

7. FULL APPLICATION – PROPOSED SITING OF 24 STATIC HOLIDAY CARAVANS WITH ADDITIONAL LANDSCAPING IN LIEU OF 28 TOURING CARAVANS AND TWO TENTED CAMPING AREAS – NEWHAVEN HOLIDAY PARK, NEWHAVEN (NP/DDD/1024/1137) MN

APPLICANT: M PURDOM

Summary

1. The application seeks full planning permission for the use of land within an existing holiday park from touring pitches to the stationing of static caravans.
2. The proposal is an exception to the policy presumption against static caravans and represents a potential departure from the development plan.
3. The site is well-established and this part of the site is well-screened. The proposals also bring with them an opportunity to enhance the screening of the existing site and provide for biodiversity enhancement.
4. The application is therefore recommended for approval.

Site and Surroundings

5. Newhaven Holiday Park is situated at the junction of the A515 and the A5012, opposite the former Newhaven Hotel. The site is bounded on two sides by the A roads, and by open fields to the south and east. Much of the site is largely screened from public vantage points because a 2m high earth embankment runs along the northern and most of the western side, which together with a wide belt of mature trees restricts views from the two nearby A roads. Approved access to the site is from the A5102.

Proposals

6. Proposed siting of 24 static holiday caravans with additional landscaping in lieu of 28 touring caravans and two tented camping areas. This is within the northern camping field of the holiday park.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

1. **Statutory 3 year time limit for implementation**
2. **In accordance with submitted and amended plans**
3. **28-day holiday occupancy restriction**
4. **Colour range of units to be approved and implemented**
5. **Biodiversity Net Gain plan to be implemented**
6. **Habitat creation and management plan to be approved and implemented**
7. **In accordance with the recommendations of the protected species report**
8. **In accordance with the recommendations of the tree report**

9. **Programme of monitoring and site supervision of arboricultural measures to be approved**
10. **Final Tree Protection Plan (TPP) and Arboricultural Method Statement (AMS) to be approved and implemented**
11. **Planting to be carried out as approved**
12. **Woodland management plan to be approved and implemented**
13. **Parking plan to be approved**
14. **Travel Plan to be approved if approved parking plan includes provision of more than 28 spaces**

Key Issues

- The principle of development
- Impact on the landscape character and special qualities of the National Park
- Tree impacts
- Ecological impacts
- Travel and transport

History

7. The site has been in operation since the 1960's and has a complex planning history. However, permission granted under NP/DDD/1009/0860 consolidated and rationalised the previous permissions and lawful use certificate into one single over-arching permission that provides clarity on the 'lawful' use of the site in terms of planning controls.
8. Subsequently, conditions 2 and 7 on NP/DDD/1009/0860 were formally discharged under Planning Application NP/DIS/0212/0143.
9. In 2015 a section 73 application was approved which sought to remove condition no. 6 from planning application ref NP/DDD/1009/0860. That condition stated that 'No touring caravan or tent shall be placed or retained at the site (other than in the designated winter storage area) for a continuous period exceeding 28 days.'
10. In 2017 a section 73 application was approved which sought to vary the same conditions no's 6 and 10 from planning approval ref NP/DDD/1009/0860. The application was approved but a additional condition was re- appended to limit touring caravans to no more than 28 days occupancy in order to prevent touring caravans from becoming permanent dwellings.
11. In 2019 permission was granted for the relocation of 16 static caravans to the central area of the site, together with the siting of a further 10 static caravans within this area.

Consultations

12. Highway Authority – No objection
13. District Council – no response
14. Parish Council – Support the proposals, on the basis of limited landscape impacts and improvements to highway safety that would arise from reducing the number of towing vehicles coming and going from the site.

15. Natural England – No objection
16. PDNPA Policy – Note that the application proposes parking for the proposed units in excess of the maximum provision set out by adopted parking standards, and request that a Travel Plan be secured to minimise traffic movements and to promote sustainable transport. The full response can be viewed on the Authority's website.
17. PDNPA Ecologist – No objections subject to conditions to secure ecological mitigations and enhancements alongside the required BNG plan and measures. The full response can be viewed on the Authority's website.
18. PDNPA Tree Officer – Initially raised concerns regarding a lack of information in relation to drainage runs and foundations, and more general tree protection. Further details have been submitted and the tree officer is now satisfied that subject to securing tree protection measures and a woodland management plan, the development would conserve the tree interest of the site. The full response can be viewed on the Authority's website.

Representations

19. None received at time of writing.

Main Policies

20. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, L1, RT3, T1, T2, T7, CC1
21. Relevant Local Plan policies: DMC3, DMC12, DMC13

National Planning Policy Framework

22. The National Planning Policy Framework (NPPF) is a material consideration. Development plan policies relevant to this application are up-to-date and in accordance with the NPPF and therefore should be given full weight in the determination of this application.
23. Paragraph 189 of the NPPF states: Great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks which have the highest status of protection in relation to these issues. The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas, and should be given great weight in National Parks.

Core Strategy

24. Policy DS1 sets out the Development Strategy for the National Park. Agricultural development is acceptable in principle in the open countryside outside of the natural zone.
25. Core Strategy policy GSP1 requires development to be consistent with the Parks purposes. GSP2 sets out that opportunities for enhancing valued characteristics will be acted upon, and GSP3 states that development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal. GSP4 seeks to secure all of the above through planning conditions and obligations where appropriate.

26. Core Strategy policy L1 states that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan and other valued characteristics.
27. L2 states, amongst other things that development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting.
28. Core Strategy policy RT3 states that static caravans, chalets or lodges will not be permitted. However, the supporting text says that, exceptionally, static caravans, chalets or lodges may be acceptable in locations where they are not intrusive in the landscape.
29. Core Strategy policy T1 states that conserving and enhancing the National Park's valued characteristics will be the primary criterion in the planning and design of transport and its management, and that sustainable access for the quiet enjoyment of the National Park, that does not cause harm to the valued characteristics, will be promoted.
30. Core Strategy policy T2 sets out that Travel Plans to reduce traffic movements and safeguard transport infrastructure will be required on appropriate new developments and encouraged on existing developments.
31. Core Strategy policy T7 sets out that residential parking and operational parking for service and delivery vehicles will be the minimum required for operational purposes, taking into account environmental constraints and future requirements, and that non-residential parking will be restricted in order to discourage car use, and will be managed to ensure that the location and nature of car and coach parking does not exceed environmental capacity.
32. Core Strategy Policy CC1 states that development must make the most efficient use of land, buildings and natural resources and take account of the energy hierarchy.

Development Management Policies

33. Policy DMC3 expects a high standard of design that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape.
34. Development Management policy DMC12 requires development to protect the interests of protected species and sites, and states that for all other species, features, and sites of ecological value development will only be permitted where significant harm can be avoided and the conservation status of the population of the species or habitat concerned is maintained – and where the benefits of an arising harm are outweighed by other benefits.
35. DMC13 requires applications to be accompanied by sufficient information for their impacts on trees to be established, and states that development should incorporate existing trees, hedgerows or other landscape features within the site layout. It also states that trees, woodlands and other landscape features should be protected during the course of the development.

Assessment

Principle of development

36. The proposed development would result in the loss of 28 touring caravan pitches and their replacement with 24 static caravan pitches which would be on site all year round.

They would be permanent structures, with their own facilities, although they would also have access to the wider site facilities.

37. Policy RT3 B explicitly states that static caravans, chalets or lodges will not be permitted. However, the supporting text says that, exceptionally, static caravans, chalets or lodges may be acceptable in locations where they are not intrusive in the landscape. RT3 therefore makes a general and strong presumption against this type of development. However, there is acknowledgement in the supporting text to this policy that there may be sites suitable for such development in exceptional circumstances.
38. The proposal is therefore in conflict with policy RT3 unless it can be demonstrated that there are exceptional reasons for approval.
39. This part of the caravan and camping site is well screened from wider view by mature planting. The site is already in use for the siting of touring caravans and tents, with conditions on the existing permissions at the site preventing their siting in this area in the months of November, December, and January. The Authority has no control over the colour or more general appearance of these units.
40. It is also pertinent that the current application includes additional planting and landscaping proposals that would serve to further screen the area of the site, as well as an opportunity to secure existing screening related to the proposed development – providing an opportunity to materially reduce the impact that the site as a whole in the landscape.
41. Further, the approval of this application would not set a precedent for further approvals that might extend the site because it forms part of the existing site with a lawful use for 28 touring units over which the Authority has limited control.
42. On this basis, it is concluded that the development would not be intrusive in the landscape. Furthermore, the development offers an opportunity to further reduce the landscape impacts of the site. As such, subject to consideration of the details of the scheme, it is concluded to represent a case where an exception to policy RT3 B may be appropriate.
43. The application does not propose a 28 day occupancy restriction. Instead the proposal is to restrict occupancy of the static units to the extent that each cannot be a permanent residence for any single person.
44. Whilst the submission suggests a further planning condition that allows occupation “for holiday purposes only”, ‘holiday purposes’ is undefined and in practice the conditions proposed by the applicant would allow occupation of the units by any one person for up to 11 months a year. This would be tantamount to a permanent dwelling or second home and wholly contrary to housing policy in the National Park.
45. The proposed occupancy conditions would not comply with current adopted planning policy. Policy DMR2 addresses occupancy for touring caravans rather than statics (because there is a presumption against support for such development in the first place), but the supporting text does more broadly and very clearly define what the Authority consider to represent holiday occupancy:

“The National Park Authority defines holiday use as occupation for no more than 28 days per calendar year by any one person. Anything over 28 days occupation by any one person is classed as full-time residential use and will be prevented where necessary by the enforcement of conditions or legal agreements.”

46. In the absence of a precise and enforceable holiday occupancy condition the proposed development would not be acceptable in principle. As such, the proposed occupancy conditions would not make the development policy compliant. It is therefore recommended that a 28-day occupancy restriction is imposed on the units in accordance with policy DMR2 and to prevent occupancy as permanent dwellings contrary to adopted housing policy.
47. This matter has been discussed with the applicant who has advised that they would, without prejudicing their right to appeal, accept this planning condition for the benefit of securing a permission overall.

Landscape

48. As this report sets out above, the site is well established, and the Authority's landscape officer advises that the scheme has the potential to reduce the visual impacts of the site if properly controlled.
49. As noted by the tree officer, the tree planting currently screening the site from the adjacent highway would benefit from proper long-term management. Given that the decline of this woodland would increase the visual impacts of the development, and because the development is being considered as an exception to adopted policy, it is considered that securing a woodland management plan as recommended by the tree officer would be appropriate, and add weight to an argument for supporting the development in the planning balance.
50. There is also scope to control the colour of the proposed units; a control that the Authority does not currently have in relation to the use of this field by touring caravans and tents.
51. Taking these issues into account, and the specific circumstances of this site, it is concluded, that the replacement of the seasonal touring units on part of the site with permanent, but seasonally occupied, units is acceptable, subject to conditions to secure additional planting, woodland management, and the colour of new units brought to site as part of the development. With those safeguards, the development would conserve and enhance the landscape of the locality as required by policies GSP1, GSP3, L1, RT3, and DMC3.

Tree impacts

52. The Authority's Tree Officer raised initial concerns regarding a lack of information in relation to drainage runs and foundations, and more general tree protection. Further details have since been submitted by the applicant and the tree officer is now satisfied that subject to securing tree protection measures and a woodland management plan through condition, the development would conserve the tree interest of the site, complying with the requirements of policy DMC13.
53. The woodland management plan would conserve and enhance trees that are not directly impacted by the development. This is considered necessary in this case; as established earlier in this report, the development is contrary to adopted policy in principle and is only acceptable as an exception due, in part, to this area of the site being well screened from public views. Were that screening to decline, such justification would also decline, changing the planning balance. It is therefore reasonable and necessary to ensure that the woodland management is secured throughout the lifetime of the development.

Biodiversity Net Gain (BNG) and other ecological considerations

54. The proposals are subject to BNG requirements, and the completed metric and design report have been submitted. These give rise to no objections from the Authority's Ecologist, subject to details of how the habitat creation and management measures set

out in the report will be achieved. This can be secured by condition along with implementation.

55. A preliminary ecological appraisal is also included with the application, and having regard to advice from our Ecologist we are satisfied that the development will not give rise to other adverse ecological impacts providing that its recommendations are followed. That could also be secured by condition.
56. On this basis the proposals comply with policy L2 and DMC12, which require the ecological interests of the site to be protected.

Highway Safety, Parking, and Transport impacts

57. The proposed development includes 2 parking spaces per unit. In their consultation response the Authority's policy team state:
58. *The number of parking spaces is contrary to the Peak District National Park Parking Standards, which set a maximum of 1 space per plot. This approach is aimed at providing sufficient parking whilst not providing an oversupply. Our approach is based on an emphasis in encouraging sustainable transport as set out within Core Strategy Policy T1: Reducing the general need to travel and encouraging sustainable transport. This approach focusses on making best use of the limited amount of land available for any development within the National Park.... There may be justification for the provision of additional visitor parking to serve the units. There may also be scope to justify the need for the 10 twin lodge units to have two parking spaces. However, these are holiday accommodations rather than permanent residencies. Therefore, any deviation from the maximum parking standards will require robust and detailed justification.*
59. No justification has been put forward to deviate from adopted parking standards. It is therefore recommended that if permission is granted a condition be imposed for final levels of parking provision to agreed, notwithstanding the approved plans.
60. The policy team response also notes that the provision of 2 parking spaces per unit challenges the assumptions around traffic movements that are set out in the submitted transport statement. The current 38 touring pitches (including tents) would typically be expected to attract a single vehicle. If each of the 24 proposed static units was to attract 2 vehicles then this would result in 48 vehicles in total. As such, an increase of 10 vehicles at the site would arise during peak occupancy.
61. On this basis, given the nature and scale of development, it would be appropriate to secure a Travel Plan by condition to ensure accordance with policy T2, which seeks to reduce traffic movements and promote sustainable travel. Whilst the recommendation of the policy team for this to apply to the site as a whole is noted, and it might be that this is a logical approach that the developer adopts, a Travel Plan could only be reasonably required by condition insofar as it relates to the proposed development, given that the remainder of the site would be unaffected in terms of traffic generation.
62. Should the application be approved and the outcome of the condition regarding the amount of parking provision result in the development not giving rise to an increased level of parking provision, it would not then be reasonable or necessary to require a Travel Plan; therefore, any condition requiring the submission and approval of a Travel Plan should be framed with that caveat.

Climate Change Mitigation

63. The nature of the development limits the extent of measures that can be incorporated in to the development. Tree planting is the only measure beneficial to carbon reduction that

is proposed, but given the type of development proposed it is concluded that further measures could not be reasonably required to further compliance with policy CC1.

Amenity

64. The site is sufficiently removed from any neighbouring property that the development would have no bearing on residential amenity; and in any case, noise disturbance from occupation and vehicle movements would be reduced by the development, whilst the overall screening around the site edges would be increased. As such, the development would comply with policy DMC3 insofar as it relates to protecting the amenity of other properties.

Other Matters

65. In terms of continuing to provide access for a range of visitor types to the National Park the site would still offer a range of accommodation and pitches on the site, with the field south of the area subject to development being available for short season touring and camping. The proposals would therefore not prejudice access to this area of the National Park in this regard.

Conclusion

66. It is concluded that the proposal is acceptable as an exception to the normal policy presumption against permanent static caravans and lodges. The site is relatively large and this part of it is generally well screened. The site as a whole would still offer a range of accommodation and pitches on the site, thus continuing to contribute to the enjoyment of the National Park. The approval of this application would not set a precedent for further approvals on the site because this part of the site already has a lawful use for a long season for touring units, and its further development would not impact the landscape. The recommendation also takes account of, and gives weight to, the related additional landscape and biodiversity enhancements that the development would deliver if secured by condition.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

67. Nil

Report Author and Job Title

68. Mark Nuttall – Principal Planner - South