

Application No: 12/0151C

Location: Leisure Sales, HOLMES CHAPEL ROAD, BRERETON, CW11 1SD

Proposal: Touring Caravan Site with 42 Pitches, Wardens Pitch and Single Storey Building Comprising Reception, Office, Toilets, Laundry and Washing-Up Area

Applicant: Leisure Sales

Expiry Date: 20-Jun-2012

**SUMMARY RECOMMENDATION: Approve subject to conditions.**

**MAIN ISSUES:**

**Principle of the Development  
Design**

**Amenity**

**REASON FOR REFERRAL**

The application is before Southern Planning Committee as it is classed as a small scale major development.

**DESCRIPTION AND SITE CONTEXT**

This application site comprises a field, which is occasionally used for touring caravan rallies. It is situated on the western side of Holmes Chapel Road, Brereton and is designated as being within the Open Countryside in the adopted Local Plan. Public footpath (Brereton FP 17) crosses the site along its eastern boundary.

**DETAILS OF PROPOSAL**

The proposal seeks full planning permission for the creation of a touring caravan site comprising 43 pitches, including a warden's pitch and a single storey building to provide a reception, office, toilets, laundry and washing up area. The site would use the existing access road that serves the Leisure Sales caravan sales business.

**RELEVANT HISTORY**

1974 (5/4/8219) Refusal for tourist caravan site. Appeal dismissed

1977 (3771/3) Refusal for tourist caravan site. Appeal dismissed

1984	(14458/1)	Refusal for caravan sales building. Appeal dismissed
1984	(14459/1)	Refusal for external caravan sales display area. Appeal dismissed.
1985	(16521/3)	Refusal of caravan site.
1985	(17100/3)	Approval for storage and repair of caravans subject to legal agreement.
1990	(21014/3)	Approval for caravan sales building and external display area. Subject to legal agreement
1990	(22424/3)	Sales building – withdrawn
1990	(22599/3)	Approval for sales building and toilet block
2000	(31590/3)	Proposal to extend sales building and enlarge external display area.
2000	(32155/3)	Approval for extension to existing retails sales building
2004	(04/0421/FUL)	Demolition of existing workshops & rebuild workshops – Withdrawn
2005	(05/0295/FUL)	Approval for demolition of existing workshops & rebuild workshops

## **POLICIES**

### **National Guidance**

National Planning Policy Framework (March 2012)

### **Regional Spatial Strategy**

DP1 Spatial Principles

DP7 Promote Environmental Quality

RDF1 Spatial Priorities

RDF2 Rural Areas

### **Congleton Local Plan 2005**

The site is not allocated in the Local Plan but the following policies apply:

PS8 Open Countryside

GR1 New Development

GR2 Design

GR4 Landscaping

GR6 Amenity and Health

GR9 Accessibility, Servicing and Parking Provision

NR1 Trees and Woodlands

E5 Employment Development in Open Countryside

E16 Tourist and Visitor Development

E18 Camping and Caravan Sites

## SPD14 Trees and Development

### Other Material Considerations

#### National Planning Policy Framework

*“At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision taking.*

*For **decision taking** this means:*

- Approving development proposals that accord with the development plan without delay; and*
- Where the development plan is absent, silent or relevant policies are out-of-date, granting planning permission unless:*
  - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against policies in this Framework taken as a whole;*
  - or*
  - specific policies in this framework indicate development should be restricted*

### CONSIDERATIONS (External to Planning)

#### Environmental Protection:

Environmental Protection have received the questionnaire to address issues relating to the potential for land contamination and state that this is low. It is recommended that the applicant has a duty to adhere to the regulations of Part II5A of the Environmental Protection Act 1990. In addition it is recommended that details of lighting are secured by condition.

#### Highways:

The Strategic Highways Manager has no objections to this application.

#### United Utilities:

No objections.

#### Environment Agency:

No objections.

#### Public Rights of Way:

The PROW Unit expects that the Planning department will ensure that any planning conditions concerning the right of way are fully complied with. In addition, advisory notes should be added to the planning consent as follows:

*"No change to the surface of the right of way can be approved without consultation with the PROW Unit. The developer should be aware of his/her obligations not to interfere with the public right of way either whilst development is in progress or once it has been completed; such interference may well constitute a criminal offence. In particular, the developer must ensure that:*

- there is no diminution in the width of the right of way available for use by members of the public*
- no building materials are stored on the right of way*

- *no damage or substantial alteration, either temporary or permanent, is caused to the surface of the right of way*
- *vehicle movements are arranged so as not to unreasonably interfere with the public's use of the way*
- *no additional barriers (e.g. gates) are placed across the right of way, of either a temporary or permanent nature*
- *no wildlife fencing or other ecological protection features associated with wildlife mitigation measures are placed across the right of way or allowed to interfere with the right of way*
- *the safety of members of the public using the right of way is ensured at all times"*

## **VIEWS OF TOWN COUNCIL**

Brereton Parish Council unanimously objects to the above Planning Application on the following grounds:

### *Planning background*

Previous applications for a touring caravan site in 1974, 1977, and 1985 were all refused.

### *Resident Concerns*

#### *Erosion of Rural Environment*

- The application site is in Open Countryside.
- Development with permanent building structures (Office/Toilets/Washroom etc) is not consistent with current CEC Rural Exceptions planning policies.
- Permanent living accommodation (albeit in caravan) of a warden managing the site.
- The site has already been extended significantly in recent years by Leisure Sales with modern high-level sales buildings and service buildings, that have imposed visual intrusion of the site with security lighting and alarms.
- Despite the tree screening to the application site, residents in Back Lane will remain very exposed to the site with respect to noise, light and security.
- Significant increase in volume of visitors to the site at all times of day and night.
- Night time traffic will result in additional noise and intrusion from car headlights.
- Increased noise levels, especially in evenings and at night. Evidence of this is based upon experience of residents when Leisure Sales allow caravan rallies on neighbouring fields to the application site. Evidence is that loud music, PA system, and partying late into the night causes nuisance and disruption.
- The above point will be significantly exacerbated with both regular caravan rallies as well as a permanent touring site.
- Although a touring site is proposed, there is great concern of the danger of touring visitors extending their stay to become permanent, or for the site to extended to static caravans. In either case, this may establish precedence for future residential developments on the application site.

#### *Traffic*

- Access to/from main Leisure Sales site from A5022. Increased traffic volumes supporting 42 touring pitches is likely to result in increased risk to accident. The access point is onto a single carriageway road. The A5022 is often congested as a result of the M6 overflow and the regular closures of the M6 due to accidents. The A5022 is used as a relief road in such cases.

- The site has the same postcode as Dukes Oak. Dukes Oak already experience nuisance as visitors to Leisure Sales attempt to use the access lane to Dukes Oak, as a result of satellite navigation aids incorrectly directing visitors.

#### *Footpath 18*

- Access to footpath #18 will be significantly reduced on the application site given the close proximity to the rear of the proposed pitches.
- The footpath is already not well maintained by the landowner, resulting in users having to walk well into the proposed application site to circumvent the mud and water.
- There does not appear to be any temporary closure notices for the footpath as groundworks appear to be under way where the footpath is marked.
- *Local Businesses*
- It is difficult to understand the proposed benefits to other Brereton business will be as noted by Leisure Sales in the Design & Access Statement, to offset the probable increased nuisance factors of such a facility in Brereton.
- *General Concerns*
- In recent years the neighbouring field to the application site has been used for caravan rallies. Residents in nearby proximity have experienced dog fouling on their properties, excess litter, and in some cases vandalism.
- The proposed application does not make provision for any play or recreation facility for children of visitors on the site.

#### *Summary*

Initially there was a thought of supporting local businesses, including Leisure Sales, as way developing a sustainable community but the Parish Councillors have discussed the application with impacted residents, reviewing many of the previous planning applications by Leisure Sales for the development of the site, and seeing how large the overall site has now grown for the Sales and Service business, we are now of a view to object to this application, as I do not see, on balance, the benefits that will be derived by the wider community, whilst impacted residents are likely to experience a corresponding loss of amenity.

### **OTHER REPRESENTATIONS**

Five representations been received relating to this application, four against the proposed development and one in favour. Those against express the following concerns:

- Highway Safety
- The site is not within the settlement zone line
- Unsuitable use for a rural area
- Noise and disturbance
- Impact on wildlife
- Impact on the public footpath
- Over development of the site
- Light Pollution
- Potential to encourage crime locally
- Previous refusals

The supporter of the application puts forward the view that the proposal would benefit local businesses, lead to increased employment opportunities and benefit local tourist attractions.

## OFFICER APPRAISAL

### Principle of Development

Policy PS8 states that, inter alia development will be permitted if it is for: *'Facilities for outdoor sport, recreation and tourism, cemeteries and for other uses of land which preserve the openness of the countryside and maintain or enhance its local character.'*

Policy E18 relates directly to caravan sites and has several provisos. These include:

- The site being capable of accommodating the use
- Being situated close to major routes through the borough
- Being of an appropriate scale, not detracting from the landscape
- Well screened
- Not have an adverse impact on the amenities of the area
- Buildings blend into the landscape
- Can be connected to existing services
- Not materially detrimental to landscape, wildlife or archaeology
- Does not involve the permanent loss of Grade 1, 2 or 3A agricultural land
- Permanent stationing of caravans is prohibited

The NPPF (paragraph28) states that a strong rural economy should be promoted and *'support sustainable rural tourism and leisure development in that benefit businesses in rural areas, communities and visitors and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural centres.'*

Having regard to this proposal, the site could accommodate the use and is situated close to the A50, A534 and the M6, Junction 17. It is considered to be of an appropriate scale and is well screened. Apart from the access road, the boundary of the camp area is in excess of 200m from the residential properties in Brereton and separated from Dukes Oak Farm by the existing sales and servicing business. The building proposed would be single storey and of timber construction that would blend into the landscape and officers are satisfied there would be no significant adverse impact on landscape, wildlife or archaeology. The land is classed as Grade 3 agricultural land, therefore not precluded from this form of development.

It is therefore considered that the proposal is in compliance with Policies PS8, E18 and the NPPF and is acceptable in principle.

### Design & Scale

The layout of the site is quite dense, but is well screened and would be a less intensive use of the land than the sales and servicing site on the adjacent site.

The proposed building would be single storey, sited at the entrance, adjacent to the existing access road and would be constructed of green Oak timber boarding and western red Cedar shingles. These are considered to be materials that would blend in well with the landscape

and the building itself, with a ridge height of just in excess of 3.5m is considered to be acceptable.

The proposal is therefore considered to be acceptable in design terms and in compliance with Policy GR2 of the adopted local plan.

### **Amenity**

Policy GR6 requires that proposals should not result in loss of privacy, sunlight/daylight, visual intrusion, environmental disturbance or pollution or traffic generation, access and parking.

The main issues with regard to this proposal would be environmental disturbance and traffic generation. Given that the pitches for the caravans would be in excess of 200m away from the dwellings in Brereton on the opposite side of the A50, it is not considered that there would be significant adverse impact to their residential amenity. The nearby dwelling at Dukes Oak Farm have the Leisure Sales site between them and the proposed site, therefore it is considered that there would be no significant adverse impact on them.

Objectors have expressed concerns over loud music and barking dogs, however given that Environmental Protection have not submitted objections to the proposal, and the distance that the site is away from Brereton, a refusal on these grounds would be difficult to sustain. In addition, this is an issue that would be dealt with under different legislation.

Some local residents have expressed concerns about the potential for increased crime in Brereton arising from the proposed development. This perception would be difficult to uphold as a reason for refusal as there caravanners come from a wide variety of walks of life and could not be categorised as more likely to commit crime whilst visiting the site.

The proposal is therefore considered to be in compliance with Policy GR6 of the adopted local plan.

### **Highways**

The Strategic Highways Manager has no objections to the proposal. Given that the site would use the existing access to the Leisure Sales site, which is considered to be suitable for these types of vehicles; it is considered to be acceptable. It is not considered that the increase in the number of vehicles using the access and the local roads would increase by such a level as to significantly adversely impact on highway safety.

It is therefore considered that the proposal is in compliance with Policy GR9 of the adopted local plan.

### **Landscape and Trees**

The site is located in open countryside and is generally level with an earth bund approximately 1.3 metres in height, this bund around the north, west and eastern boundaries was previously in situ but at a lower level. The field is currently laid to grass which appears to have been maintained by mowing.

There are hedgerows with deciduous trees to the north and west boundaries, a line of trees to the east and a line of trees (mainly conifers) to the south adjacent to the existing access road.

Whilst there are gaps in the site boundary vegetation, the site is reasonably well screened from more distant views by well established hedgerows bounding the A50 Newcastle Road and the A5022 Holmes Chapel Road. It may be possible to obtain views from the first floor of properties on Newcastle Road.

As currently proposed the development would directly result in the loss of a number of trees in the vicinity of the access, and others in the vicinity of the overflow grass car park. It is considered that such losses could be tolerated without significant harm to wider amenity.

The proposed late arrivals parking area is within the root protection area of a prominent and mature Oak tree, which is considered to put this tree at risk. As such an amended plan has been sought to move this to a more suitable location for this element of the site. If this is not forthcoming before Committee considers the application a condition should be imposed specifically excluding this element of the proposal.

In order to ensure that the site remains adequately screened it is recommended that a landscaping condition is imposed, to include infilling any gaps in the existing hedgerows and additional planting within the site.

In addition to this conditions should be imposed to require the submission of tree protection measures and the use of no dig construction of surfacing areas in tree root protection zones.

### **Other Matters**

The objectors have cited the previous refusals and appeal decisions relating to this site. It must be noted however that these were made under a previous local plan and before the Leisure Sales business was established to the extent to which it is now.

As discussed above, it is considered that the proposal meets the requirements of the policies of the current Congleton Borough Local Plan and the NPPF.

### **CONCLUSIONS AND REASONS FOR THE DECISION**

The proposal is of an acceptable form that would not cause harm to the visual amenity of the surrounding area. The proposals impact upon neighbouring amenity, trees and highway safety would also be acceptable and as such the proposal complies with the relevant local and regional planning policies and national. The application is therefore recommended for approval accordingly.

**RECOMMENDATION:** Approve subject to the following conditions:

1. Standard time limit.
2. Compliance with the approved plans.
3. Submission, approval and implementation of details of external lighting.
4. Submission and implementation of a tree protection scheme.
5. Submission and implementation of construction method statement for hard surfacing showing no dig surfacing.
6. Submission of landscaping scheme including replacement tree planting.
7. Implementation of landscaping scheme
8. Materials to be as stated in the application.



9. Occupancy of the pitches to be restricted to recreational use and not to be used as the sole residence of any occupier.
10. Notwithstanding the details shown on plan number 571 Revision A, a revised siting for late arrivals parking area shall be submitted for approval.



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# Brereton Green

