

SCHEDULE A: Applications with Recommendation

14/0124

Item No: 05

Date of Committee: 11/04/2014

Appn Ref No:
14/0124

Applicant:
Mr Paul Holder

Parish:
Dalston

Agent:

Ward:
Dalston

Location: Dalston Hall Caravan Park, Dalston, Carlisle, CA5 7JX

Proposal: Change Of Use Of Golf Practice Range/Course To Provide Extension To Existing Caravan Park To Form 16no. Additional Stances For Holiday Use (Revised Application)

Date of Receipt:
18/02/2014

Statutory Expiry Date
15/04/2014

26 Week Determination

REPORT

Case Officer: Barbara Percival

1. Recommendation

- 1.1 It is recommended that this application is approved with conditions.

2. Main Issues

- 2.1 Whether the principle of development is acceptable
- 2.2 Impact of the proposal on living conditions of neighbouring residents
- 2.3 Impact of the proposal on Grade II* Listed Building
- 2.4 Impact of the proposal on Ancient Monument
- 2.5 Impact of the proposal on landscape character
- 2.6 Method of disposal of foul and surface water
- 2.7 Impact of the proposal on highway safety

3. Application Details

The Site

- 3.1 Dalston Hall Caravan Park is located in a relatively isolated location on the eastern side of the B5299 Carlisle to Dalston road. The centre of Dalston with its services is located approximately a mile south west from the entrance

of the site.

The Proposal

- 3.2 The application seeks Full Planning Permission for the change of use of part of a golf practice range/course to provide an additional 16no. stances for static caravans. Immediately adjacent to the application site is a parcel of land which has extant Planning Permission for the creation of 9no. static pitches.
- 3.3 A belt of sporadic trees runs along the north western boundary with an area of more extensive planting to the north east. Two further groups of trees lie immediately to the south of the site.
- 3.4 Access to the site would be via an existing access road which has its junction with the B5299 Carlisle to Dalston Road. The access road also serves Dalston Hall Hotel, Dalston Hall Golf Club (in the applicant's ownership) and Holly Lodge located at the entrance of the access road.

4. Summary of Representations

- 4.1 This application has been advertised by the direct notification of three neighbouring properties and the posting of a Site Notice. In response, two letters of objection has been received together with a Petition of support containing sixteen signatories.
- 4.2 The letter of objection identifies the following issues:
 - 1. the access road is in urgent need of repair and should be repaired by the caravan site due to the increase in traffic which has developed over the last 10 years.
 - 2. increase in traffic past residential property.
 - 3. contrary to Policy EC15 and LE12 of the Local Plan.
 - 4. adverse impact on the setting of Grade II* Listed Building.
 - 5. negative impact upon adjacent business.
- 4.3 The petition has been signed by local businesses in and around Dalston which accompanied the application and has been recorded as such. The comments include:
 - 1. Good for the community and area.
 - 2. If this brings more people into the community. This is good all round.
 - 3. Superb and good for local businesses.

4. Likely to be beneficial for local businesses.
5. Generates valuable income for the local economy.

5. Summary of Consultation Responses

Cumbria County Council - (Econ. Dir. Highways & Transportation): - the proposal will not have a material affect on existing highway conditions, therefore, there are no objections to the proposal;

Dalston Parish Council: - no comments;

Environment Agency (N Area (+ Waste Disp & Planning Liaison Team): - site benefits from a sewage discharge permit issued by the Environment Agency (EA), the applicant has provided data to the EA, based on current occupancy rates that the existing sewage treatment plant has sufficient capacity to remain within the discharge limits. The site will need to record daily water usage to ensure that daily discharge rates remain within permit limits;

Cumbria Constabulary - North Area Community Safety Unit: - no observations or comments to offer in respect of the proposal;

Cumbria County Council - (Archaeological Services): - no objections and do not wish to make any comments or recommendations;

English Heritage - North West Region: - our specialist staff have considered the information received and do not wish to offer any comments on this occasion.

6. Officer's Report

Assessment

- 6.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals be determined in accordance with the Development Plan, unless material considerations indicate otherwise.
- 6.2 The Development Plan for the purposes of the determination of this application is the Carlisle District Local Plan 2001-2016. Of particular relevance are Policies DP1, CP1, CP2, CP3, CP5, CP12, EC15, LE6, LE12 and T1 of the Carlisle District Local Plan 2001-2016.
- 6.3 The National Planning Policy Framework (NPPF) and Planning Practice Guidance (March, 2014) are also material planning considerations in the determination of this application. The main thrust of the NPPF outlines that the purpose of the planning system is to contribute to the achievement of sustainable development.
- 6.4 Paragraph 215 of the NPPF highlights that due weight should be given to the relevant policies in existing Plans according to their degree of consistency with the NPPF (the closer the policies in the Plan to the policies in the

Framework, the greater the weight that may be given).

6.5 The proposals raise the following planning issues:

1. Whether The Principle Of Development Is Acceptable

- 6.6 Paragraph 7 of the NPPF outlines that there are three dimensions to sustainable development: economic, social and environmental all of which give rise to the need for the planning system to perform a number of roles. The NPPF goes on to highlight that these roles should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore, to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system. The planning system should play an active role in guiding development to sustainable solutions.
- 6.7 Paragraph 14 of the NPPF outlining that "*there is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking*". This is further reiterated in paragraphs 25 and 28 which highlight that the sequential approach should not be applied to applications for small scale rural offices or other small scale rural development; and that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should: support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings; promote the development and diversification of agricultural and other land-based rural businesses; support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.
- 6.8 The aforementioned advice is elaborated in Policies DP1 and EC15 of the Carlisle District Local Plan 2001-2016. Policy DP1 of the Local Plan seeks to promote sustainable development through concentrating development in the urban area then Key and Local Service Centres. Outside of these locations, in the remote rural area, proposals for new development are to be assessed against the need to be in the location specified or is required to sustain existing businesses. Policy EC15 of the Local Plan, recognises that proposals for the development of caravan sites are a valuable tourist facility; however, proposals have to demonstrate compliance with the criteria identified within the policy and are, likewise, not in conflict with any other relevant planning policies.
- 6.9 In light of the foregoing and in overall terms, the principle of an expansion to the existing caravan park is supported by policies both within the NPPF and

the Local Plan; however, a more detailed analysis illustrating compliance with the policies of the NPPF together with the relevant policies within the Local Plan will be discussed below.

2. Impact Of The Proposal On The Living Conditions Of Neighbouring Residents

- 6.10 Holly Lodge is sited at the entrance of the access road which serves the existing caravan site, Dalston Hall Golf Course and Dalston Hall Hotel. It is inevitable that there would be some increase in traffic using the access road; however, in respect of the caravan site business this would be off-set by the noticeable decrease in membership and paying golfers to the golf course.
- 6.11 In comparison to the existing uses and relationship to neighbouring properties, it is considered that the proposal will not exacerbate any problems associated with noise and disturbance.
- 6.12 At this stage Members should note that the planning consultant acting on behalf of the operator of Dalston Hall has raised objections to the proposal with regard to visual impacts but with specific regard to the setting of Dalston Hall as a grade II* Listed Building (as opposed to any other receptor points) as well as maintaining that the proposal will have an adverse impact upon the landscape character of the surrounding area. The issues of the impact on the setting of a Listed Building and landscape character (i.e. the landscape impacts that relate to the characteristics of the landscape) will now be addressed.

3. Impact Of The Proposal On The Setting Of The Grade II* Listed Building

- 6.13 Dalston Hall Hotel, a Grade II* Listed Building, is located approximately 70 metres south west of the south western corner of the application site. As such a judgement has to be taken as to the impact of the development on the Listed Building and its setting.
- 6.14 English Heritage had produced a document entitled 'The Setting of Heritage Assets' which was intended to be read in conjunction the now superseded Planning Policy Statement 5: Planning for the Historic Environment. Whilst some reference in the document is now out-of-date, English Heritage believes that the document still contains useful advice and case studies. The document sets out English Heritage's guidance on managing change within the setting of heritage assets.
- 6.15 The document provides a definition of the setting of a heritage asset as *"the surroundings in which [the asset] is experienced. Its extent is not fixed and may change as the asset and its surroundings evolve. Elements of a setting may make a positive and negative contribution to the significance of an asset, may affect the ability to appreciate that significance or may be neutral"*. The NPPF reiterates the importance of a setting of a listed building by outlining that its setting should be taken into account when considering the impact of a proposal on a heritage assets (paragraph 132). However, in paragraph 134,

the NPPF goes on to say that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal.

- 6.16 The Planning Practice Guidance (March, 2014) explains that when assessing any application for development which may affect the setting of a heritage asset, authorities may also need to consider the fact that developments which materially detract the asset's significance may also damage its economic viability now, or in the future, thereby threatening its ongoing conservation. In relation to assessing harm the Guidance confirms that such a judgement is for the decision taker having regard to the circumstances of the case and the policy in the NPPF. In general terms it is the degree of harm to the asset's significance rather than the scale of the development that needs to be assessed. The harm may arise from works to the asset or from development within its setting.
- 6.17 In this case the Listing Record describes Dalston Hall as originally being a fortified house dating from the mid or late Fifteenth century. In 2013, under application numbers 13/0440 and 13/0401, planning permission and Listed Building Consent were renewed for a first floor extension and ground floor conversion to form 8 rooms in the east wing and erection of a two storey lodge comprising 12 rooms at Dalston Hall. The topography of the surrounding area is such that Dalston Hall is located at a lower level than that of the application site. Indeed, when within the grounds of Dalston Hall itself, excluding the car park area, there are no views of the caravan park due to the lower ground level, the existing boundary treatments and mature landscaping. It is only from within rooms at first floor level and above that parts of the Caravan Park are visible albeit at an oblique angle and then this is partially obscured by existing mature landscaping. In respect of this application (and in the context of the extant permission and consent granted under 13/0440 and 13/0441, and the concerns raised on behalf of the proprietor), it is considered that any adverse impact will not seriously affect the setting of Dalston Hall and that this impact can be satisfactorily addressed by additional landscaping.
- 6.18 English Heritage has not raised any objections to the proposal.

4. Impact Of The Proposal On The Ancient Monument

- 6.19 The remains of Bishop's Dyke, a medieval earthwork, is located to the north of the application site which is a legally protected as Scheduled Monument. The Design and Access Statement, submitted as part of the application, acknowledges the presence of the Ancient Monument and outlines that the Ancient Monument would not be affected by the development. Cumbria County Council's Historic Environment Officer has been consulted and has not raised any objections to the proposal.

5. Impact Of The Proposal On Landscape Character

- 6.20 In relation to the impact on the landscape, tourism proposals are supported by policies within the NPPF and the Local Plan provided that there is no

adverse impact on the character of the area. The site falls within Type 5a Ridge and Valley and is neighboured by Type 5b Low Farmland (Insert 1 of the "Cumbria Landscape Character Guidance and Toolkit" 2011) (CLCG). The Ridge and Valley sub type is characterised by a series of ridges and valleys that rises gently towards the limestone fringes of the Lakeland Fells. The key characteristics include well managed regular shaped medium to large pasture fields; hedge bound fields interspersed with native woodland, tree clumps and plantations; scattered farms and linear villages; and that large scale structures are generally scarce.

- 6.21 In consideration of the proposal, the application has been submitted against the current denuded backdrop of the existing golf course and caravans mitigated by the existing belts of mature landscaping. In such a context it is evident that the proposal will not be detached from the existing caravan park and the location is not considered to be highly visible. Furthermore, the scheme proposes the retention of existing landscaping together with additional planting which, if Members consider appropriate, can be enhanced by further landscaping works. Accordingly, it is considered that any impact can be satisfactorily mitigated and enhanced through additional landscaping (which can be undertaken to reflect the existing characteristics of the Ridge and Valley sub type) together with the imposition of relevant conditions regarding the external colour of all new caravans, and external lighting.

6. Method Of Disposal Of Foul Water

- 6.22 Policy CP12 of the Local Plan seeks to protect the quality of ground and surface waters against the risk of pollution from the inadequate provision of foul water drainage systems. The submitted drawings and documents submitted as part of the application outline that foul drainage would go to an existing package sewage treatment plant serving the caravan site.
- 6.23 The Environment Agency has been consulted and has confirmed that it has no objections to the proposal as the relevant discharge licence has been obtained by the applicant. Furthermore, the Agency are satisfied that based on the current occupancy rates the existing treatment plant has sufficient treatment capacity to remain within discharge limits. Accordingly, the proposed method for the disposal of foul drainage is considered acceptable.

7. Impact Of The Proposal On Highway Safety

- 6.24 It is inevitable that there would be some increase in traffic to the caravan park as a result of the proposal. However, this increase could be off-set by a decline in visitors to the golf club. Cumbria County Council, as Highways Authority, has been consulted and has no objections to the proposal. Accordingly, it is considered that the application would not have such an impact on highway safety as to warrant a refusal of permission.

8. Benefits

- 6.25 The submitted application form identifies that the site currently provides

employment to four full time workers and a single part-time worker. The comments from interested parties have also highlighted the wider benefits to the local community in having such a facility.

9. Other Matters

- 6.26 Objections had been raised by the occupier of a neighbouring property as to the poor condition of the access track serving both Dalston Hall Caravan Park and Dalston Hall. Although a civil matter, the applicant has subsequently confirmed that the access driveway has been repaired at their expense.

Conclusion

- 6.27 In overall terms, the principle of development is considered to be acceptable. Furthermore, subject to the imposition of relevant conditions (including the provision of additional landscaping), it is considered that the proposal would not have a detrimental impact on Dalston Hall (a grade II* Listed Building) or its setting; the Bishop's Dyke Ancient Monument; and the landscape character of the area. In addition, it is considered that the proposal will not lead to any demonstrable harm to the living conditions of the occupiers of any neighbouring properties, nor have a detrimental impact on highway safety. The proposed method for the disposal of foul water is acceptable.
- 6.28 Accordingly, the recommendation is for approval subject to the imposition of relevant conditions.

7. Planning History

- 7.1 The site and adjacent fields have a long and varied history through its use as a caravan site and golf course.
- 7.2 In 2013, under application numbers 13/0440 and 13/0401, planning permission and Listed Building Consent were renewed for a first floor extension and ground floor conversion to form 8 rooms in the east wing and erection of a two storey lodge comprising 12 rooms at Dalston Hall.
- 7.3 Dalston Hall is also the subject of a current application, reference number 14/0101, for the erection of a marquee.

8. Recommendation: Grant Permission

1. The development shall be begun not later than the expiration of 3 years beginning with the date of the grant of this permission.

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

2. The approved documents for this Planning Permission comprise:
1. the submitted planning application form received 18th February 2014;
 2. the Design and Access Statement received 18th February 2014;
 3. the Tree Survey received 27th February 2014;
 4. the site and block plan (drg. no. GP.3);
 5. the Notice of Decision; and
 6. any such variation as may subsequently be approved in writing by the Local Planning Authority.

Reason: To define the permission.

3. The static caravans shall only be occupied between the 1st March and the 31st January the following year.

Reason: To ensure that the approved caravans are not used for unauthorised permanent residential occupation in accordance with the objectives of Policy EC15 of the Carlisle District Local Plan 2001-2016.

4. The static caravans shall be used solely for holiday use and shall not be occupied as permanent accommodation.

Reason: To ensure that the approved caravans are not used for unauthorised permanent residential occupation in accordance with the objectives of Policy EC15 of the Carlisle District Local Plan 2001-2016.

5. The static caravans which occupy the stances hereby approved shall be finished in Acadia Green or Cedar Brown and remain so unless agreed in writing by the Local Planning Authority.

Reason: To safeguard the landscape character of the area in accordance with Policy CP1 of the Carlisle District Local Plan 2001-2016.

6. No caravan shall be occupied until the foul drainage system for each caravans occupying the stances hereby approved is connected to the package sewage treatment plant as indicated on Drawing Number GP.3.

Reason: To ensure that adequate foul drainage facilities are available in accordance with Policy CP12 of the Carlisle District Local Plan 2001-2016.

7. All works comprised in the approved details of landscaping as indicated on Drawing Number GP.3 shall be carried out in the first planting and seeding season following the occupation of the first caravan or the completion of the development, whichever is the sooner, and maintained thereafter to the satisfaction of the Council; and 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 similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure that a satisfactory landscaping scheme is implemented in accord with Policy CP3 of the Carlisle District Local Plan 2001-2016.

8. Before any development is commenced on the site, including site works of any description, a protective fence in accordance with Fig. 2 in B.S. 5837: 2005 shall be erected around the trees and hedges to be retained at the extent of the Root Protection Area as calculated using the formula set out in B.S. 5837. Within the areas fenced off no fires should be lit, the existing ground level shall be neither raised nor lowered, and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon. The fence shall thereafter be retained at all times during construction works on the site.

Reason: In order to ensure that adequate protection is afforded to all trees/hedges to be retained on site in support of Policies CP3 and CP5 of the Carlisle District Local Plan 2001-2016.

9. Prior to installation details of any proposed means of external lighting to serve the extension to the existing caravan park hereby permitted shall be submitted to and approved in writing beforehand by the Local Planning Authority.

Reason: To safeguard the character of the area.
