

Application No: 10/3116M

Location: THE CARAVAN SITE, ELM BEDS FARM, ELM BEDS ROAD, POYNTON, SK12 1TG

Proposal: REMOVAL / VARIATION OF CONDITIONS ATTACHED TO APPLICATION 5/5/5116 SITE FOR CARAVANS AT ELM BEDS FARM POYNTON APPROVED 20.06.61

For MR VICTOR WHITTAKER

Registered 11-Aug-2010

Policy Item No

Grid Reference 394470 382722

Date Report Prepared: 17 September 2010

SUMMARY RECOMMENDATION

Refuse

MAIN ISSUES

- Impact on residential amenity
- Impact on the character and appearance of the adjoining Conservation Area
- Highway Safety

REASON FOR REPORT

This application has been called in to Committee by Cllr. Murray for the following reasons:

Development is contrary to:

- Policy DC3, loss of amenity to local residents through a further deterioration to their environment specifically, noise, disturbance and damage to their property
- Unacceptable impact on the Conservation area – further damage to a specifically mentioned asset in the Conservation Area – the road
- Intensification of the use of Elm Beds Rd which is substandard
- Unneighbourly use

- Visitor accommodation is encouraged provided that there is no harm to the character of the area or no adverse impact on existing residential amenity

DESCRIPTION OF SITE AND CONTEXT

The application site comprises Elm Beds Caravan Park, which is a recreational caravan park accessed off Elm Beds Road.

Planning permission was originally granted for the caravan park in June 1961 under planning application 5/5/5116. The conditions attached to this consent require the site to be closed seasonally, between 31 October to 1 March each year.

There are 54 caravans within the application site (edged red on the location plan attached to the application), which are located to the south of the site, in a roughly circular area.

Outside the application site (within the area edged blue on the location plan), lies Elm Beds Farmhouse, an area designated for caravan storage and two areas designated for touring caravans and tents. Within the areas designated for touring caravans and tents there are two residential caravans, one of which is lawful, see planning history below.

The application site is situated within the Green Belt and an Area of Special County Value as defined by the Local Plan 2004, the Macclesfield Canal Conservation Area lies immediately adjacent to the site. Elm Beds Road falls within the Conservation Area.

DETAILS OF PROPOSAL

Planning permission is sought for the removal of condition No. 1, and for the variation of condition No. 2 on application 5/5/5116, to allow the 54 recreational caravans to the south of the site to be available for use between 1st March and 15th January each year. This would increase the site usage by 6 weeks, from 9 months to 10.5 months each year.

Members should note that this application does not relate to the caravan located at the north of the site, adjacent to the entrance (Elm Lodge), which was sited without the benefit of planning permission in October 2007. This is a separate issue, and should not be considered as part of this application. The Council is currently considering its position in relation to taking Enforcement action for its removal.

RELEVANT HISTORY

- 07/2420P Removal of conditions one and two attached to application 5/5/5116 to enable caravans to be occupied between 1st March and 15th January annually
Withdrawn 01.11.2007
- 08/0802P Certificate of lawfulness for the existing use of land as caravan site and for caravan storage
Positive Certificate granted 04.08.08 for:
Use of area edged red for the stationing of 54 static caravans offering seasonal occupation between 1st March and 31st October each year, the area hatched orange (discluding the permanent residential caravan – hatched black) for the use of the land for recreational pitches for tents and touring caravans and the area hatched green for the storage of 12 touring caravans, as indicated on the local planning authority's location plan.
- 08/0803P That one caravan has offered permanent residential occupation throughout the year
Positive Certificate granted 04.08.08 for:
The stationing of one residential static caravan (as indicated on the Local Planning Authorities location plan)
- 08/1447P Variation of conditions 1 & 2 from approval 5/5/5116 to allow a maximum of 12 caravans to be occupied between 1st March and 15th January annually
Approved 10.09.08
Temporary consent expired 10.09.10
- 09/0362M Retention of caravan for use as temporary dwelling (Elm Lodge)
Refused 01.06.09
Appeal dismissed 19.03.10

POLICIES

PPS4 – Planning for Sustainable Economic Growth
PPS6 – Planning Archaeology and Built Heritage
PPS7 – Sustainable Development in Rural Areas
Good Practice Guide on Planning for Tourism

Local Plan Policies:

- | | |
|------|--------------------------------------|
| NE1 | Areas of Special County Value |
| BE3 | Conservation Areas |
| BE6 | Macclesfield Canal Conservation Area |
| DC3 | Amenity |
| DC6 | Circulation and Access |
| RT13 | Promotion of Tourism |

CONSULTATIONS

British Waterways:

No objection.

Conservation Officer:

Object to the application.

Highways:

Object to the application.

Environmental Health:

Comments awaited.

VIEWS OF THE PARISH / TOWN COUNCIL

Poynton Town Council recommends refusal on the following grounds:

- Unneighbourly use – by virtue of additional traffic and noise
- Adverse impact on highway safety by virtue of increased traffic during winter months on an unsuitable private road and due to additional turning movements at the junction of Elm Beds Road and Shrigley Road
- Proposal may lead to the site being used as residential caravan site, rather than a recreational site, which is generally unacceptable in Green Belt terms

OTHER REPRESENTATIONS

10 letters of objection have been received to date (17.09.10). A summary of the objections raised within the letters has been provided below, however the full documents can be viewed online at www.cheshireeast.gov.uk

Traffic/Road Safety concerns

- The road is a private unadopted road, not a highway, with prescriptive rights of access only
- There is only an agricultural right of way along Elm Beds Road to the site
- The use of the road by the caravan site exceeds what is permissible by law

- The road is unsuitable for the current level of traffic movement, and additional traffic would exacerbate existing problems leading to further deterioration of the road
- The proposal would have a significant adverse impact on residential amenity due to increased traffic movements, noise and vibration during the winter months (there has been a significant increase in traffic during the winter months over the past two years)
- Proposal would contravene Human Rights – occupants have the right to the quiet, peaceful enjoyment of their home
- The proposal will result in further noise, disruption, disturbance and nuisance
- As the road is unadopted, local residents have to pay for all of the repairs
- Walkers and children may be at risk from speeding motorists/additional motorists
- The junction with Shrigley Road is dangerous, the proposal will exacerbate the situation
- An alternative access off Shrigley Road is strongly recommended, and it is understood that the applicant owns a piece of land on Shrigley Road (adjacent to No. 77), which could be used to provide an alternative access into the site

Other concerns

- The site will be used / is used as a residential caravan site providing cheap housing to local contractors
- Contractors leave the site at 5-5.30am every day to go to work, returning in the evening
- The site would become / is part of the “local housing stock”
- The site will become a housing estate with access from a cul-de-sac
- This application is the start of a significant expansion to the site, and will create a village
- The proposal will have a harmful effect on the character of the countryside and the character of the Conservation Area

- Damage to the road does not preserve the character of the Conservation Area
- The site is not being run as a recreational / tourist site, with evidence of contractors living on site
- The occupiers of the caravans do not comply with the Occupancy Conditions on the Site Licence
- It is unrealistic that visitors would want to visit the site in the winter months as a caravan is relatively inhospitable in comparison to a house
- No tourist facilities/attractions are open between October and Easter
- There are no shops or services within the vicinity of the site, and therefore the development is unsustainable, having regard to PPS7

APPLICANT'S SUPPORTING INFORMATION

A supporting letter has been submitted with the application, it indicates that any traffic to be generated by extending the season from 9 to 10.5 months is likely to be fairly limited and any additional traffic movements are therefore unlikely to be a reason for refusal for an otherwise suitable tourism development in a highly sustainable location.

OFFICER APPRAISAL

Principle of Development

Elm Beds caravan park has a long established use as a recreational caravan park since 1961. Following on from the temporary consent in 2008 for 12 caravans, which expired on 10 September 2010, this application seeks consent for 54 caravans to be available for 10.5 months each year.

The key considerations for this application are the potential benefits of providing additional tourist accommodation during the winter months, the impact the additional use of the site will have on residential amenity – particularly in respect of the occupiers of Elm Beds Road, and the access to the site in Highway Safety terms, and the impact on the character of the Conservation Area.

National Planning Policy

In order to assess the application the most relevant guidance documents to consider are Planning Policy Statement 4: Sustainable Development in Rural Areas and the Good Practice Guide on Planning for Tourism.

Policy EC7 (Planning for tourism in rural areas) of PPS4 advises:

To help deliver the Government's tourism strategy, local planning authorities should support sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors and which utilise and enrich, rather than harm, the character of the countryside, its towns, villages, buildings and other features. Local planning authorities should, through their local development frameworks:

A. Support the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres, carefully weighing the objective of providing adequate facilities or enhancing visitors' enjoyment or improving the financial viability of the facility with the need to protect landscapes and environmentally sensitive sites

B. Wherever possible, locate tourist and visitor facilities in existing or replacement buildings, particularly where they are located outside existing settlements. Facilities requiring new buildings in the countryside should, where possible, be provided in, or close to service centres or villages but may be justified in other locations where the required facilities are required in conjunction with a particular countryside attraction and there are no suitable existing buildings or developed sites available for re-use

C. Support extensions to existing tourist accommodation where the scale of the extension is appropriate to its location and where the extension may help to ensure the future viability of such businesses

D. Ensure that new or expanded holiday and touring caravan sites and chalet developments are not prominent in the landscape and that any visual intrusion is minimised by effective, high-quality screening and examine the scope for relocating any existing, visually or environmentally-intrusive sites away from sensitive areas or from sites prone to flooding or coastal erosion

E. Recognise that in areas statutorily designated for their natural or cultural heritage qualities, there will be scope for tourist and leisure related developments, subject to appropriate control over their number, form and location to ensure the particular qualities or features that justified the designation are conserved

The Good Practice Guide on Planning for Tourism published in May 2006 (replacing Planning Policy Guidance Note 21) offers specific guidance in relation to holiday, touring caravan and chalet parks. It advises that parks are the largest provider of rural tourism bed spaces, and planners should carefully weigh the objective of providing adequate facilities and sites with the need to protect landscape and environmentally sensitive areas. This guidance is generally supportive of seasonal accommodation, subject to the imposition of conditions ensuring the site is closed for 6 weeks of a year.

Local Planning Policy

RT13 of the Macclesfield Borough Local Plan (2004) encourages the provision of new tourist attractions. No specific guidance is available within the Local Plan with regards to static caravans.

Sustainability

The site is situated within a rural location with no amenities within reasonable walking distance of the site. Poynton Town Centre is located approximately 2 km from the application site. The main form of transport to the site is by private car. No alternative means of transport have been put forward by the applicant.

Access to the site by bus is possible; however it is not a very regular service.

Highways

The Highways Department have raised an objection to the application. They consider that the site is served from a single private track which is in a very poor state of repair and cannot accommodate a two-way flow of traffic. In addition, the junction with Elm Beds Road has restricted visibility in the southerly direction.

As the access serves both the caravan site and residential units the access to these properties is well below the standard that should be provided. Although there is already a consented development that generates traffic for a number of months in the year, this should not be further intensified by removing the conditions.

Amenity

Significant concerns have been raised by local residents in respect of the additional traffic movements, noise and disturbance the proposal will bring, as the only access to the site is along a narrow private road, which is in a poor state of repair.

Particular concerns have been raised about the type and volume of traffic that the site currently generates, assessed by residents at 160 movements per day, weekdays between 7am and 7pm and 240 movements per day during the same period on a Saturday along Elm Beds Road (with approximately 10 % of traffic being generated by the residents). They consider that extending the caravan season will seriously exacerbate the current problems, leading to a further loss of amenity, by virtue of noise and disturbance.

Residents advise that there was a marked increase in traffic following the approval of the temporary consent in 2008 for 12 of the caravans to be available between 31st October and 15th January, each year. The Council received a number of complaints during this period from local residents, in respect of the access to the caravan site.

Consideration of the proposals

National planning policies seek to promote rural tourism, in appropriate, sustainable locations.

The Good Practice Guide on Planning for Tourism advises that planners will need to weigh up the other benefits of a tourism proposal against any disadvantages arising from its location. Paragraph 5.4 of the guide, advises that for small-scale schemes, the traffic generated is likely to be fairly limited and additional traffic movements are therefore unlikely to be a reason for refusal for otherwise suitable tourism developments.

Access to the site is the key issue in respect of this application. Whilst it is recognised that there is a consent in place to allow access to the site between 1st March and 31st October per year, the key consideration is whether an extended opening season would exacerbate the problems that are already experienced by local residents, in particular, a loss of amenity by virtue of noise and disturbance caused by the traffic along Elm Beds Road. The site would be open for a further 6 weeks per year, 46 weeks per year in total. At present, the only respite the residents have is during the 12 week closed period. Residents are already aggrieved by the traffic to the site; it is considered that reducing the closed period to just 6 weeks per year will have a significant adverse impact on residential amenity, by virtue of increased traffic movements, noise and disturbance, contrary to policy DC3 of the Local Plan.

Impact on the character of the Conservation Area

The Conservation Officer has been consulted on the application, and objects on the following grounds:

Access to site is via the historic Elm Beds Road (contained within the Macclesfield Canal Conservation Area) and has for some time been in a poor state of repair exacerbated by heavy vehicle movements. Part of the lower section of the road is made up of setts, whilst the remainder of the road is badly surfaced with a number of pot holes.

In the c19 this farm track gave access to Elm Beds Farm and was very much associated with agricultural activity, its new found use as an access not only for domestic dwellings but also for additional vehicle movements associated with serving a caravan site has stretched the traditional construction of the road to a point that is beyond its design capability.

The road is in use by the local residents of Elm Beds Road, the occupants of Elmwood, and by the visitors to and occupants of the caravan park, and the associated maintenance vehicles and delivery vehicles to the caravan park. It has been demonstrated that access to the caravan park by larger vehicles is causing significant damage to the road. If any additional strain were to be put

on this road, it would be compromised and no longer be an asset to the Conservation Area.

Policies HE7 & HE9 of Planning Policy Statement 6 seek to protect heritage assets, whilst local plan policies BE3 and BE6 seek to preserve or enhance the character of Conservation Area and the Historic Environment. The road makes a positive contribution to the Conservation Area and should be considered as a heritage asset, therefore any potential for damage to an asset that any application makes should be taken under consideration.

Policy EC7 of PPS4 advises that in *areas statutorily designated for their natural or cultural heritage qualities, there will be scope for tourist and leisure related developments, subject to appropriate control over their number, form and location to ensure the particular qualities or features that justified the designation are conserved.*

It is considered that the increased use of the access to the site will not preserve the condition of the road; rather, the additional vehicle movements are likely to damage it, which will have a detrimental effect on the character of the Conservation Area. Appropriate control has to be in place to conserve this heritage asset.

CONCLUSIONS AND REASON(S) FOR THE DECISION

Whilst the addition of tourist accommodation can be beneficial, this accommodation must be provided in appropriate, sustainable locations. The application site is not considered to be appropriate or sustainable.

No information has been submitted in respect of the need for additional tourist accommodation in this location between 31st October and 15th January.

Access to the site is poor, and gives rise to significant residential amenity and highways safety issues and large vehicles to the site are damaging the road, which is located within a Conservation Area.

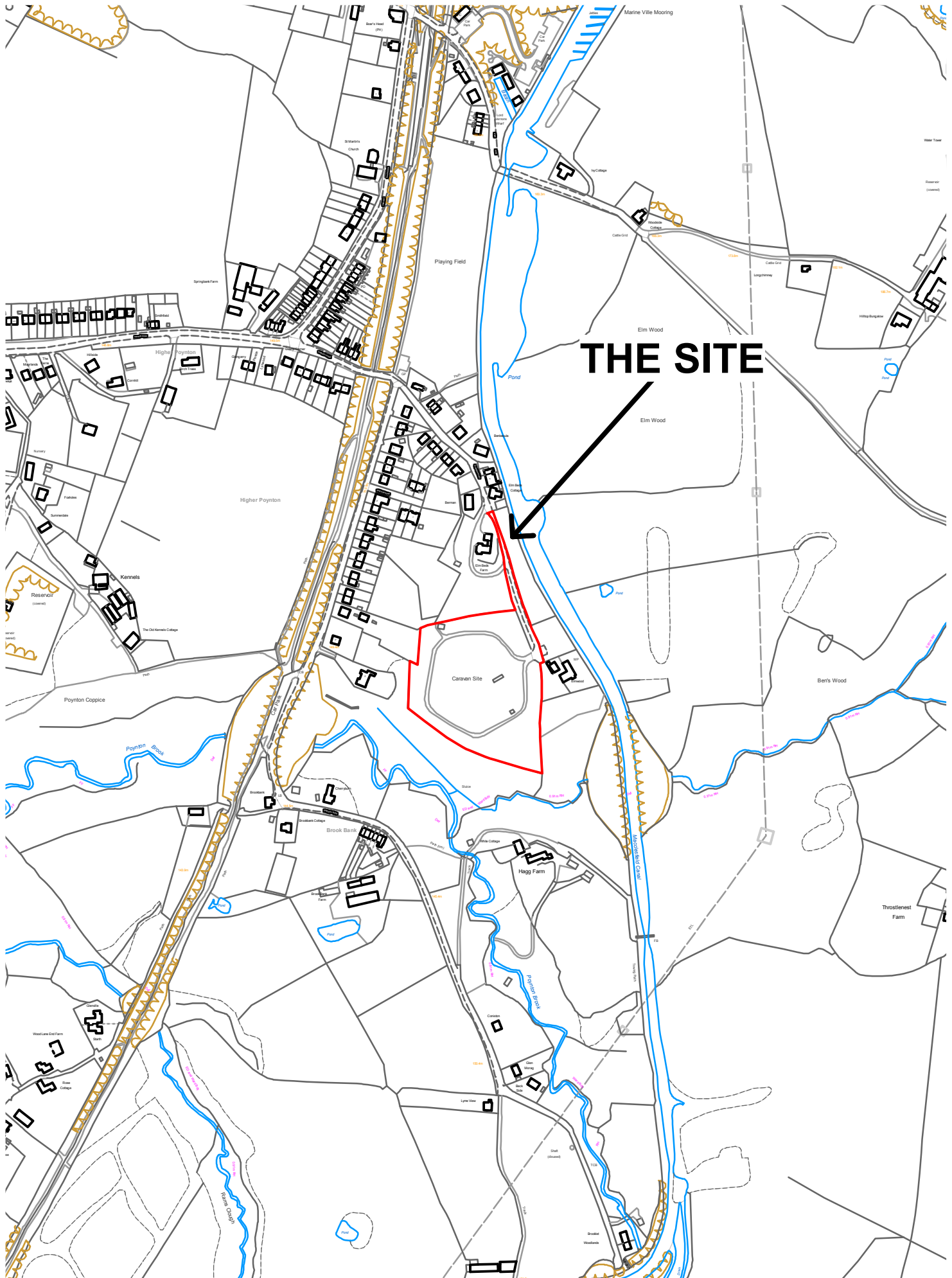
In this instance it is considered that the provision of additional tourist facilities do not outweigh the harm caused by loss of residential amenity, highway safety and adverse impact on the character of the Conservation Area.

On the basis of the above information, a recommendation of refusal is made, subject to the receipt of any outstanding consultation responses any representations received within the publicity period, which ends on 22 September 2010.

OTHER ISSUES

A number of objections have been raised in respect of the use of the site for residential purposes by contractors. There is a consent in place for one caravan to be used for residential purposes by Mrs Mac Kenzie, however, this is outside the application site. Site licence conditions are in place to ensure

that the caravans are not used for residential purposes. The site licence is being updated at present, and the Environmental Health Officer will be visiting the site regularly to ensure compliance with the site licence conditions.



10/3116M THE CARAVAN SITE, ELM BEDS FARM, ELM BEDS ROAD, POYNTON, SK12 1TG
NGR- 394,470:382,690

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Application for **Full Planning**

RECOMMENDATION : Refuse for the following reasons

1. R07MS - Unneighbourly use
2. R07HW - Unacceptable increase in traffic at the junction of Shrigley Road and Elm Beds Road
3. R03HW - Additional turning movements at the junction of Shrigley Road and Elm Beds Road
4. R02LP - Contrary to Conservation Area policies