

The application is for full planning permission to develop the site for the siting of 5 no. touring caravans for leisure/tourism purposes and the erection of a prefabricated building measuring 7 metres by 10 metres by 4.4 metres in height for the storage of site maintenance equipment.

The application site is located within the open countryside on land within the North Staffordshire Green Belt and an Area of Landscape Restoration, as indicated on the Local Development Framework Proposals Map.

Red Hall Lane is a private road which connects to Shraley Brook Road

The 8 week determination period expired on the 23rd January 2018.

RECOMMENDATION

REFUSAL on the grounds that

- 1) The development is an inappropriate form of development in the Green Belt and the very special circumstances required to justify approval of such development do not exist in this case; and**
- 2) In a number of respects the application does not provide the information that Local Plan policy C17 on camping and caravan facilities says that applications for such development should provide to enable their proper assessment.**

Reason for Recommendation

The use of the land as a caravan site is not appropriate development within the Green Belt. That use would conflict with a purpose of the Green Belt which is to safeguard the countryside from encroachment and it would reduce the openness of the Green Belt at least for part of the time (ie when the touring caravans are present). Furthermore the appropriateness of the proposed new building for the use – in terms of its size (70 sq.m) and height (4m) - has not been demonstrated and it would also not preserve the openness of the Green Belt and conflict with the same purpose of including land within the Green Belt. There is a lack of required detail in the application although potentially subject to appropriate siting of the caravans and landscaping the proposal may not materially harm the character and appearance of the area and there are no highway safety concerns. The benefits arising from tourism and leisure schemes towards the local rural economy are acknowledged, but policy also seeks to protect the countryside from encroachment, and insofar as they could apply to any caravan site development such benefits cannot constitute very special circumstances. In conclusion there are not considered to be the very special circumstances required to justify approval of the proposal given that it represents inappropriate development in Green Belt terms.

Statement as to how the Local Planning Authority has worked with the applicant in a positive and proactive manner in dealing with this application

The proposal is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

KEY ISSUES

The application site is located within the open countryside on land designated within the North Staffordshire Green Belt and an Area of Landscape Restoration, as indicated on the Local Development Framework Proposals Map. Access to the site is obtained directly off Red Hall Lane where there is an existing vehicle access point. There is also a public footpath which crosses the site from east to west from Red Hall Lane but is not materially impacted upon. The key issues in the determination of the development are:

1. Is the proposal appropriate development within the Green Belt and, if not, are there any very special circumstances evident to justify approval of planning permission?
2. Green Belt matters aside, is the use of the land as a caravan site otherwise broadly acceptable bearing in mind rural area policy?
3. Is the impact on the character and appearance of the area inclusive of wider landscape impact acceptable?
4. Are there any highway safety concerns which weigh against the proposal?

1. Is the proposal appropriate development within the Green Belt?

The National Planning Policy Framework (the Framework) contains the most up to date advice regarding Green Belt policy. Paragraph 79 of the Framework details that "The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."

The Framework advises when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

Paragraph 87 details as with previous Green Belt policy, that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 89 goes on to state that the construction of new buildings is inappropriate development and then lists several exceptions. One of the exceptions listed is the construction of buildings for the provision of appropriate facilities for outdoor recreation, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

Certain other forms of development are also listed as not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt including engineering operations. The use of land is not included in this list.

Given the location of that part of the site where the caravans would be parked, the proposal would conflict with a purpose of the Green Belt which is to safeguard the countryside from encroachment and it would reduce openness at least for part of the time (i.e. when the touring caravans are present).

Certain permitted development rights exist to use land as a caravan site (ie planning consent is not required) but the proposal needs consent. There is already an established recreational caravanning area immediately to the north-east of the application site, but within the ownership of the applicant and that, as a Certified site, for up to 5 caravan pitches, that is "permitted development". It has pedestrian access, to and from, a fishing pool and an associated visitor car park. On the existing caravan site is a former pumphouse – which is presently not used by customers other than a chemical toilet waste disposal point - but could possibly (if redundant as a pumphouse) be converted to toilets or a washroom facility if required for the existing certificated caravan site, and could presumably form the same function in relation to the extended site. The site it would appear has a long established recreational use.

The storage building applied for is to house caravan maintenance and landscaping apparatus including a small tractor needed for the upkeep of a 1 hectare area of land which includes a stocked fishing pool. The appropriateness of the proposed building for the use – in terms of its size (70 sq.m) and height (4m) - has not been demonstrated and it would also not preserve the openness of the Green Belt and conflict with the same purpose of including land within the Green Belt. A small timber shed has been recently erected close to the fishing pool without the benefit of planning consent and the applicant plans to remove it should the new building be permitted it.

Certain elements of the scheme such as the provision of electrical hookup points might be viewed as appropriate development. It would not be unreasonable to assume that some form of hardsurfaced track to the locations of the 5 caravan pitches would be required (to avoid caravans and the vehicles towing them getting bogged down. Taken as a whole the development should be regarded as inappropriate development within the Green Belt

2. Green Belt matters aside, is the use of the land as a caravan site otherwise broadly acceptable bearing in mind broad rural area policy and the Local Plan policy on camping and caravan developments?

Policy ASP6 of the Core Spatial Strategy supports forms of rural enterprise which are sensitive, sustainable and a positive contribution towards the local landscape. Paragraph 28 of the Framework also sets out encouragement to sustainable tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. That latter aspect is considered further below

The proposal is a form of small scale rural enterprise which offers local economic benefit to the rural area in line with relevant policy advice.

In a number of respects the application does not provide the information that policy C17 on camping and caravan facilities says that such applications should provide. Conditions could control occupancy in a manner that limits use of the site to the stated recreational caravan touring purpose.

3. Is the impact on the character and appearance of the area inclusive of the wider landscape acceptable?

Policy CSP1 of the Core Spatial Strategy advises new development should be designed to respect the character of the area inclusive of the wider landscape. Saved Local Plan Policy N21 supports proposals that will improve the quality of the landscape.

The application site is mowed grassland and open containing a centrally located fishing pool. The site lies adjacent and partly encroaching into an area of woodland with some trees and hedgerow around the edge. It is a very open location to the south, but it is in a shallow valley. A public right of way passes through the site. This would both need to be protected but it also provides public access across the site and users of the right of way would have close views of the site, even if planting of trees and shrubs were included.

The 5 caravan pitches with appropriate surrounding planting would not have any significant wider landscape impact. The touring caravans would also be likely to present at intermittent times of the calendar year, although with modern standards of insulation there is, it would appear, no closed season for touring caravans. The proposed building would be a permanent feature. Its position at the corner of the site is the most sensible place to accommodate the building. Overall the overall impact of the development might not be materially harmful to the appearance of the rural area, but there is a lack of detail in the proposals contrary to Local Plan policy C17.

4. Are there any highway safety concerns which weigh against the proposal?

The Highway Authority have no objections to the scheme taking into account the impact on the local road network. They have asked for formalised parking and turning areas to be agreed by condition but the applicants are keen to retain the site in its semi-natural appearance and there is ample space within the site boundary to manoeuvre and park touring caravans clear of Red Hall Lane without detriment to public safety. Overall there are no significant highway safety concerns evident.

5. Are there any very special circumstances to warrant the approval of planning permission?

The decision maker is required to consider, in the case of inappropriate development within the Green Belt the harm to the Green Belt (to which substantial weight should be given) and any other harm and to consider whether such harm is clearly outweighed by other considerations. Whilst with respect to visual and highway safety impacts there is no identifiable harm arising from recreational caravan for the amount of pitches proposed, this is not unusual or special and could be oft repeated within the Green Belt. Similarly the benefits to tourism and the local economy cannot reasonably be considered to be other considerations of any significant weight in the assessment of whether very special circumstances exist. That the site is already in recreational use (and that there are already a limited number of caravans immediately adjacent) is a consideration but not one of any significant weight. The conclusion reached is that the required very special circumstances do not exist in this case, and therefore refusal is recommended.

6. Other matters

In acknowledgement of the public objections to the scheme there are not considered to be any significant harm to flora or fauna implications arising from the proposal or any other material consideration arising to inform a planning decision on this case. If planning permission approval is given for the above development a Caravan Site Licence will still need to be applied for in order to operate and run the site. In order to be licenced the site will need to meet conditions in the Model Standards 2008 for Caravan Sites in England: Caravan Sites and Control of Development Act 1960, as well as the controls of the Environment Agency. There is no reason to consider that with such controls there would inevitably be adverse impact on ecological assets.

APPENDIX

Policies and Proposals in the approved Development Plan relevant to this decision:-

[Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy \(CSS\) 2006-2026](#)

Policy SP2: Spatial Principles of Economic Development
Policy SP3: Spatial Principles of Movement and Access
Policy ASP6: Rural Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change
Policy CSP4: Natural Assets

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy C17: Camping and Caravan Sites
Policy S3: Development in the Green Belt
Policy N17: Landscape Character – General Consideration
Policy N21: Area of Landscape Restoration
Policy T16: Development – General Parking Requirements
Policy T18: Development – Serving Requirements

Other material considerations include:

[Caravan Sites and Control of Development Act 1960](#)

[National Planning Policy Framework \(NPPF\) \(2012\)](#)

[Planning Practice Guidance \(PPG\) \(2014\)](#)

[Supplementary Planning Guidance/Documents](#)

[Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document \(2010\)](#)

[Planning for Landscape Change - SPG to the former Staffordshire and Stoke-on-Trent Structure Plan](#)

[Relevant Planning History](#)

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|--------------|---|----------------|
| 16/01017/PLD | Application for a lawful development certificate for proposed access | Permitted 2017 |
| 12/00042/COU | Change of use of land to caravan storage compound <i>An appeal was subsequently dismissed</i> | Refused 2012 |
| 06/01199/FUL | Retention of the formation of a fishing pond, conversion of barn, use of fishing pond and provision of a car park for commercial tourist/leisure purposes | Permitted 2006 |
| 06/00151/FUL | Retention of the formation of a fishing pond, conversion of barn, use of fishing pond and provision of a car park for commercial tourist/leisure purposes | Refused 2006 |
| N5868 | Construction of pump house and sump and laying of underground water pipe and electricity cable | Permitted 1978 |

[Views of Consultees](#)

The **Public Rights of Way Officer** comments that the application does not recognise the existence of Public Footpath No 60 Audley Parish which crosses the site from east to west from Red Hall Lane. It

does not appear that the application directly affects the public footpath however the attention of the applicant should be drawn to the existence of it and to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path. If the footpath does need diverting as part of these proposals, the applicant would need to apply

Audley Parish Council object to this development on the grounds of overdevelopment resulting in light pollution and noise pollution, which will cause additional harm to the green belt and nature reserve nearby.

The **Highway Authority** has no objections subject to details of the siting of the caravans including parking and turning within the curtilage of the site being submitted to and approved in writing by the Planning Authority. The parking and turning areas shall thereafter be provided in accordance with the approved details and thereafter retained for the life of the development.

The **County Minerals Planning Authority** have until the 28th February to provide comment.

National Grid refers to the presence of a high pressure pipeline within proximity of the site and notes the separate consents which must be obtained because of that.

Environmental Health Division has no objections.

Housing strategy have no objections but note that if planning permission approval is given for the above development a Caravan Site Licence will still need to be applied for in order to operate and run the site. In order to be licenced the site will need to meet conditions in the Model Standards 2008 for Caravan Sites in England: Caravan Sites and Control of Development Act 1960.

Representations

3 letters of objection have been received raising some of the following concerns:-

- The proposal is close to a nature reserve (Bateswood Country Park) and would reduce its attractiveness to ramblers and visitors.
- Damage to the appearance of the landscape and local heritage.
- The application documents do not detail how caravan waste will be dealt with.
- The new building is inappropriate development in the green belt and harmful to the countryside
- Red Hall Lane and Shraley Brook Road are not suitable for additional traffic where there are existing traffic problems and highway safety issues will result (also taking into account the potholed nature of Red Hall Lane).
- The proposal could result in light pollution.
- There are protected species in the area which could be at risk of harm.
- Crime and disorder problems could result.
- There is a local school nearby whereby safeguarding children could be a problem.

Applicant/agent's submission

Application forms and plans have been submitted along with a Planning Statement. These documents are available for inspection at the Guildhall and via the following link <http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/17/00912/FUL>

Background Papers

Planning files referred to
Planning Documents referred to

Date report prepared

12th February 2018.