Planning Design and Access Statement

Planning application by Mr M Clare to permit an extended occupancy period for the holiday lodges at Lodge Farm Caravan Park Boggard Lane Charlesworth.

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Dowd Town Planning - Chartered Town Planners
Suite Two, 2a King Edward Street, Macclesfield, Cheshire SK10 1AA
t: +44(0)1625 669648 info@dowdplanning.com www.dowdplanning.com

1 INTRODUCTION

1.1 This statement is submitted by Mr Mark Clare in support of a proposal to extend the period during which the lodges (caravans) at Lodge Farm can be occupied for holiday purposes. Application HPK/2003/0470 permits the holiday season to run from the 1 March until the 16 January. This means that the site is closed to visitors for a 6 week period. This application now proposes that the season for holiday occupation be extended to run between the 3 February and the 3 January. This would mean that the site would be closed to visitors for 4 weeks instead of its current 6 week shut down period.

2. THE APPLICATION

2.1 The planning permission granted on the 05.08.03 (HPK/2003/0470) permits the 8 lodges (caravans) to be occupied from the 1 March to 16 January. The appeal decision issued on the 12.05.04 imposed a planning condition to restrict the use of 8 caravans to holiday accommodation only

2.2 This application seeks full planning permission to use the site for holiday purposes between the 3 February and the 3 January. This means that in any 12 month period the site would be closed for just over 4 weeks (30 days).

2.2 The application is accompanied by:

- An existing site layout – Drawing No.1
- Planning Statement.
- Letter of support from The Hoseasons Group

3. SITE LOCATION

3.1 The application site, known as Lodge Farm and marketed as Charlesworth Lodges, formerly known as Bankbottom Farm Caravan Park, lies in the open countryside and the Green Belt. It lies on the edge of the settlement of Charlesworth which is approximately 3 miles to the south west of Glossop.

The caravan park covers an area of approximately 2 acres and is situated at the end of the single track road known as Boggard Lane. Public Footpath No. CHAR.79 runs along Boggard Lane in a south easterly direction.

3.2 The site is occupied by 9 timber lodges, all of which fall within the statutory definition of a caravan, and a stone reception/toilet/laundry building. 8 of the lodges are used for seasonal holiday occupation with the remaining lodge, lodge No. 4 shown on the existing site layout (Drawing No.1), being lawfully occupied as a permanent residential unit.

4. RELEVANT PLANNING HISTORY

4.1 HPK/2002/0884 – Certificate of Lawfulness granted on the 25.03.11 which confirms that *"the use as a holiday caravan park for 8 static caravans between the 1st March and 30th October every year and one permanently residential static caravan is lawful."*

4.2 HPK/2003/0470 – Extension of the permitted season for 8 static caravans from 1 March to 30 October to 1 March to 16 January on application HPK/2002/0084 at Bank Bottom Caravan Park, Boggard Lane, Charlesworth - Approved on the 05.08.03. Condition 2 attached to this permission states:

"The static caravans hereby permitted to be occupied between 1 March and 14 January in the following year must not be occupied for more than 28 days by any one occupier"

4.3 An Appeal was lodged against this grant of planning permission due to a dispute over condition No.2. The Appeal was allowed and the planning permission varied by decision dated the 12.05.04. Condition 2 was deleted and substituted by: -

"The caravans subject to this permission shall be used as holiday accommodation only."

4.4 HPK/2004/0643 – Retrospective application for layout and ancillary works – refused 31.08.04.

4.5 HPK/2005/0010 – Resubmission of application HPK/2003/0643 for layout and ancillary works – approved 22.02.05.

4.6 HPK/2010/0462 – Extension and conversion of existing electric meter and storage room to form new laundry and reception facilities – approved 27.10.10.

5. PLANNING POLICY

Government guidance

5.1 The Ministerial Statement: **Planning for Growth** (23 March 2011) published an ambitious set of proposals to help rebuild Britain's economy. It identifies that the planning system has a key role to play, by ensuring that the sustainable development needed to support economic growth is able to proceed as easily as possible. The Governments top priority in reforming the planning system is to promote sustainable economic growth and jobs. Government's clear expectation is that the answer to development and growth should wherever possible be **"yes",** except where this would compromise the key sustainable development principles set out in national policy. When deciding whether to grant planning permission local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. Where relevant they should therefore:

(i) consider fully the importance of national planning policies aimed at fostering economic growth and employment, given the need to ensure a return to robust growth after the recent recession;

(ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing;

(iii) consider the range of likely economic, environmental and social benefits of proposals; including long term or indirect benefits such as increased consumer

choice, more viable communities and more robust economies (which may, where relevant, include matters such as job creation and business productivity;

(iv) be sensitive to the fact that local economies are subject to change and so take a positive approach to development where new economic data suggest that prior assessments of needs are no longer up-to-date;

(v) ensure that they do not impose unnecessary burdens on development.

5.2 In determining planning applications, local planning authorities are obliged to have regard to all relevant considerations. They should give appropriate weight to the need to support economic recovery that applications that secure sustainable economic growth are treated favourably (consistent with policy PPS4), and that they give clear reasons for their decisions.

5.3 The Secretary of State for Communities and Local Government has indicated that the principles referred to in this Ministerial Statement will be taken into account when determining planning applications at any appeal. In particular he will attach significant weight to the need to secure economic growth and employment.

5.4 The Department of Communities and Local Government (DCLG) has recently (15 June 2011) published its draft presumption in favour of sustainable development, which will underpin future planning policy. The draft presumption states:

"There is a presumption in favour of sustainable development at the heart of the planning system, which should be central to the approach taken to both plan-making and decision-taking. Local Planning authorities should plan positively for new development, and approve individual proposals where possible"

The DCLG's expectation is that the default answer to development is **"yes"** except where this compromises key sustainable development principles set

out in national planning policy. The presumption will be at the heart of the new National Planning Policy Framework.

5.5 The Draft National Planning Policy Framework was published in July 2011 and is a material consideration in the determination of this application. The Government expects the planning system to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs, while protecting and enhancing the natural and historic environment. Paragraph 14 of the Draft Framework states: -

"At the heart of the planning system is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. Local planning authorities should plan positively for new development, and approve all individual proposals wherever possible. Local planning authorities should:

- *prepare Local Plans on the basis that objectively assessed development needs should be met, and with sufficient flexibility to respond to rapid shifts in demand or other economic changes.*
- *approve development proposals that accord with statutory plans without delay; and*
- *grant permission where the plan is absent, silent, indeterminate or where relevant policies are out of date."*

All of these policies should apply unless the adverse impacts of allowing development would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole."

Development should be of good design and appropriately located. One of the core planning principles within the document requires planning policies and decisions to make effective use of land, promote mixed use developments that create more vibrant places, and encourage multiple benefits from the use of land in urban and rural areas.

5.6 With reference to Development Management paragraphs 53 and 54 state: -

"The primary objective of development management is to foster the delivery of sustainable development, not to hinder or prevent development"

"To enable each local authority to proactively fulfil their planning role, and to actively promote sustainable development, local planning authorities need to:

- *approach development management decisions positively – looking for solutions rather than problems so that applications can be approved wherever it is practicable to do so;*
- *attach significant weight to the benefits of economic and housing growth*
- *influence development proposals to achieve quality outcomes; and*
- *enable the delivery of sustainable development proposals."*

Paragraph 63 states that *"in assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development"*

5.7 The thrust of **Planning Policy Statement 1 (PPS1): Delivering Sustainable Development** is to promote sustainable development, which is the core principle underpinning planning. At the heart of sustainability is the simple idea of ensuring a better quality of life for everyone, now and for future generations. A widely used definition was drawn up by the World Commission on Environment and Development in 1987: *"development that meets the needs of the present without compromising the ability of future generations to meet their own needs"* (paragraph 3).

5.8 PPS1 also sets out the Government's key objectives for the planning system and contains four main aims for sustainable development. These are:

- Social progress which recognises the needs of everyone;
- Effective protection of the environment;
- The prudent use of natural resources; and,
- The maintenance of high and stable levels of economic growth and employment.

5.9 PPS1 continues by stating that these aims should be pursued in an integrated way through a sustainable, innovative and productive economy that delivers high levels of employment, and a just society that promotes social inclusion, sustainable communities and personal well being, in ways that protect and enhance the physical environment and optimise resource and energy use.

5.10 The plan-led system is addressed in paragraph 8. Where the development plan contains relevant policies, applications for planning permission should be determined in line with the plan, unless material considerations indicate otherwise. This is in line with the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004, which states that if regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the plan unless material considerations indicate otherwise.

5.11 **Planning Policy Statement 7: Sustainable Development in Rural Areas** is supportive of tourism and leisure activities particularly when located close to service centres or villages such as Charlesworth

5.12 **PPS4: Planning for Sustainable Economic Growth** sets out the Government's objectives for sustainable economic growth. Policy EC7 is most relevant to this case and relates to planning for tourism in rural areas. It indicates that local planning authorities should support sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors provided there is no harm to the countryside. The policy supports the expansion of tourist and visitor facilities in appropriate locations, carefully weighing the objective of providing adequate facilities or enhancing visitor's enjoyment or improving the financial viability of the facility with the need to protect landscapes and environmentally sensitive sites. Extensions to existing tourist accommodation should be supported where the scale of the extension is appropriate to its location and where the extension may help to ensure the future viability of such business. The Ministerial Statement issued on the 23 March 2011 and referred to in paragraph 5.1 of this statement obliges local planning authorities to give appropriate weight to the need to

support economic recovery and to treat applications that secure sustainable growth in line with PPS4 favourably.

5.13 **The Good Practice Guide on Planning for Tourism** was adopted in May 2006, replacing Planning Policy Guidance Note 21. This guidance recognises that sites that are close to existing settlements and other services will generally be more sustainable as some local services may be accessed by means other than by car. It is recognised that, with better caravan standards and the trend towards tourism as a year round activity, authorities should give sympathetic consideration to applications to extend the opening period allowed under existing permissions. Annex B of the Guide covers this matter in more detail. It recognises that many people go away several times a year, often for short breaks and not exclusively in the summer months. This spread of demand improves the use that is made of this accommodation and so is advantageous to the businesses which provide it and to those host communities which are supported by the spending that it generates. Occupancy conditions can be designed to ensure that holiday accommodation is used for its intended purpose i.e. the *"holiday occupancy condition".* This ensures that the premises are only used by visitors and do not become part of the local housing stock. These conditions need to be framed to be reasonable and fair in accordance with general Government advice.

Development Plan

5.14 The Statutory Development Plan for the area includes the Saved Policies contained within the High Peak Local Plan. The most relevant Local Plan (LP) Policies include: -

Policy GD5 Amenity.
Policy OC1 Countryside Development
Policy OC2 Green Belt Development
Policy OC3 Special Landscape Area Development
Policy LT13 Touring Caravan and Camp Sites

6. PLANNING CONSIDERATIONS

6.1 The site lies in the open countryside outside a built up area and is in the Green Belt. Policy OC1 states that in the countryside permission will only be granted for development appropriate to a rural area. Tourist facilities are listed in Policy OC1 as one of the types of development which may be permissible in the countryside. The general presumption against inappropriate development in the Green Belt is set out in Policy OC2. The site also lies in a Special Landscape Area wherein under Policy OC3 regard is to be given to the protection of its special landscape quality and character. Policy LT13 relates to tourist accommodation, touring caravan and campsites and states that conditions will be imposed to prevent permanent occupation of holiday accommodation. Policy GD5 seeks to protect existing levels of amenity by addressing, amongst other things, matters such as noise and traffic safety and generation.

6.2 Advice regarding tourism and development in the countryside can be found in PPS7 Sustainable Development in Rural Areas, PPS4 Planning for Sustainable Economic Growth and the Good Practice Guide on Planning for Tourism. Also relevant is Circular 11/95 *"The use of Conditions in Planning Permissions".*

6.3 The planning history of the site confirms that the site has a lawful use to be used as a holiday caravan park for 8 static holiday caravans between 1st March and 30th October every year and one permanent residential static caravan. The planning permission granted under application HPK/2003/0470 permits the extension of the season so that it now runs from the 1st March until the 16 January.

6.4 This application seeks full planning permission to use the site for holiday purposes between the 3 February and the 3 January (inclusive). This means that, in any 12 month period, the site would be closed for just over 4 weeks (30 days) as opposed to the current 6 week closure period.

6.5 The reason behind this request is to enable guests to stay at the site for Valentines Day and over the half term period during the month of February. The business has identified a demand for holiday use of the lodges during this February period and wishes to be in a position to supply this demand. The increased patronage of the site will also benefit the wider local economy such as pubs, shops and restaurants in Charlesworth as well as assisting to maintain the viability of the business.

6.6 The Charlesworth Lodges form part of The Hoseasons Group Autograph Collection and offer an extremely high quality standard of accommodation. Full details of the park and customer reviews can be seen at www.hoseasons.co.uk. The Group have written in support of this application and their letter dated the 17 October 2011 forms part of this submission.

6.7 Government guidance in Planning Policy Statement 4: *Planning for Sustainable Economic Growth* (PPS4) and Planning Policy Statement 7: *Sustainable Development in Rural Areas* (PPS7), as well as the Written Ministerial Statement: *Planning for Growth* and Good Practice guide on Planning for Tourism, all support sustainable development, sustainable rural tourism and leisure developments that benefit rural businesses, communities and visitors, provided there is no harm to the countryside. Extensions to existing tourist accommodation should be supported where the scale of the extension is appropriate to its location and where the extension may help to ensure the viability of the business. In terms of Policy EC7 of PPS4 this proposal represents an extension to the use of an existing tourist accommodation where the scale of the extension, a further 2 weeks of holiday occupation, is appropriate to its location and will assist in the viability of the business and the local economy.

6.8 Under the existing planning permission (HPK/2003/0470) the holiday lodges cannot be occupied for a 43 day period (6 weeks 1 day). This period runs, inclusive, from the 17th January until the 28th February. This application proposes that this period is reduced to 30 days with the *"closed"* period running from the 4th January until the 2nd February inclusive (4 weeks 2 days).

6.9 It is considered that this change to the opening season and the reduced closure period will not significantly harm the amenities of any neighbouring residents or highway safety. It will have no impact on the character of the open countryside or Special Landscape Area nor attract excessive traffic onto the local road network. The proposed development therefore satisfies the requirements of Local Plan Policies GD5, OC1, OC2, OC3 and LT13.

7 CONCLUSION

7.1 Since the proposed development clearly complies with national guidance and local plan policy it is respectfully requested that the planning authority approve this application in line with the presumption in favour of sustainable development. It is clear that there are significant economic benefits in extending the opening season of this holiday park. As with the Appeal decision issued in May 2004, a condition can be attached to the planning permission to ensure that the caravans, which are the subject of this application, are used solely for holiday accommodation. This would be in line with Circular 11/95 and the advice contained in Annex B of the Good Practice Guide on Planning for Tourism. The continued closure of the site, albeit for a shorter period, will still permit the Council to monitor the use of the site and ensure that the lodges are only used by visitors and do not become part of the housing stock.

Louise Dowd Dip URP MRTPI
Planning Consultant