

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **PLANNING AND DEVELOPMENT CONTROL COMMITTEE**

DATE: **10 OCTOBER 2012**

REPORT BY: **HEAD OF PLANNING**

SUBJECT: **FULL APPLICATION – CHANGE OF USE FROM AGRICULTURAL TO CARAVAN PARK WITH 27 NO. SPACES INCLUDING THE CONVERSION OF BARN INTO RESIDENTIAL AND AGRICULTURAL SHED INTO CAMPSITE FACILITIES, DEMOLITION OF EXISTING OUTBUILDINGS, FORMATION OF AN ACCESS, CONSTRUCTION OF THREE FISHING POOLS, PARKING AND ANCILLARY WORKS AT STAMFORD WAY FARM, STAMFORD WAY, EWLOE**

APPLICATION NUMBER: **049803**

APPLICANT: **Mr JAMES WOODCOCK, CASTLE GARAGE, LIVERPOOL RD, EWLOE, DEESIDE**

SITE: **LAND OPPOSITE STAMFORD WAY FARM, STAMFORD WAY, EWLOE**

APPLICATION VALID DATE: **29.05.2012**

LOCAL MEMBERS: **Councillor David Mackie, Councillor Alison Halford**

COMMUNITY COUNCIL: **Hawarden**

REASON FOR COMMITTEE: **Scale of development relevant to delegation scheme.**

SITE VISIT: **Yes – at Chairman’s request**

1.00 SUMMARY

1.01 This is a full planning application for a development comprising: new access; demolition of buildings fronting the main road; conversion of barn into a dwelling; conversion of agricultural building into service

accommodation; formation of 3 fishing pools; formation of 27 berth caravan site; driveway and car parking areas. The proposal was the subject of pre-application discussions.

1.02 The issues for consideration are the principle of the development in planning policy terms; the effect on the openness of the green barrier; the effect on the visual appearance and character of the open countryside and the extension to the barn to form a dwelling.

2.00 RECOMMENDATION: TO GRANT PLANNING PERMISSION, SUBJECT TO THE FOLLOWING:-

- 2.01
1. Time implementation.
 2. Compliance with submitted information and amended plans.
 3. Samples of all external materials
 4. Provision of 2.4m x 160m visibility splays in both directions.
 5. Visibility splays kept free of all obstacles during construction.
 6. Provision and retention of loading, unloading, parking and turning facilities.
 7. Closure of existing access.
 8. Submission, approval and implementation of detailed landscape scheme.
 9. Removal of permitted development rights on all future openings (windows/dormer windows etc).
 10. Removal of permitted development rights on all future extensions, outbuildings, porches etc.
 11. Caravan site operating months between 1st March & 31st October.
 12. Occupation of house tied to management of caravan site and fishing lakes.
 13. Commercial use to be established prior to conversion/occupation of house.
 14. Mitigation for barn owls and swallows.
 15. Surface details of car parking areas and access track to be submitted.
 16. Submission and approval of lighting scheme.
 17. Caravans used for holiday purposes only.
 18. Submission of details of the caravan waste compound and refuse compound.
 19. Submission of details of the play area.
 20. No external storage except in maintenance area.

3.00 CONSULTATIONS

3.01 Local Members

Councillor Alison Halford – no comment.

Councillor David Mackie

Commenting on the original proposals says there is local concern

that this development, particularly the proposal for caravans, will unacceptably harm the openness of the green barrier. Refers to policy GEN4, which carries constraints over types of development to essential facilities for sport and recreation etc or other appropriate uses or development for which a rural location is essential. Questions the amount of bunding referring to another development where there was a requirement to excavate for the foundations of a development so it did not affect the openness of the landscape and conditions about colour and construction were also imposed to minimise the impact on the green barrier.

Also whether a need should be proved before a development in the green barrier can be permitted.

Refers to the recent Magazine Lane Public Inquiry for a gypsy site where it was said that any development in the green barrier, even the creation of a hard standing, is considered to affect the openness of the green barrier.

Councillor Mackie's comments remain for the amended proposals.

- 3.2 Hawarden Community Council
Concerned about the effect it may have on water supply to existing properties which draw water from the aquifer and also the dealing with foul sewage as there is no main system available for the site.
- 3.3 Head of Assets & Transportation
No objection subject to conditions.
- 3.4 Head of Public Protection
No adverse comments. If permission is granted a Site Licence will be required under the Caravan Sites and Control of Development Act 1960.
- 3.5 Dwr Cymru Welsh Water
No objection.
- 3.6 Environment Agency Wales
No objection.
- 3.7 Airbus
No aerodrome safeguarding objection.
- 4.00 PUBLICITY**
- 4.01 Site Notice and Neighbour Notification
The publicity exercise has resulted in 6 objections on the following grounds:
- i) Open countryside – intrusive development, man made structures, alter character and appearance.

- ii) Business success – if the use fails what further use could be made of the facilities.
- iii) Coalescence – the site is about half way between Ewloe and Northop Hall in a largely open area and if allowed it could lead to further infill between the two settlements.
- iv) Previous planning decisions – have been refused for development of small areas of land between Ewloe and Northop Hall on grounds of maintaining the green barrier.
- v) Caravan park would be out of character in this area.
- vi) Dogs kept in the adjacent kennels business could cause nuisance to caravan occupiers, generating complaints.
- vii) Adjacent dog kennels have been allowed to expand, only under strict controls over size of buildings and materials.
- viii) Green barrier – inappropriate development.
- ix) Contrary to policies in UDP.
- x) Traffic generation and dangerous, fast road.

4.02 The publicity exercise has generated 8 letters of support for the following reasons:

- i) Fishing ponds would bring visitors to the area.
- ii) Enhance local wildlife.
- iii) Boost for tourism and jobs.
- iv) Most fishing ponds are over 60 miles away.
- v) Fishing ponds would give young people something to do.
- vi) First site in Deeside area to have fisheries with caravans together.
- vii) Reduce travel to fisheries elsewhere.
- viii) Will not look out of place as will be screened with trees and shrubs.

4.03 The Campaign for the Protection of Rural Wales objects on these grounds:

1. green barrier and countryside location;
2. harmful to landscape and visual amenity;
3. proposed caravans will be conspicuous in a rural setting;
4. will not harmonise with its surroundings in relation to its siting, scale and layout and proposed earth mounds will change the character of the area.
5. it is a substantial commercial enterprise, not a small scale farm diversification scheme;
6. loss of agricultural land needs to be considered against a proven need;
7. future restoration to agricultural land is unlikely to happen.

4.04 Consultation on the amended plans have generated 4 objection letters:

- replacing earth bunds with fencing will not reduce visibility of caravans;
- development in Green Barrier should only be allowed in exceptional circumstances;

- noise nuisance between occupiers of caravans and adjacent kennels;
- close to SSSI, Ancient woodland, Special Area of Conservation;
- traffic generation, watercourse in adjacent field and tree loss.
- No need for the development, especially the caravan park;
- Contrary to UDP policies;
- Adverse impact on appearance of countryside.
- Uncertainty over capacity of services.

There are also 2 letters of support.

5.00 SITE HISTORY

5.01 047414

Permission refused July 2010 for closing up existing access, provision of a new vehicular access and demolition of farm building. Appeal dismissed in Oct 2010. The main issue was the effect on the character and appearance of the surrounding rural area. The Inspector considered that such a wide access would represent an urbanising and incongruent feature that would be harmful to the character and appearance of the surrounding rural area and therefore conflicted with policies in the UDP. This is explored in more detail later in this report.

6.00 PLANNING POLICIES

6.01 Flintshire Unitary Development Plan policies:

STR1 New Development

STR6 Tourism

GEN1 General Requirements for Development

GEN3 Development in the Open Countryside

GEN4 Green Barriers

D1 Design Quality, Location and Layout

D2 Design

D3 Landscaping

L1 Landscape Character

WB1 Species Protection

AC13 Access and Traffic Impact

AC18 Parking Provision and New Development

HSG7 Change of use to Residential Outside Settlement Boundaries

RE4 Small Scale Rural Enterprises

SR2 Outdoor Activities

T6 Touring Caravan Sites

TWH2 Protection of Hedgerows

Planning Policy Wales

TAN 6 Planning for Sustainable Rural Communities

TAN 13 Tourism

Local Planning Guidance Notes:

- 5 – Conversion of Rural Buildings
- 10 – New housing in the open countryside
- 11 – Parking standards

7.00 PLANNING APPRAISAL

7.01 Site Location

The site is located on the south side of Stamford Way, opposite Stamford Way Farm, between Northop Hall and Ewloe. It lies in open countryside within the green barrier.

7.02 Description of the Site and the Proposed Development

The application site is a field of 2.5ha (6.3 acres), bounded on all sides by hedges containing some trees. The existing access at the eastern end of the frontage would be closed. The site contains 3 buildings, 2 of which would be converted and the third one, nearest the road, would be demolished as it is in a poor condition. The site is not part of a working farm and the buildings are unused. The field slopes down gradually from north to south, away from the road.

7.03 The proposed development comprises:

- creation of a new access;
- demolition of a brick and slate farm building located on the road frontage;
- conversion and extension of a barn to a dwelling;
- conversion of an agricultural building to caravan site facilities;
- access driveway;
- 2 fishing pools with central islands;
- 1 specimen pool and a wildlife pond;
- car park for fishing pools, including disabled spaces;
- play area;
- 27 caravan pitches
- landscaping.

The proposal did include earth bunds but these have been omitted in amended plans.

7.04 The development would create 2 full time jobs and 4 part-time jobs. The fishing would be open all year. The caravan park would be open from 1st March to 31st October.

7.05 The existing barn has a 2 storey element measuring about 8.8m long x 5.7m wide x 6m high and a single storey element measuring about 12m long x 6m wide and about 4.5m high. The conversion would involve new roof lights on the rear elevation. To the rear would be a single storey 9m x 9m x 4.3m high extension for a bedroom, sitting area and living room, facing south.

- 7.06 The existing agricultural building, measuring approximately 14m x 10.5m x 5m high, with a small projection of 6m x 3m x 4m high, would be extended by 7m x 6m to provide café, reception, toilets, kitchen and maintenance/storage area.
- 7.07 The new access would be formed at the western end of the road frontage and serve a road through the site to the caravan park. Five parking spaces would be provided for the café; 20 spaces for the fishing and 2 disabled parking spaces by the first fishing pool. A private drive off the access road would serve the barn converted to a house.
- 7.08 The application is accompanied by the following supporting documentation - Covering letter; Design and Access Statement; Business plan report; Ecological assessment report; Speed survey; Electrical supply housing unit; Klargestor plant report; Structural overview report; Caravan park eurobollard services supply and a letter from North Wales Training agency regarding the applicant's offer of an open day with fishing tuition for student placements.

7.09 Covering Letter

The agent says the proposal will create a facility to provide mainly leisure activities for visitors. The site is near to a major public right of way and will provide facilities for local people as well. The following points are made:

- i) disabled toilets, fishing positions and parking will be provided;
- ii) wildlife will be introduced with ducks to fishing pools;
- iii) enhanced landscaping with hedges, trees and shrubs;
- iv) 6 jobs will be provided;
- v) enhanced tourism;
- vi) caravanners can use the adjacent dog boarding kennels;
- vii) site is close to areas of local interest eg Ewloe Castle, Wepre woods and park;
- viii) the fishing pools will be filled from a borehole drilled and located at the front of the site. This water may be drinkable, therefore allowing the site to have its own water resource.

7.10 Design and Access Statement

The Design and Access Statement says the proposal involves 27 caravan berths, 2 fishery pools with 38 pitches and a specimen pool with 8 pitches. The caravan site will be screened by substantial planting. The fishing pools would be at the southern end of the site which is the lowest and quietest part.

- 7.11 The barn to be converted to a dwelling is segregated from the overall development with its own access from the new entrance. It will have a single story extension.

7.12 The agricultural shed would be extended to incorporate maintenance storage, catering, washing and toilet facilities. It will be reconstructed to give the appearance of an agricultural building, retaining brick walls with vertical timber cladding to gable ends above eaves level and use insulated Kingspan roofing panels.

7.13 Oak trees will be planted between the caravan site and fishing pools. Around the fishing pools will be grassed areas with shrubs.

7.14 Business Plan Report

The business information submitted with the application shows projections for income levels for the first 3 years of trading. The income streams are based on the assumption that there will be 25% occupancy of the caravan site /usage of the fishing pools in the first year; 50% in the second year and 80% in the third year of trading. Full occupancy means 27 caravan rentals per day for 8 months and 42 fishing pegs per day for the whole year.

	Year 1	Year 2	Year 3
Caravan	£51,940	£84,980	£124,740
Fishing	£26,754	£53,508	£85,684
Total	£78,694	£138,488	£210,424

After the 3rd year income levels are expected to be fairly static.

7.15 The project is likely to cost £500,000 to set up. The above income levels would be required to fund the set up costs and cover running costs, including wages. Without the caravan site the income generated by the fishing would remain fairly static at £20,000 pa, making the project unfeasible.

7.16 Amendments

The application has been amended at officer request as follows:

1. landscaping – additional planting and wildlife pond at the site entrance.
2. tree planting - provision of a row of oak trees to the north of the existing ditch, between the caravans and the lakes.
3. the barn to be converted to a dwelling – plans amended to show roof lights on rear elevation instead of front. The size of the extension remains the same so as to obtain sufficient funding for the whole enterprise.
4. the bund, fence and planting between the proposed dwelling and caravan site have been removed, to allow better supervision and surveillance from the proposed manager's accommodation.
5. ponds - specimen pond has been moved to the south west corner of the site, under the electricity cables. Fishing pools

now have curves but have to follow a specific shape to maintain required relationships. Pools need to be 36 metres wide to cater for the rod lengths of the 2 opposing pegs and pegs need to be 10 metres minimum between each other and must be staggered with the opposite pegs at the half way point. A minimum of 15 m is needed between pools.

6. bunds and landscaping – timber fencing with hedging replaces earth bunds. Hawthorn and native species will be used.
7. café/toilet/service building and caravan site – bunding removed, play area relocated adjacent to café for child supervision.
8. parking areas –parking area for fishing pools relocated opposite entrance to caravan park. Disabled parking for fishing now located adjacent to the 2 disabled pegs on fishing pool A.

7.17 Policy Considerations and the Principle of Development

The site lies within the green barrier in open countryside. The most important attribute of a green barrier is its openness and there is a general presumption against any inappropriate development within a green barrier except in very exceptional circumstances. These circumstances should outweigh any harm that may be done to the green barrier and its openness. The visual amenity of the green barrier should not be detrimentally affected by development.

- 7.18 The key to acceptability of this proposal is in the detail, having regard to its green barrier location covered by policy GEN4 Green Barriers and the requirements of policies STR6 Tourism, SR2 Outdoor Activities and T6 Touring Caravan Sites.

- 7.19 *Policy GEN4 'Green Barriers'* says development within green barriers will only be permitted where it comprises (amongst others):

- the re-use of existing buildings; and
- other appropriate rural uses/development for which a rural location is essential,

provided that it would not:

- contribute to the coalescence of settlements; and
- unacceptably harm the open character and appearance of the green barrier.

- 7.20 This proposal involves the re-use of 2 existing buildings – the barn for a house and the agricultural building for a café/toilet/reception/maintenance block. Built development also includes the new access, access drive, car parking areas and caravan hard standings. Built development is therefore minimal and is sited, designed and landscaped so as to not unacceptably harm the openness of the green barrier. The caravans would be sited at the northern end of the site, closest to the buildings, minimising visual impacts. A rural location would be the norm for a caravan site and fishing pools.

- 7.21 An issue is whether the proposal would contribute to the coalescence of Northop Hall and Ewloe. The buildings are existing so there would be little change. The fishing ponds would be at ground level, apart from the islands, so there would be limited impact. The caravans would be seasonal, occupy an area of land approximately 80 metres wide x 70 metres deep therefore it is considered that the space between the two nearby settlements will not be compromised.
- 7.22 The proposal complies with *Policy STR6 'Tourism'* as it will meet the needs of visitors and residents; it will be in scale and type appropriate to the locality particularly as the caravans will be sited for 7 months rather than 12; it involves regeneration of existing buildings and a vacant use for a beneficial economic use contributing to rural diversification.
- 7.23 The proposal complies with *Policy SR2 Outdoor Activities* as it would not unacceptably harm the character and appearance of the site and its surroundings, residential or other amenity, or any landscape, nature or conservation interest, due to the seasonal nature of the caravan site, the additional planting and location of the caravans. The site is accessible by a choice of modes of travel other than the private car, located on a bus route.
- 7.24 The proposal complies with *Policy T6 Touring Caravan Sites* as it would not have a significant adverse impact on the amenity of nearby residents, other users of nearby land/property or the community. The nearest dwelling is the house opposite, Stamford Way Farm, about 70m from the nearest caravan. The dwelling associated with boarding kennels is about 150m from the nearest caravan. Because the caravans are located on the part of the site nearest to the buildings and the circulation road has been reduced in length to serve only the caravan site, the proposal is appropriate to this locality. The site is not in an area of landscape or nature conservation protection. Additional planting will provide increased screening from the main road. Mitigating measures for birds are covered by condition. The amended plans remove the bunding which would have given an artificial appearance to the site and replaced it with additional planting at the site entrance, between the caravan site and fishing pools and along the boundaries. The site is adjacent to the B5125 linking westwards to Northop Hall, Northop and the A55 and eastwards to Ewloe, the A494, Hawarden, Broughton and the A55 towards Chester. These routes are suitable for use by vehicles towing caravans and by motorhomes. The recommended condition would ensure caravans are removed from the site between November and February each year. Essential service buildings can be provided within existing building.
- 7.25 *Policy GEN3* allows for developments related to tourism, leisure and recreation to be located in the open countryside, provided there is no unacceptable impact on the social, natural and built environment. In

this case it is considered the caravan park and fishing pools would not be detrimental to the social, natural or built environment.

- 7.26 The application meets the requirements of *Policy HSG7* as:
- a. the building is structurally sound and capable of conversion without significant extension, extensive rebuilding, or external alteration, as evidenced by the submitted structural report of the barn. It does not need rebuilding but there is a proposed rear extension.
 - b. the traditional architectural and historic features are retained.
 - c. adequate privacy and amenity space is provided. The main issue is the effect of the proposed extension on the character and appearance of the area, by virtue of its scale.
 - d. the proposed conversion to residential use would be in connection with use of the whole site for business purposes and was purchased as a unit after a farm was split up.
- 7.27 In this case the traditional existing brick, stone and slate building is in good condition, capable of conversion. The applicant is applying for a single storey rear extension of 9m x 9m x 4.3m high. The curtilage is adequate and the amended scheme shows a 1.5m fence between the dwelling and the caravan park, enabling surveillance of the business.
- 7.28 A substantial amount of new planting is proposed on the site boundaries and within the site, to enhance the landscape and add to screening. It therefore complies with *Policy L1*.
- 7.29 *Policy RE4* is relevant to the proposals for the conversion and extension of the agricultural building a service building for the caravan park and fishing pools. The proposal complies with the policy as the building is structurally sound and capable of conversion without major or complete reconstruction and it is suitable for the specific re-use. The development is of a form, bulk, design and materials and sited so as to respect the character of the site and surroundings. It does not unacceptably harm features or areas of landscape, nature conservation or historic value. The permission can be conditioned to not allow external storage or operations which would be harmful to residential amenity or to the character and appearance of the area. Satisfactory on-site parking, servicing and manoeuvring space for the nature and volume of traffic likely to be generated which should be capable of being served satisfactorily by the highway network is proposed. The site is accessible by a choice of means of travel, particularly by foot, cycle or public transport.
- 7.30 PPW paragraph 7.6.8 in relation to 'supporting the economy', says the re-use and adaptation of existing rural buildings has an important role in meeting the needs of rural areas for tourism and recreation. Local planning authorities should adopt a positive approach to the conversion of rural buildings for business re-use, especially those buildings located within or adjoining farm building complexes,

provided that:

- a. they are suitable for the specific reuse;
- b. conversion does not lead to dispersal of activity on such a scale as to prejudice town and village vitality;
- c. their form, bulk and general design are in keeping with their surroundings;
- d. imposing conditions on a planning permission overcomes any planning objections;
- e. if the buildings are in the open countryside, they are capable of conversion without major or complete reconstruction;
- f. conversion does not result in unacceptable impacts upon the structure, form, character or setting where the building is of historic and/or architectural interest.

It is considered that the proposal complies with this WG advice.

7.31 The amended proposal is considered acceptable in planning policy terms.

7.32 Access and highway considerations

The proposed new access is in a similar position to that dismissed on appeal, so it is important to explain the differences between the schemes.

7.33 In dismissing the appeal the Inspector considered the 5m wide access would represent an urbanising and incongruous feature that would be harmful to the character and appearance of the surrounding rural area. The Inspector noted that the area of land to be served by the proposed access amounted to only 2.4 hectares and was not part of an agricultural holding. Therefore there was no need for such a wide entrance as only one vehicle would need to gain access to the field at any one time and another would not be exiting at the same time.

7.34 In this case, the proposed 5m wide access would serve a new commercial enterprise. It therefore needs to be wide enough for 2 vehicles to pass. The Head of Assets and Transportation has no objection, subject to conditions.

7.35 Ecology

The site itself is primarily improved grassland with mixed hedgerows. The site is within 150m of Deeside and Buckley Newt Sites Special Area of Conservation (SAC) and Wepre Wood Site of Special Scientific Interest (SSSI) which are designated for their woodland and great crested newts. The nearest GCN breeding site is over 500m away.

- 7.36 The submitted Ecological Assessment looks at habitats and species. It refers to a Bat and Breeding Bird Survey which found no evidence of bats in any of the buildings but large numbers of nesting swallows. Mitigation measures mentioned in that survey need to be incorporated into the existing proposals. Swallow nesting sites need to be undercover and if the renovated buildings are not suitable the provision of a suitable swallow nesting barn may be required.
- 7.37 Whilst it is considered unlikely that Great Crested Newts will be found on site, it is recommended that features are provided to maintain and enhance connectivity for amphibians in general. A wildlife pond should be created away from the fishing pools and camping area – and this is shown on the amended plans. There are opportunities for other enhancements through the planting of native species and grassland management to benefit native species. There are opportunities to plant oak trees – this is shown on the amended plans.
- 7.38 The proposal involves removal of a mainly hawthorn and gappy roadside hedge to create the appropriate sight lines. A new hedge outside the sight lines could ultimately be beneficial by using a greater variety of native species. The proposed site plan shows scattered shrub planting along the roadside boundary which would not be acceptable in ecological terms. The amended plan shows timber fencing with vertical posts and half round horizontal rails with hedge planting in front, to consist of hawthorn and a mix of variety of native species.
- 7.39 In summary, providing habitat connectivity for amphibians is maintained through native planting and the inclusion of a wildlife pond, the roadside hedge is replaced with a native hedge and there is appropriate mitigation for swallows and barn owls, there is no ecological objection to the proposal. These issues are included in the recommended conditions.

8.00 CONCLUSION

- 8.01 It is considered that the scale, layout, design and intensity of the proposal, as shown on the amended plans, will not cause unacceptable harm to the open character and appearance of the green barrier or the open countryside location. The application is therefore recommended for approval.
- 8.02 In considering this planning application the Council has acted in accordance with the Human Rights Act 1998 including Article 8 of the Convention and in a manner which is necessary in a democratic society in furtherance of the legitimate aims of the Act and the Convention.

Contact Officer: Sally Cunliffe
Telephone: (01352) 703254

Email: sally.cunliffe@flintshire.gov.uk