

APPLICATION NO: 21/4071C

PROPOSAL: Change of use to a mixed use of the stationing of caravans for residential purposes and the keeping of horses

ADDRESS: LAND ON THE WEST SIDE OF ELTON LANE,
WINTERLEY

APPLICANT: Mr Jeff Cook

CONSULTEES (EXTERNAL TO PLANNING)

FLOODRISK OFFICER: No objections in principle to the development however approval is subject to all surface water flows being managed on site with no increase in floodrisk on / off site. Advise pre-commencement condition for detailed strategy /design, associated management / maintenance plan for the site is required.

REPRESENTATIONS

An additional representation has been received from a non-occupying landowner who is unable to attend the meeting. The main issues raised are:

- The site is located within the open countryside. Query the reason for settlement boundaries if applications are accepted outside the boundary.
- The proposed development would occupy quality grazing and versatile agricultural land, it has always had grazing cattle/crops on it until sold in 2021.
- Approval would set a precedent for further applications on this site
- Concerns of the human rights of the children, living in such close proximity to a busy road.
- No waste disposal is mentioned. Will council tax be paid/bins collected and turning space for waste utility vehicle on the street?
- A pond on the site has newts, will a wildlife survey be conducted and appropriate measure taken to protect species,
- Impact on amenity of residents of Haslington House, 31m from proposed siting of 2 caravans (application states 80m which is incorrect). One resident is disabled and spend their day looking across the site
- Access for large vehicles via Elton Lane from Crewe Road is problematic, last vehicles in the past have damaged the boundary walls to the lane causing them to collapse. Additional traffic will worsen the problem.
- The access between Elton Lane and the proposed site is privately owned and no permission has been granted for the site to be used for residential purposes.
- The approval of this application would lead to the loss of wildlife habitat and wildlife corridor along the A534
- This application should be refused for, 1) the site is outside the settlement boundary; 2) Siting families with young children living next to

a busy and dangerously fast bypass road is unsafe; 3) Further development of this site will lead to the visual and environmental detriment of the area.

OFFICER COMMENT

The main officer report notes that the site is within Flood Risk zone 1 and is not of size which requires a Flood Risk Assessment. The Floodrisk officer confirms this, however notes concerns raised by objectors that the site floods. Whilst evidence of this was requested upfront, the Floodrisk Officer confirms that given the size of the development and site it is considered reasonable for a detailed drainage scheme to be submitted by condition, as a pre-commencement condition. The original officer report already recommends a drainage condition and therefore no further condition is required.

With regards to the issues raised by the objector, most of these issues have already been responded to within the main officer report. Some additional explanation is set out below.

With regards to the location within the open countryside, for clarity; local plan policy PG6 restricts development to that which is essential for the purposes of agricultural, forestry, outdoor recreation, public infrastructure, essential works by public service authorities, and for other uses appropriate to a rural area. It has previously been accepted that caravan sites are considered to be appropriate uses in rural area. Furthermore, paragraph 25 of the Planning Policy for Traveller Sites (PPTS) notes how local planning authorities should very strictly limit new Traveller site development in open countryside that is away from existing settlements or outside areas allocated in the development plan. The policy does not discount Traveller sites from being located in the open countryside. Furthermore, Policy SC7 of the CELPS within criteria 2 includes several considerations that should be taken account of in determining the acceptability of new sites including;

- a. locational sustainability. Site specific factors including the proximity of the site to local services and facilities; access to public transport;*
- b. Highway related factors, including whether the site can achieve safe pedestrian, cycle and vehicular access onto the site and provide for appropriate provision for parking, turning and servicing;*
- c. Impact on the character and appearance of the surrounding area, particularly given the sites location in the open countryside.*

This site is in the open countryside, outside the settlement boundary but is on the edge of the settlement and within walking distance of a number of services. The site is bounded by pockets of other residential development and the road and therefore would not be isolated within the open countryside. Therefore, has some compliance with policy.

With regards to neighbouring amenity there is an error in the main officers' report stating that the nearest caravan will be 80m from the neighbouring

property at Haslington House Farm. The distance will be approximately 36m according to the most recent site plan, nevertheless this is still well within the accepted distance of 21m between principal windows of residential properties, and the single storey nature of a caravan, and mitigating boundary treatment would not amount to any significant impact in terms of overlooking or overbearing impact on the neighbours. Whilst it is noted that the occupiers enjoy the view across the fields, this is not a material planning consideration.

With regards to potential future growth of the site, this is not a matter for consideration as part of this application, any potential future applications would be considered on their own merits at the time, in line with the most up to date policy position.

With regards to the Human rights of the children due to the location close to the A534, this is not a material planning consideration. The site is no closer to the road than the neighbour's property at Haslington House Farm and would be the responsibility of the site occupiers to ensure the site was safe for use, and to keep their children safe.

Issues relating to protected species, and highway safety have been considered fully within the main officer's report, and no additional issues have been raised within this representation. Residents of the site will be required to pay council tax as a residential property, and will benefit from the same services as all other residents in the Borough.

Therefore, as set out in the main officer's report, the Council is not in position where it has a 5 year supply of sites, and therefore this a material consideration of this development. The site is within the open countryside but located on the edge of the settlement and has relatively good access to services. The development, as conditioned would be acceptable in terms of landscape, forestry, access and drainage; and will not have any significant impact on neighbouring amenity. The applicants have a personal need to live in the area and this is weighted positively given the lack of alternative sites.

The recommendation therefore remains for approval subject to the conditions listed in the main officer report.

RECOMMENDATION – No change to original recommendation of APPROVE WITH CONDITIONS