shall be installed in accordance with the approved details prior to the first use of the caravans hereby approved

REASON: To protect existing road users in the interest of highway safety.

9. Within one month of the commencement of the development further details showing:
 - how adequate intervisibility between vehicles and pedestrians using the PROW3-36FP4 will be secured
 - full details of the surface materials of the crossing point
 - details of the future management and maintenance of this part of the site shall be submitted to and approved in writing by the Local Planning Authority.

The development thereafter shall be completed in accordance with the approved details prior to the first use of the caravans hereby approved and the area of land maintained in accordance with the approved details thereafter.

REASON: To protect existing road users in the interest of highway safety.

10. Prior to the first use of the caravans hereby permitted, three bat boxes shall be installed in accordance with the details set out in the Envirotech letter and plans dated 10 August 2020 as submitted and approved in the Discharge of Condition application 3/2020/0781.

REASON: To encourage and promote biodiversity.

11. Within three months of commencement of development on site, a scheme/timetable of phasing for the approved landscaping areas shown on Landscaping Planting Plan RTP 700 Rev 0 and RTP 701 Rev 0 shall have been submitted to and approved in writing by the Local Planning Authority.

The development shall be carried out in strict accordance with the duly approved timings and phasing's and the areas which are landscaped shall be retained as landscaped areas thereafter.

Any trees or shrubs removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.

REASON: To ensure the proposed landscaped areas are provided on a phase by phase basis in the interest of visual amenity.

12. Each caravan hereby approved shall not be used as a unit of permanent accommodation and shall be solely used for holiday accommodation and not be used at any time as sole or principal residence by any occupant.

The owner shall maintain a register of all guests of each unit of accommodation hereby approved at all times and shall be made available for inspection by the Local Planning Authority on request. For the avoidance of doubt the register shall contain:

- the name and address of the owner's permanent residence (where they pay Council tax and/ or are registered to vote and keep the majority of their possessions);
- the name and address (permanent residence) of main guest who made the booking together with dates of occupation.

For the avoidance of doubt permanence residence is where the owner/ guest pay Council tax and/or are registered to vote and keep the majority of their possessions.

REASON: The permission relates to the provision of holiday accommodation. The condition is necessary to define the scope of the permission hereby approved and to ensure that the development promotes sustainable tourism and contributes to the area's economy.

13. The extension to the facilities building, creation of new children's play area and storage building shall be constructed using the materials detailed in Steven Abbott Associates letter dated 18 August 2020 as submitted and approved in the Discharge of Condition application 3/2020/0781

REASON: To ensure that the materials used are visually appropriate to the locality.

14. The ground surfacing materials for the new children's play area and storage area shall be constructed using the materials detailed in Steven Abbott Associates letter dated 18 August 2020 as submitted and approved in the Discharge of Condition application 3/2020/0781

REASON: To ensure a satisfactory form of development in the interest of the visual amenity of the area.

15. Prior to the first use of the caravans hereby permitted a scheme showing dedicated electric vehicle charging points throughout the application site shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the electric vehicle charging points shall be provided in accordance with the approved scheme prior to the first use of the caravans hereby permitted.

REASON: To promote options for sustainable modes of transport within the site.

BACKGROUND PAPERS

https://www.ribblevalley.gov.uk/site/scripts/planx_details.php?appNumber=3%2F2020%2F1104