

Item 5 - Report on Planning Applications

Application Ref: NP/15/0069/FUL

Case Officer	Caroline Bowen		
Applicant	Mr & Mrs N & M Macalast		
Agent	Mr C Kimpton, CK Planning		
Proposal	Retrospective application for camping/touring caravan site plus ancillary facilities and change of use part of Noddfa Farmhouse for visitor toilets and shower facility		
Site Location	Noddfa Farm, Llanrhian, Haverfordwest, Pembrokeshire, SA62 6DP		
Grid Ref	SM81283086		
Date Valid	09-Feb-2015	Target Date	05-Apr-2015

Summary

Members will recollect that at the Development Management Committee meeting, held on the 27th May 2015, they were minded to approve this planning application against the officer's recommendation.

The Director of Park Direction and Planning in accordance with National Park Authority policy (updated at its meeting of 5. 11.14) invoked the "cooling off" period to enable members to;

- (a) reconsider their preferred outcome, in light of any new evidence, and, if maintaining a similar stance, also consider,
- (b) any planning conditions which they consider should be imposed on the planning permission.

To recap, please refer to last month's officer's report on this application.

Summary of previous conclusion

The proposal has been considered against the policies of the current Local Development Plan, and whilst the applicant has put forward strong reasons for the retention of the campsite in this particular instance, the main policy – 38 – Camping, Touring Caravans, Statics and Chalet Sites - which is relevant to this proposal makes clear that no new camping sites will be supported.

As a result, the material considerations put forward by the applicant, while compelling, do not outweigh the very clear policy position set out on Policy 38 of the Local Development Plan, regarding such developments. As such, the application could not be supported by officers and the recommendation was to refusal.

Previous Recommendation

That the application be refused, for the following reason:

1. Policy 35 and 38 of the Pembrokeshire Coast National Park Local Development Plan state that new camping, caravanning, static caravan or chalet sites will not be permitted in the National Park. The provision of the 24 pitch campsite and associated development is therefore contrary to adopted Development Plan Policy.'

Addendum to the original committee report.

Consideration of personal permission

Since consideration of the application at May committee, officers have met with the applicant in order to discuss their personal circumstances.

The relevance of personal circumstances is clearly set out in Planning Policy Wales (edition 7), paragraph 3.1.6;

'Unless otherwise specified, a planning permission runs with the land and it is seldom desirable to provide for any other arrangement. Exceptionally, even though such considerations will rarely outweigh the more general planning considerations, the personal circumstances of occupiers, personal hardship or the difficulties of businesses which are of value to the local community, may be material to the consideration of a planning application. In such circumstances, permission may be granted subject to a condition that it is personal to the applicant. Authorities should bear in mind that personal permissions will hardly ever be justified for works or uses that will remain long after the personal circumstances of the applicant have changed.'

Whilst the issue of the personal circumstances of the applicants was not part of the original planning submission, it was raised verbally whilst the applicant addressed members. Members subsequently indicated that they considered that in this case the circumstances referred to could be material to the consideration of the application.

The applicants have now provided an additional statement which has been considered in conjunction with the supporting information provided in the original planning submission. Officers are now satisfied that a case for a personal permission could be made in this particular instance. The circumstances – which relate to the long term health prognosis of one of the applicants - support the requirement for the applicants to work from their home as a necessity, and, given the seasonal nature of the business, a personal permission for a seasonal period would be appropriate in this case and consistent with the exception recognised by national planning policy.

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Consideration of 'certificated' sites

At the previous meeting Members queried whether this proposal could or should have been considered under this scheme. The certificated site scheme provides for opportunities for new camping and caravan sites which are run by Exempted Bodies which are recognised caravanning and camping association. The exemption is long standing and now falls under Part 5 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended for Wales), under which the use of land as a caravan site is permitted where it is specified in paragraphs 2 to 10 of Schedule 1 to the Caravans Act 1960 (cases where a caravan site licence is not required). In other words, they are exempt from requiring planning permission. Exempted Body certification allows no more than 5 caravans, and up to 10 tents with the use restricted to members of the an Exempted Body. Such sites provide for small incomes often as part of farm diversification schemes.

In this instance, the main use is for 24 camping pitches as opposed to caravans, and is thus significantly larger than would be accepted under this exemption.

Revised recommendation

It is considered that the further information provided about health related personal circumstances does demonstrate that there is an exceptional circumstance in this instance, that would justify a personal permission the original recommendation is now replaced by one of approval, subject to the following conditions;

1. The camping site hereby approved shall be carried on only by Mr.N and Mrs.M Malacast [jointly] in connection with the occupancy of Noddfa Farm, Llanrhian. All structures, materials and equipment currently on the land in connection with the camping site permitted shall be removed within 3 months of the cessation of the occupation of the site by the above named persons.
Reason: This permission has been granted solely having regard to the special health related circumstances of the applicants and use not in accordance with the requirements of the condition would require the further consideration of the Local Planning Authority in the light of the Local Development Plan and any other material considerations. Policy: Local Development Plan – Policies 38 (Camping, Touring Caravans, Statics and Chalet Sites) and 42 (Employment Sites and Live Work Units).
2. The development shall be occupied only as a campsite, as described on the approved plans and shall not be occupied by any persons for more than 28 days in one continuous stay, and in any one calendar year. An up to date register shall be kept at the site hereby permitted and be made available for inspection by the local planning authority upon request. The register shall contain details of name, main home

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address and dates of arrival and departure of each visitor to the campsite.

Reason: In order to ensure that the accommodation is occupied solely for holiday purposes only and not for any other purpose. Policy: Local Development Plan – Policy 35 (Visitor Economy)

3. Visibility splays shall be provided on each side of the access giving a clear sight line of 70 metres along the nearside channel of the highway from within a distance of 2.4 metres back from the channel on the centre line of the access road.

Reason: In the interests of road safety. Local Development Plan – Policy 53 (Impacts of Traffic).

4. There shall be no growth or obstruction to visibility over 0.6 metres above the level of the crown of the adjacent carriageway within the approved visibility splays.

Reason: In the interests of road safety. Local Development Plan – Policy 53 (Impacts of Traffic)

Informative.

Natural Resources Wales letter and Planning Advice Note – 10th March 2015.