

Allerdale Borough Council

Delegated Planning Application

Reference No: 2/2017/0026
Valid Date: 02/02/2017
Location: The Holiday Lodges Brayton Park
Brayton
Aspatia
Wigton
Applicant: Mr H Ward

Drawing Numbers: Proposed lodge details
Ecological Scoping Survey 2016
16.32.LOC Rev A - Location Plan received 23 May 2017
16.32.SITE 3 - Site layout plan with ground modelling
16.32.SECTION2 - Section through site
16.32.SECTIONS - Proposed section details
Letter and accompanying plans received 23 May 2017
Letter and plan received 4 May 2017
Letter received 28 April 2017
Geophysical Survey Report
08 06 RC CD Construction Detail to Road Crossing received 28 April 2017
08 06 REC Road Crossing Detail received 28 April 2017
Rainwater Harvesting Details received 28 April 2017

Proposed Development: Change use of land to accommodate holiday lodges together with associated infrastructure
Recommendation: **APPROVE**

Summary/Key Issues

Issue	Conclusion
Principle of development	The expansion of the existing tourist accommodation is considered acceptable in terms of Policy S3 and S17 of the Allerdale Local Plan (Part 1), Adopted July 2014
Access	The existing access will be utilised and Cumbria Highways raise no objections.

Proposal

The applicant seeks consent to change the use of land to accommodate holiday lodges together with associated infrastructure.

Site

The site forms part of a wider site that offers a restaurant, golf course and already has lodges installed from an earlier permission 2/2008/0076. The proposed lodges will be located to the north of the existing lodges.

Relevant Policies

National Planning Policy Framework

Building a strong, competitive economy

Meeting the challenge of climate change, flooding and coastal change

Conserving and enhancing the natural environment

Requiring good design

Allerdale Local Plan (Part 1), Adopted July 2014

Policy DM14 - Standards of Good Design

Policy S1 - Presumption in favour of sustainable development

Policy S17 - Tourism, Coastal and Countryside Recreation

Policy S2 - Sustainable development principles

Policy S22 - Transport principles

Policy S29 - Flood Risk and Surface Water Drainage

Policy S3 - Spatial Strategy and Growth

Policy S32 - Safeguarding amenity

Policy S33 - Landscape

Policy S35 - Protecting and enhancing biodiversity and geodiversity

Policy S4 - Design principles

Policy S5 - Development Principles

Relevant Planning History

2/2008/0076 Change of use of land to provide holiday lodges for holiday purposes – Approved.

Representations

Aspatria Parish Council – No reply to date.

Environmental Health – No objection in principle. As the holiday lodges come under the description of mobile homes and the development site is in close proximity to historic deep coal workings we recommend that the mining advisory note is forwarded to the applicant.

Cumbria Highways – It is noted from the statement received from Paul Boustead on

25th April 2017 that the footway arrangement, providing a link from the site to Aspatria has been agreed previously. I can therefore confirm that the Highway Authority has no objection to the proposed development.

Fire Officer – No reply to date.

Environment Agency – It is the applicants intention to dispose the additional foul drainage from the proposed 13 holiday lodges into the existing treatment plant that serves the site.

The applicant should ensure that the existing treatment plant is capable of accepting the additional capacity along with serving the existing site.

The applicant should be advised to contact us as a discharge of this size requires an Environmental Permit from us and our records indicate that they are currently operating without a Permit.

Natural England – No comment to make.

Cumbria Wildlife Trust – No reply to date.

Cumbria constabulary – No observations or comments to offer.

Drainage Engineer – No reply to date.

Access Officer – Agents letter dated 4 May 2017 and Amended drawing 16.2 Site Layout for Disabled Access in respect of access for disabled people satisfy my comments of 8 February 2017.

County Archaeologist – Other than registering my regret that the site had already been disturbed prior to the survey taking place thereby not permitting an opportunity to investigate and record any archaeological assets that may have been there, I confirm that I have no additional comments or recommendations to make.

The application has been advertised on site and in the local paper. Adjoining owners have been notified. No representations have been received to date.

Main Issues:

Principle of development

The proposal site lies to the east of the Town of Aspatria. Although the proposal site is located outside of any settlement limit and located within the open countryside Policy S3 Spatial Strategy and Growth supports a tourism proposal which requires a countryside location. The current application seeks to extend existing tourism accommodation at the site.

Policy S17 of the Allerdale Local Plan supports tourist accommodation outside of Principal, Key and Services centre where it has no significantly harmful impact (directly or

indirectly) on the countryside or coast in terms of landscape quality or ecological / biodiversity value and is of appropriate scale and design.

The site is accessed along an access track set back from the main highway. The site lies to the north of the existing lodges and when completed will be viewed as one proposal. The land rises to the north with trees beyond providing screening from the A596. Screening bunds are proposed around each lodge to offer a level of privacy between each lodge. Given the distance of the site from neighbouring properties officers to not consider the proposal will impact on the amenity of existing properties.

The designs of the lodges are appropriate for this rural location and will tie in with the existing built tourist accommodation.

Officers consider the expansion of the existing tourist accommodation is in line with Policy S3 and S17.

Access arrangements

The application site will see the existing access from the B5299 utilised with parking available adjacent to the lodges. A footway link is to be provided at the request of Cumbria Highways between the site and Aspatria onto the A596.

Cumbria Highways have confirmed they have no objections to the scheme.

Other Issues:

Drainage

The foul sewage will be connected to the existing sewage treatment plant located to the south west of the current application adjacent to the pond. The applicant has advised that the original system installed to provide adequate foul drainage provision for a greater number of lodges than currently proposed and is more than suitable for the current development.

The applicant is proposing a rainwater attenuation system to each lodge to accommodate the surface water drainage. This will ensure that the rainwater runoff from the hard surfaces associated with each lodge will be no greater than the green field runoff, taking into account 30% for climate change.

Archaeology

The site lies in an area of archaeological potential within the 18th century designed landscape of Brayton Park. Evidence for Viking activity is shown by a brooch from that period having been found in the nearby fish pond. Aerial photos show cropmarks in the vicinity of the site that are indicative of prehistoric settlement, burial practices and agricultural remains. Furthermore, a geophysical survey of the adjacent golf course site revealed buried features of potential archaeological interest. It is therefore considered that the construction of the proposed development has the potential to disturb archaeological assets.

County Archaeology have recommended that further information is supplied by the applicant on the archaeological assets that may survive within the site and how any such remains would be impacted upon by the development prior to the determination of the application.

As previously requested, the applicant has commissioned a geophysical survey with the aim to provide information on below ground archaeological assets. It is disappointing to note however, that the survey was only able to cover a quarter of the total application area and was unable to survey any part of the site where the new lodges are proposed to be located. I understand that the survey could not take place in these areas because the soil from the site had already been stripped and that materials had been stockpiled above. The survey therefore does not show the impact that the development has had on buried archaeological assets and any assets that were located here will have been disturbed by the work that has already taken place. An opportunity to investigate and record these assets has been lost.

The geophysical survey highlights some features of potential interest below ground but these lie outside of the main impact of the proposed development and I do not see a need to investigate these features further.

Other than registering his regret that the site had already been disturbed prior to the survey taking place thereby not permitting an opportunity to investigate and record any archaeological assets that may have been there, the County Archaeologist confirms that he has no additional comments or recommendations to make.

Local Financial Considerations

Having regard to S70 (2) of the Town and Country Planning Act the proposal will have no local financial considerations.

Conclusion

Officers consider the proposal is considered acceptable and in line with National and local policy.

Annex 1

Conditions

- 1. The development hereby permitted shall be carried out solely in accordance with the following plans:**
Proposed lodge details
Ecological Scoping Survey 2016
16.32.LOC Rev A - Location Plan received 23 May 2017
16.32.SITE 3 - Site layout plan with ground modelling
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Reason: In order to ensure that the development is carried out in complete accordance with the approved plans and any material and non-material alterations to the scheme are properly considered.
- 2. The site hereby approved shall be used for holiday accommodation and for no other purpose (including any other purpose in Class C of the Schedule to the Town and Country Planning [Use Classes] Order 2015), or in any provision equivalent to that Class in any statutory instrument revoking or re-enacting that Order with or without modification.**
Reason: The Local Planning Authority would wish to examine the use of the building other than for holiday accommodation to assess whether it would be acceptable in terms of location, access and amenity, having regard to the National Planning Policy Framework and Policy S17 of the Allerdale Local Plan (Part 1), Adopted July 2014.
- 3. The holiday lodges hereby approved shall not be used at any time as the sole or principal residence by any occupants.**
Reason: The Local Planning Authority would wish to carefully examine the use of the building other than for holiday accommodation to assess whether it would be acceptable in terms of location, access and amenity, having regard to Policies S5 and S17 of the Allerdale Local Plan, (Part 1), Adopted July 2014.
- 4. The holiday lodges hereby approved shall not be used as a second home by any person.**
Reason: The Local Planning Authority would wish to carefully examine the use of the building other than for holiday accommodation to assess whether it would be acceptable in terms of location, access and amenity, having regard to Policy S5 and 17 of the Allerdale Local Plan, (Part 1), Adopted July 2014. (Saved).
- 5. A register of all occupants of the holiday accommodation hereby approved shall be maintained at all times and shall be made available for inspection by**

the Local Planning Authority within 10 days of a request. The register shall contain the name and address of the principal occupier together with the dates of occupation.

Reason: The Local Planning Authority would wish to carefully examine the use of the building other than for holiday accommodation to assess whether it would be acceptable in terms of location, access and amenity, having regard to the National Planning Policy Framework and Policy S17 of the Allerdale Local Plan (Part 1), Adopted July 2014.

- 6. There shall be no vehicular access to, or egress from, the site other than via the approved access, unless otherwise agreed in writing by the Local Planning Authority.**

Reason: To avoid vehicles entering or leaving the site by an unsatisfactory access or route, in the interests of road safety.

- 7. The approved footpath link to the A596 (including a barrier treatment to the existing track) shall be constructed prior to the occupation of the lodges hereby approved and retained at all times thereafter unless agreed in writing with the Local Planning Authority.**

Reason: To ensure a satisfactory means of pedestrian access to the lodges.

- 8. The approved footway crossing on the A596 shall be fully implemented prior to the occupation of any of the lodges hereby approved and retained at all times.**

Reason: To ensure a satisfactory means of pedestrian access to the approved lodges.

- 9. The works shall be implemented solely in accordance with the mitigation measures outlined in Section 10 of the Ecological Survey dated 2016.**

Reason: To safeguard the habitat of bats in compliance with the National Planning Policy Framework and Policy S35 of the Allerdale Local Plan (Part 1), Adopted July 2014.

Proactive Statement

Application Approved Following Revisions

The Local Planning Authority has acted positively and proactively in determining this application by identifying planning policies, constraints, stakeholder representations and matters of concern within the application (as originally submitted) and where appropriate negotiating, with the Applicant, acceptable amendments and solutions to the proposal to address those concerns. As a result, the Local Planning Authority has been able to grant planning permission for an acceptable proposal, in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

Applicant:

The applicant should be advised to contact the Environment Agency as a discharge of this size requires an Environmental Permit from us and our records indicate that they are currently operating without a Permit.

Further Guidance can be found at:

<https://www.gov.uk/guidance/discharges-to-surfacewater-and-groundwater-environmental-permits>

Case Officer Signature	C Fearon	Date	12.07.17
Counter Signing Officer	S Long	Date	12.07.17