

A01

F/TH/16/0119

PROPOSAL: Change of use to land as an extension to the existing caravan site.

LOCATION: Land Adjacent Wayside Caravan Park Way Hill Minster
RAMSGATE Kent

WARD: Thanet Villages

AGENT: Mr Mark Southerton

APPLICANT: Cosgrove Leisure (Wayside) Limited

RECOMMENDATION: Approve

Subject to the following conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

GROUND:

In accordance with Section 91 of the Town and Country Planning Act 1990 (as amended by Section 51 of the Planning and Purchase Act 2004).

2 The development hereby approved shall be carried out in accordance with the amended site plan dated 12 October 2016, with no caravans to be sited within the area marked as landscaping (open land with grass and trees).

GROUND:

To secure the proper development of the area, and in the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan

3 Prior to the commencement of development hereby approved, full details of both hard and soft landscape works, to include:

- o species, size and location of new trees, shrubs, hedges and grassed areas to be planted
- o the boundary treatment with Rose Cottage, to include a landscape buffer along the north-western boundary of the site with Rose Cottage,
- o walls, fences, other means of enclosure proposed

shall be submitted to, and approved in writing by, the Local Planning Authority.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan

4 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development, or in accordance with a programme of works to be agreed in writing with the Local Planning Authority. Any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless the Local Planning Authority gives any written consent to any variation.

GROUND:

In the interests of the visual amenities of the area in accordance with Policies D1 and D2 of the Thanet Local Plan.

5 Existing trees, shrubs and hedgerows identified for retention within the development site or existing trees growing on an adjacent site, where excavations, changes to land levels or underground works are within the crown spread, shall be protected in accordance with BS 5837: 2005 using the following protective fence specification:-

o Chestnut paling fence 1.2m in height, to BS 1722 part 4, securely mounted on 1.7m x 7cm x 7.5cm timber posts driven firmly into the ground. The fence shall be erected below the outer most limit of the branch spread or at a distance equal to half the height of the tree, whichever is the furthest from the tree, unless otherwise agreed in writing with the Local Planning Authority.

The protective fencing shall be erected before the works hereby approved or any site clearance work commences, and shall thereafter be maintained until the development has been completed.

At no time during the site works shall building materials, machinery, waste, chemicals, stored or piled soil, fires or vehicles be allowed within the protective fenced area.

Nothing shall be attached or fixed to any part of a retained tree and it should not be used as an anchor point.

There shall be no change in the original soil level, nor trenches excavated within the protective fenced area.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment, in accordance with Thanet Local Plan Policies D1 and D2.

6 The caravans shall be occupied for holiday purposes only and no caravan shall be occupied as a person's sole, or main place of residence.

GROUND:

In the interests of the visual amenities of the area and landscape character of the countryside, in accordance with Policies CC1 and CC2 of the Thanet Local Plan 2006 and National Planning Policy Framework.

7 The owners/operators shall maintain an up-to-date register of the names of all owners/occupiers of individual caravans/log cabins/chalets on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

GROUND:

In the interests of the visual amenities of the area and landscape character of the countryside, in accordance with Policies CC1 and CC2 of the Thanet Local Plan 2006 and National Planning Policy Framework.

8 No more than three caravans shall be sited on the land.

GROUND:

In the interests of the visual amenities of the area and to adequately integrate the development into the environment in accordance with Policies D1 and D2 of the Thanet Local Plan

SITE, LOCATION AND DESCRIPTION

The site is presently a landscaped area within the wider curtilage of the Wayside caravan park. Whilst the site itself is relatively flat it is presently overgrown with a mix of scrub and trees.

Surrounding Area

The land to the immediate south and east is within the Wayside Caravan park area providing a number of pitches for static mobile homes. Further east lie agricultural fields spanning all the way along to the boundary with the A256. Agricultural fields also lie further to the south on the opposite side of Grinsell Hill.

To the north east along Way Hill the area is characterised by residential development within predominantly large curtilages set amongst the backdrop of agricultural fields. The same can also be said of the character of Wayborough Hill to the north west of the site.

RELEVANT PLANNING HISTORY

Whilst the application site itself has no recent planning history the wider caravan park has a detailed history, seemingly being first used as a camping site from 1953 with various extensions to it since then. The most recent extension to the site was granted in 2005 to provide 15 static caravans. The most recent application was in 2012 seeking consent to use the site all year round in variation to the previous consents restricting use to a maximum 10 ½ month period.

This application was approved in October 2012.

PROPOSED DEVELOPMENT

The proposed development seeks planning permission for the change of use of the land to extend the existing caravan site. The scale of the site area for development has been reduced following discussions with the applicant such that the current layout would provide scope for an additional 3 caravan pitches on the site.

DEVELOPMENT PLAN POLICIES

Thanet Local Plan Policy (2006) Saved Policies

CC1 - Development in the Countryside

D1 - Design principles

D2 - Landscaping

T1 - Tourist Facilities

TR12 - Cycling

TR16 - Car parking provision

NOTIFICATIONS

Letters were sent to neighbouring occupiers of premises on Way Hill and Wayside Caravan Park and a site notice was displayed.

6 letters of objection have been received raising the following matters:

- Errors in the application submission relating to ownership
- Proposals would affect the setting of the neighbouring listed buildings
- Proposals would result in the loss of existing trees affecting the character and appearance of the area
- The proposals would result in a loss of amenity to neighbouring occupants
- Additional highway impacts

One of the neighbouring residents has instructed a planning agent to act on their behalf to raise additional points in respect of the submitted heritage statement and tree survey.

Following all of the objections, a revised scheme has been submitted reducing the scale of the development to three additional plots, and retaining the landscaped area that fronts Way

Hill and is located to the side of Rose Cottage. In response to the revised scheme further public consultation was carried out, resulting in additional letters of objection on the following matters:

- The site is unsightly to the eye and its continued expansion puts pressure on the local highway and must be overbearing to the local heritage.
- Still insufficient information in respect of trees and landscape details

CONSULTATIONS

Minster Parish Council (revised comments) - Object to the application. The application is inaccurate. Rose Cottage is privately owned and is not owned by Mr Spanton who owns the application site. There are several listed buildings nearby:- Way House, Wayborough House, Wayborough Manor, Tudor Cottage, Pansy Cottage and Rose Cottage. These buildings are all listed heritage assets.

Pansy Cottage and Rose Cottage are both adjacent to the application site. It is felt that in accordance with the NPPF 134 that the application would be detrimental to the listed properties (heritage assets) by its very close proximity and there is no public benefit to outweigh this. Also the site is covered with mature trees this would be a significant environmental loss, no consideration has been given to this in the application.

Conservation Officer (revised comments) - The setting of a heritage asset may reflect the character of the wider townscape or landscape in which it is situated, or be quite distinct from it, whether fortuitously or by design. Setting does not have a fixed boundary and cannot be definitively and permanently described for all time as a spatially bounded area or as lying within a set distance of a heritage asset.

In this instance the setting of Rose Cottage/Pansy Cottages is intimately linked to landscape considerations, including the degree of fortuitous beauty and the consequent visual harmony or congruity of development on the proposal site which relate to landscape attributes surrounding their immediate boundaries such as trees, and the mature woodland.

Subject to ensuring proper protection for the setting of the listed building through the imposition of a landscape condition requiring details of a landscape buffer along the boundaries with Rose Cottage to ensure it is maintained in perpetuity to reduce any harmful impact on the setting there is no objection to the scheme.

COMMENTS

The main issues in the determination of this planning application are the impacts on the character and appearance of the area with regards the countryside protection policies, potential impacts concerning residential amenity and impacts on the setting and appearance of listed buildings. The application has been called in by Councillor Grove on the basis of the impacts on the adjoining listed buildings and the impacts on the natural habitat and woodland.

Principle

The existing caravan park has long since been established in this location, indeed extended as recent as 2005 (ref: TH/05/1416). The Council has therefore previously accepted the principle of the use and indeed the extension of the use as being acceptable in principle. Furthermore, it should be noted that the extension that was approved under the 2005 application relates to the area of land immediately to the east of the current application site.

The Local Plan contains saved policy T1, which states that planning permission would be granted for development that extends or upgrades the range of tourist facilities. This application relates to an extension of an existing caravan park used for holiday accommodation and is therefore within the spirit of the saved policy.

It is therefore considered that the proposals fall to be considered as acceptable in principle, subject to compliance with all other relevant development plan policies.

Character and Appearance

The proposal relates to land that is immediately to the south of the existing residential curtilage of Rose Cottage, a Grade II listed building. Within the application site is hedgerow along with a number of trees, which are visible from wider views, and which currently provide screening of the caravan park. The proposal originally involved the removal of a number of the trees, with a tree survey submitted assessing the quality of the trees. Unfortunately the tree survey has not been prepared in accordance with the relevant standards (current standards are set out in Section 4.4 of BS 5837:2012 "Trees in Relation to Design, Demolition and Construction - Recommendations"), and as such the report does not categorise trees in respect of BS categories with A being trees most desirable for retention, through to U where identified trees should be removed on the basis of being dead/dying/dangerous. Given the lack of detail, a site visit took place with the Council's Tree Officer, who informally advised that the trees closest to Way Hill should be retained due to their contribution to the landscape setting of Rose Cottage and the wider area. As a result an amended plan has been submitted showing the front section of the application site retained as landscaping, and the number of caravans to be sited on the site reduced from five to three. The landscaped area is to be retained via condition, with a restriction preventing the siting of any caravans within this area.

As a result of the amended plan, the impact upon the character and appearance of the area is considered to be acceptable.

Impact on listed buildings

The applicant has submitted a heritage statement to assess the impacts of the proposed development on the setting of the neighbouring listed properties of Rose Cottage and Pansy Cottage (both Grade II listed). In support of this a more detailed site layout plan was also proposed indicating that one caravan would be within 4 metres of the common boundary along the south west and in the south east corner a caravan would be within 3 metres. The historic records indicate that the residential curtilage of Rose Cottage extended beyond the current boundary and included land that now forms part of the application proposal.

The Council's conservation officer has stated that in his opinion the setting of the listed buildings is ultimately linked with the landscape considerations. The protection of the existing boundary treatment along these properties, linked to a suitably worded condition requiring approval of further details, is considered sufficient to ensure that the impacts are acceptable and result in less than substantial harm to the property.

On this basis it is considered that the development will not result in such impacts to the setting of the neighbouring listed buildings to the degree that permission should be refused.

Living Conditions

The proposed development would result in the existing caravan use extending closer to the boundary with the neighbouring properties and therefore increasing the potential for loss of amenity as a direct result, which the neighbouring occupier has raised as a concern.

The caravans would be a minimum distance of 10m from Rose Cottage at the closest point, extending to 15m. The nearest caravan as shown on the submitted plan is not directly to the rear of Rose Cottage, although the proposal is for the change of use of the land, rather than the specific location of the caravans, and as such, the caravans could be moved around within the area shown on the submitted plan for the proposed use. The caravans will be a minimum of 3m from the shared boundary with Rose Cottage, with an area of landscaping to be retained/provided between the caravan and the boundary. Landscaping is also present inside the neighbouring boundary.

The proposed changed of use is not considered to result in any loss of light or outlook for the neighbouring properties given the distance between the rear elevation of the neighbouring property and the nearest caravan. It is also not considered to result in any unacceptable level of noise and disturbance, given that the vehicular/pedestrian access to the caravans is to the other side away from the neighbouring properties, which based on caravan layouts is also likely to be the location of the lounge area. It is therefore considered that the only potential impact could be from overlooking, given the likely increase in height of the caravan in comparison to the neighbouring properties.

Given the limited number of caravans proposed, the distance between the caravans to the neighbouring properties, the single storey nature of the caravans, the limited number of windows that are likely to be contained within the rear elevation, but most importantly the extensive landscaping that exists, and can be enforced, along the boundary with the neighbouring property, the impact upon neighbouring privacy is considered to be acceptable, and in accordance with Policy D1 of the Thanet Local Plan.

Transportation

The proposal would result in the increased traffic generation on local roads within Minster. However, based on the existing trip generation from the site and the acceptable extension in 2006 for a further 15 caravans it is not considered that there are any reasonable highway grounds on which to raise concerns with the proposals. Furthermore, the tests set out in paragraph 32 of the NPPF are that for schemes to be refused any cumulative impacts of a

development need to be severe. Whilst the impacts may be localised they are not considered to meet the test of severe to warrant refusal.

Conclusion

The principle of the change of use is considered acceptable due to the tourism benefits that would be achieved, and whilst the proposed use will have some impact upon the setting of Rose Cottage, and the privacy of neighboring occupiers, the impact is not considered to be significant enough to warrant the refusal of the application. Furthermore, the additional traffic generation arising from the additional 3 caravan pitches is not considered to result in such impacts as to meet the definition of severe cumulative impacts such that they are deemed unsuitable. It is therefore recommended that members approve the application.

Case Officer

Emma Fibbens

TITLE:

F/TH/16/0119

Project

Land Adjacent Wayside Caravan Park Way Hill Minster RAMSGATE Kent

Scale:

