

Application Ref: NP/17/0597/S73

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|----------------------|--------------------------------------------------------------------------------|--------------------|-------------|
| Case Officer | Nicola Gandy | | |
| Applicant | Mr D Brown, Seaside Inns Ltd | | |
| Agent | Mr G Blain, Gerald Blain Ltd | | |
| Proposal | Variation of conditions 2 & 5 of NP/15/0526/FUL | | |
| Site Location | Buttyland Caravan & Camping Park, Manorbier, Tenby, Pembrokeshire, SA70 7SX | | |
| Grid Ref | SS06919916 | | |
| Date Valid | 23-Nov-2017 | Target Date | 18-Jan-2017 |

The application is referred to the Development Management Committee at the discretion of the Director of Planning for determination in view of the public interest in the site and its on-going development.

Consultee Response

PCC - Transportation & Environment: No objection

PCC - Head of Public Protection: Conditional Consent

Public Response

Neighbour notification letters were posted and a site notice erected in accordance with requirements of the Town and Country Planning (Development Management Procedure) (Wales) Order 2012.

3 letters of objection were received from local residents. The objections are summarised below and full copies of the objections are available to inspect on the application file:-

Noise – function room will increase the existing noise pollution issues
 Need – other function rooms are available in the vicinity of the site
 Inadequate parking provision
 Contrary to Policy 40 of the LDP
 Light Pollution
 Drainage
 Clubhouse is open to the public
 Breach of Human Rights Act

Policies considered

Please note that these policies can be viewed on the Policies page Pembrokeshire Coast National Park website -

<http://www.pembrokeshirecoast.org.uk/default.asp?PID=549>

LDP Policy 01 - National Park Purposes and Duty

LDP Policy 06 - Rural Centres

LDP Policy 08 - Special Qualities

LDP Policy 15 - Conservation of the Pembrokeshire Coast National Park

LDP Policy 29 - Sustainable Design

LDP Policy 30 - Amenity

LDP Policy 35 - Visitor Economy

LDP Policy 40 - Site Facilities on Tent, Chalet and Caravan Sites

Constraints

LDP Allocation

LDP Mineral Safeguard

Historic Landscape

Potential for surface water flooding

LDP Centre:50pc aff housing;30 units/ha

Recreation Character Areas

Landscape Character Assessment

Officer's Appraisal

Description of Proposal and Site

The application seeks permission to amend conditions 2 and 5 of NP/15/0526/FUL planning permission for the erection of a Clubhouse.

Condition 2 tied the permission to the approved plans, the building as constructed is not in accordance with the approved plans and this application seeks to regularise the following alterations:-

- Change the use of the first floor from managers accommodation to a function room

The application also seeks to remove Condition 5 which states:-

'The 'managers accommodation' identified on drawing Number 101 shall be used for the purposes of the manager and staff as a rest room as set out in your e-mail dated 15th December, 2015 and shall specifically not be used as a separate residential unit.'

The application site is a long established caravan site located on the eastern flank of Station Road running north toward Manorbier Station. The caravan site area straddles the Rural Centre boundary, as defined by Policy 6 of the Local Development Plan, with the eastern part of the site falling in the open countryside. The clubhouse is situated within the Rural Centre and within the existing curtilage of the caravan site.

There are a number of other buildings on the site including a reception building and toilet block. The main body of caravans are located on the land to the south of these buildings. To the north are residential properties; to the west is a garden centre and holiday park; and to the east are open fields.

Relevant Planning History

NP/17/0691/MAJ – 85 Static caravans and 16 dwellings – Undetermined

NP/17/0596/CLE – 140 camping seasonal pitches – Refused

NP/17/0258/FUL - Retention 35 hard standings & electric hook-up points; temporary change of use to chip shop and temporary reception building – Approved following a members' site visit.

NP/17/0229/S73– Vary condition no. 2 of NP/15/0526/FUL - Alterations to Clubhouse - Approved

NP/17/117/NMA – Non material amendment alteration in fenestration material – Approved 8/03/2017

NP/17/171/NMA – Non material Amendment – Increase in height of building – Withdrawn 6/04/2017

NP/16/0502/FUL – Amendment to NP/15/0526/FUL comprising change of use of first floor staff/managers accommodation to guest rooms and alterations to clubhouse - Withdrawn 6th February 2017.

NP/15/0526/FUL – New Club House – Approved 16th December 2015.

Key Issues

The application raises the following planning matters:

- Policy
- Siting, Design and Impact upon the Special Qualities of the National Park
- Access and parking
- Highway Safety
- Landscaping
- Biodiversity
- Drainage
- Response to consultation responses

Policy:

The application site is located within Manorbier Station, which is identified in the Local Development Plan (LDP) as being a Rural Centre, as such, Policy 6 applies. Policy 6 of the LDP states that in a Rural Centre, small scale employment development will be encouraged and one of the land use priorities is to protect and enhance a Rural Centre's range of facilities.

Concerns have been expressed by local residents in respect of the use of the Clubhouse by members of the public, however, there were no restrictive conditions attached to the original approval (NP/15/0526/FUL refers) in terms of usage by the

public and, as such, the principle of a Clubhouse at ground floor level being open to the general public at this location has already been approved.

Policy 35 of the LDP allows visitor attractions in Rural Centres provided that the applicant demonstrates why such a location is essential, the application does not provide any justification in terms of the need for the additional function room facility at the location.

Policy 40 of the LDP states that the development of retail and other facilities on caravan sites will be permitted where the facility is not already available in the vicinity, the scale is not out of keeping and the vitality and viability of retailing and services of nearby Centres are not adversely affected. In the supporting text to Policy 40 it is accepted that sites require good quality facilities, and for larger sites, these can be considered in circumstances where such facilities are lacking in the immediate locality.

The subtext at para 4.173 states 'the provision of catering, leisure or shopping facilities on a scale that exceeds the reasonable requirements of the occupiers of the site or which relates poorly to the size, character or location of the site will not be encouraged. Facilities of a larger size and scale may be considered in circumstances where such facilities are lacking in the immediate locality. The transformation of sites into self-contained holiday complexes providing extensive and inappropriate leisure or shopping facilities will be resisted.'

Approval for the Clubhouse was originally granted with the first floor proposed to be used as a manager's accommodation thereby providing the site with suitable and permanent accommodation for a manager on site and central to the core activities of the site. The first floor location for such a residential use and staff area was considered to be appropriate and acceptable as it did not raise any amenity issues for the site's surrounding neighbours and was not considered contrary to any National Park planning policies.

However, this application seeks planning permission to extend the public use of the Clubhouse building in order to provide a public function room at first floor level. The agent has indicated that the function room will be used for weddings, conferences and similar uses, as well as for functions for the residents of the caravan park. The application does not provide any justification of the need for this additional public function facility in the locality, particularly when considering that potential function facilities are already available within close proximity to the site at Manorbier primary school, Jameston Village hall and other private function facility providers in Jameston.

The Clubhouse has not yet been brought into beneficial use, as such, the applicant cannot prove that the approved layout does not adequately serve the needs of the caravan park.

Buttyland Caravan Park has planning permission to cater for a maximum of 85 caravans and tents on a seasonable basis. The ground floor of the approved Clubhouse will provide an area of approximately 192 sqm to be used as a

clubhouse/function facility. The existing ground floor capacity is accordingly considered sufficient to meet the needs of the existing caravan park.

Whilst the Clubhouse provides some facilities for residents of the caravan park and local residents, it is considered that the scale of this retrospective change of use now exceeds the reasonable requirements of the site and a function room facility for public use beyond the caravan van park requirements is at odds with the purpose of the policy to provide facilities for the caravan park. The proposed development is, therefore, considered to be contrary to Policy 40 of the LDP.

The loss of the manager's accommodation raises further concerns in respect of future demand for further development on the site. Whilst the applicant has indicated that the current manager lives off site, the future operational needs or a future manager of the site may require accommodation on site and by approving this application the facility for accommodation would be lost.

A need for further accommodation on site would therefore arise resulting in further intensification of the site by another full time residential unit on site. It is noted, however, that an existing bungalow adjoining the site and under the ownership of the applicant but which is not tied to the caravan park could facilitate future manager's accommodation

Siting, Design and Impact upon the Special Qualities of the National Park

Policy 8 of the LDP is a strategic policy which refers to the special qualities of the National Park and lists priorities to ensure that these special qualities are protected. Policy 15 of the LDP refers to the conservation of the Pembrokeshire Coast National Park, with criterion (b) resisting development that would be insensitively and unsympathetically sited within the landscape.

The development does not propose any external alterations, as such, there is not considered to be visible impact on the special qualities of the National Park. However, priority (a) of Policy 8 refers to the sense of remoteness and tranquillity, ensuring this is not lost and wherever possible enhance.

The proposed intensification and additional floorspace of the Clubhouse's function area will undoubtable increase noise, disturbance and disruption due to the increase in numbers of people using the facility. The function room would, therefore, have an adverse impact on the sense of remoteness and tranquillity of the National Park. Consequently, the development is considered to be contrary to Policy 8 of the LDP.

Amenity and Privacy:

Policy 30 of the LDP seeks to avoid development that is inappropriate for where people live or visit, of an incompatible scale with its surroundings, leads to an increase in traffic or noise or odour which has a significant adverse impact.

There are a number of residential properties located to the north and north- west of the application site.

In regard to amenity, the obvious impact of the proposed development would be the increase in noise through the intensification of the use of the building.

In terms of privacy, the original application proposed manager accommodation at first floor level, with a side facing window overlooking the neighbouring property. The window served an office, however, the current application now seeks to change the use of the first floor which will result in direct views of neighbouring properties from the function room. The distance between the function room window on the north elevation and the neighbouring garden area is 11m, and 1m from the driveway of the residential property. In order to ensure that privacy standards are maintained a condition will be attached to any permission granted requiring the window to be fitted with obscure glazing.

The Environmental Health department of Pembrokeshire County Council (PCC) were consulted on the application, who advised that noise complaints have been received from activity at the site, however no formal action has been taken to date. The Environmental Health officer considers that the alteration of the first floor to a Clubhouse is a significant change to the original proposal. The applicant has submitted temporary licence applications to PCC for parties and functions during the month of December 2017, which give an indication of the intended use of the facility. The intended use of the Clubhouse appears to be altering from a Clubhouse which primarily serves the residents of the caravan park to a function facility which will have much wider implications for the residential amenity of the neighbours.

Environmental Health requested a number of conditions be attached to any permission granted, which require a scheme detailing how noise from the property will be controlled and a scheme detailing how waste will be controlled. However, it is not considered that these conditions would adequately control the level of noise and disruption caused to neighbouring properties, given the impracticality of enforcing the measures required by such conditions, i.e. prohibition of use outdoor areas at certain times, first floor window and doors remaining closed etc.

The use of the first floor as a function facility is considered to result in an increase in noise disturbance to neighbouring properties, by means of the increased intensification of the building and all the comings and goings associated with that, including vehicle trips, an increase in the number of visitors using the outdoor areas and visitors using the fire escape as a smoking area. The noise created by these activities is considered to significantly exacerbate the existing situation to an unacceptable degree.

Residential neighbours to caravan parks tend to accept that these sites will be active during the summer months and expect some degree of disturbance. Operating throughout the year and increasing public access needs to be carefully considered and the needs of these residents respected with carefully planned proposals which take account of this.

Furthermore, during summer months, it is likely that the doors and windows serving the first floor will be opened to allow air to circulate, thus allowing noise to escape at unsociable hours to the detriment of the residential amenities standards reasonably to be expected by nearby residential properties. Activities outside of the building,

leaving by car at unsocial hours, use of bins etc are issues which are difficult to address with planning conditions.

The proposed development will intensify the use of the building greatly and will result in a detrimental impact to the amenity of neighbouring residential properties, as such, the development is considered not to comply with Policy 30 of the LDP.

Access and Parking:

The existing access to the main road will be unaltered and parking will be provided on an existing hardstanding within the site. The Highways Officer at Pembrokeshire County Council has assessed the scheme and requested further information. A response had not been received at the time of writing this report and a verbal update will be provided at the Development Management Committee meeting.

Land Drainage:

The Drainage Officer and Building Regulations department at Pembrokeshire County Council and Dwr Cymru/Welsh Water have been consulted on the application. No responses have been received at the time of writing this report. However, there was no objection on drainage grounds on the original application (NP/15/0526/FUL refers) or the withdrawn application (NP/16/0502/FUL refers).

In order to address concerns raised by local residents in regard to the drainage of the site, a condition could be attached to any permission granted requiring details of foul drainage to be submitted to and agreed in writing by the Local Planning Authority prior to the beneficial use of the Clubhouse.

Response to consultation responses:

The majority of the objections raised have been addressed in the main body of the report, however, the following point addresses the outstanding objection raised:-

- In regard to the comments relating to the Human Rights Act 1998, this legislation incorporated provisions of the European Convention on Human Rights (ECHR) into UK law. The general purpose of the ECHR is to protect human rights and fundamental freedoms and to maintain and promote the ideals and values of a democratic society.

The specific Articles of the ECHR relevant to planning include Article 6 (Right to a fair and public trial within a reasonable time), Article 8 (Right to respect for private and family life, home and correspondence), Article 14 (Prohibition of discrimination) and Article 1 of Protocol 1 (Right to peaceful enjoyment of possessions and protection of property).

The Local Planning Authority is satisfied that it has considered the ECHR in considering the application. The planning system by its very nature respects the rights of the individual whilst acting in the interest of the wider community. It is an inherent part of the decision-making process for the Local Planning Authority to assess the effects that a proposal will have on individuals and

weigh these against the wider public interest in determining whether development should be allowed to proceed.

In respect of the impact upon light pollution, whilst the clubhouse has already been granted permission it is considered the proposed development would result in increased usage of the first floor and subsequently increased light spill from first floor fenestration.

Conclusion

The application to vary condition 2 & 5 of NP/15/0526/FUL to allow the first floor of the Clubhouse to be used as a function room is considered to be contrary to Policies 8, 11, 30, 35 & 40 of the adopted Pembrokeshire Coast National Park Local development Plan. The proposed alteration would result in an intensification of the use to the detriment of the special qualities of the national park and residential amenities of nearby properties. It would also omit the manager's accommodation with staff rest facilities which will likely necessitate some other form of development on the site to provide for these essential elements of a caravan park of this size.

Recommendation

REFUSE for the following reasons:-

1. The proposed variation of conditions 2 & 5 of NP/15/0526/FUL would increase the levels of noise, disruption and general disturbance associated with the intensified use of the building to the detriment of the residential amenities of the surrounding area and the special qualities of the national park. As such the proposal would be contrary to policies 8, 11 & 30 of the adopted Pembrokeshire Coast National Park Local Development Plan (2010).
2. The proposed variation of conditions 2 & 5 of NP/15/0526/FUL would result in a facility of scale which exceeds the reasonable requirements of the site, without any justification. As such, the proposed development would result in adverse impact on the special qualities of the National Park and is contrary to policies 35 and 40 of the adopted Pembrokeshire Coast National Park Local Development Plan (2010).
3. The proposed variation of conditions 2 & 5 of NP/15/0526/FUL would result in the loss of the manager's residential accommodation and staff rest facilities which would be detrimental to the proper planning of a caravan park of this size and scale.

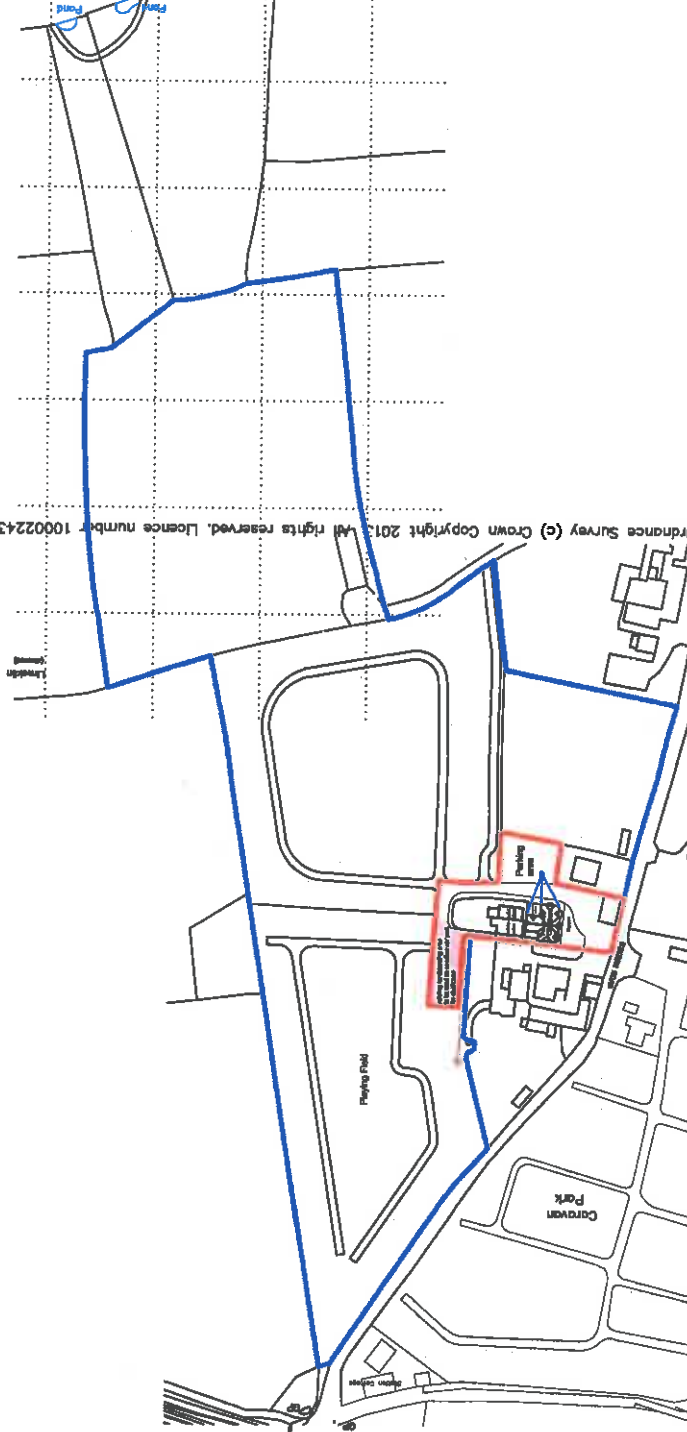


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NP 17 5 97

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REV K RED LINE AMENDED 23/11/2017
REV J BLUE LINE AMENDED 29/10/2017
REV I BLUE LINE AMENDED 22/05/2017
REV H BLUE LINE AMENDED 22/05/2017
REV G BALCONY ADDED & EXTERIOR AMENDMENTS
31/09/2017

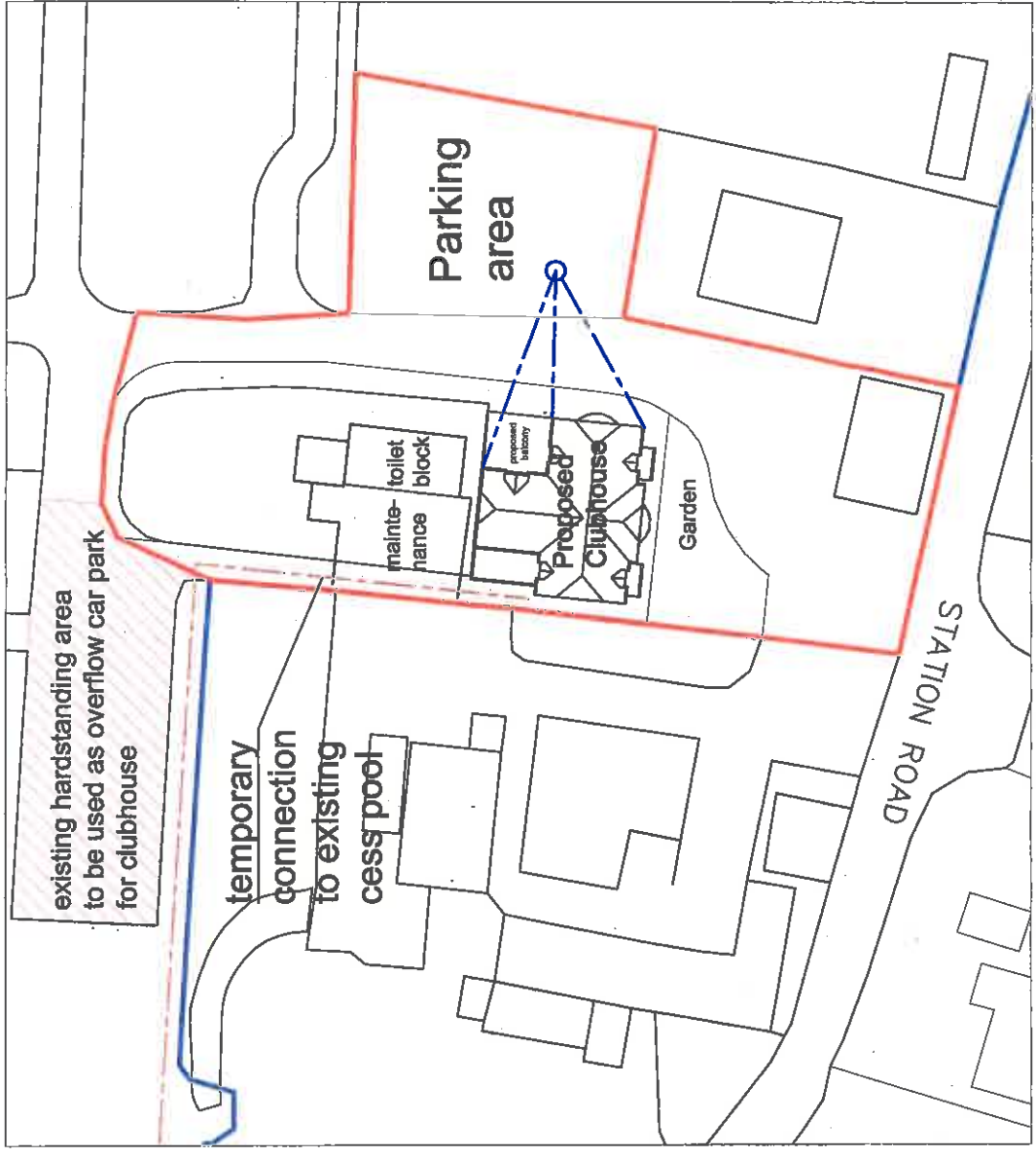
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| DATE: | DATE: | DATE: |
| 000 | 000 | 000 |
| DATE: | DATE: | DATE: |
| 1/16 | 1/16 | 1/16 |
| SUBJECT: | SCALE: | A3 |
| MR. C. BROWN | 1/2500 | |



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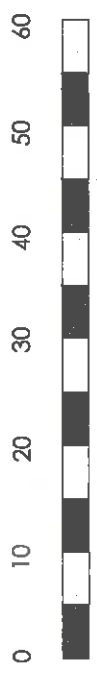


PROPOSED CLUBHOUSE LOCATION PLAN



Key:

- Temporary 100mm dia. upvc u/g foul drainage connection to existing system
- - - Proposed storm water soakaway and 100mm dia. upvc u/g storm water drainage



Metres

PROPOSED CLUBHOUSE BLOCK PLANS

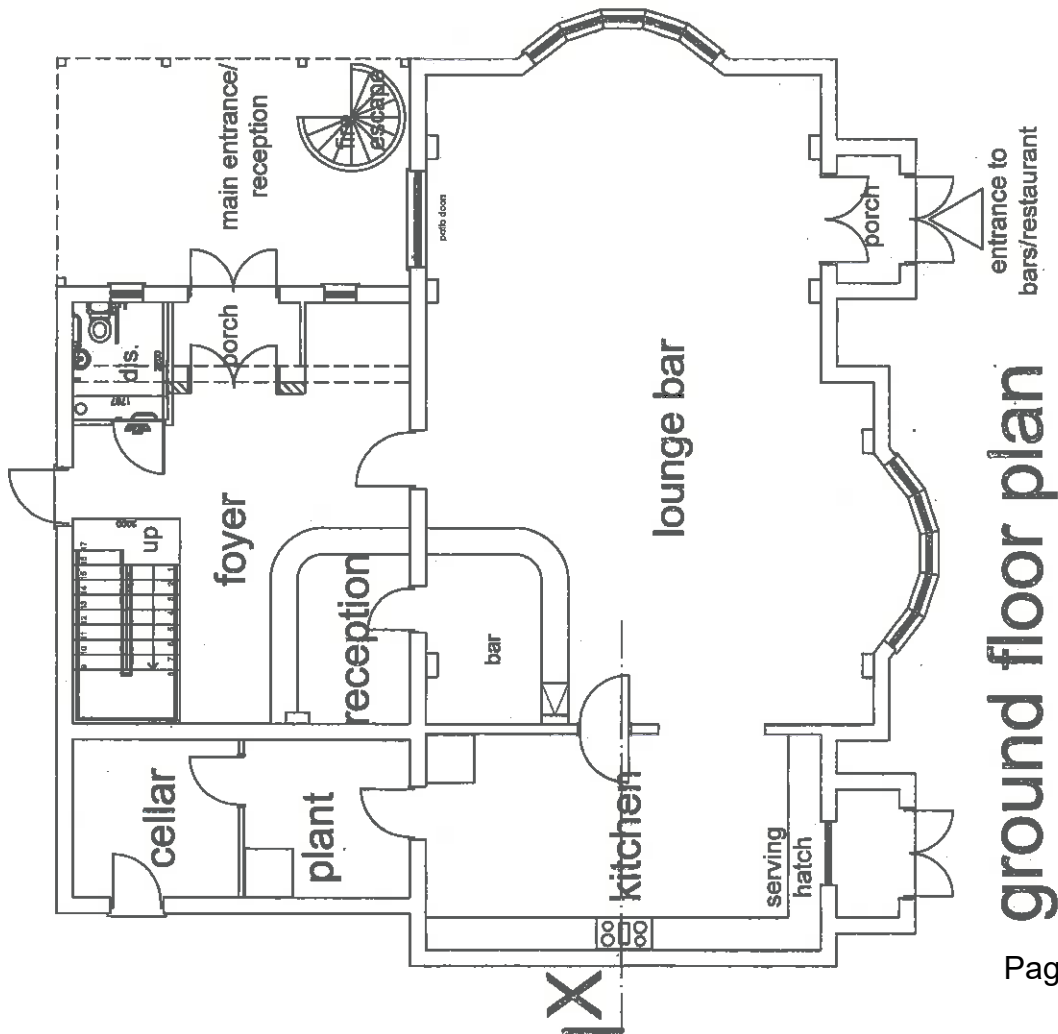
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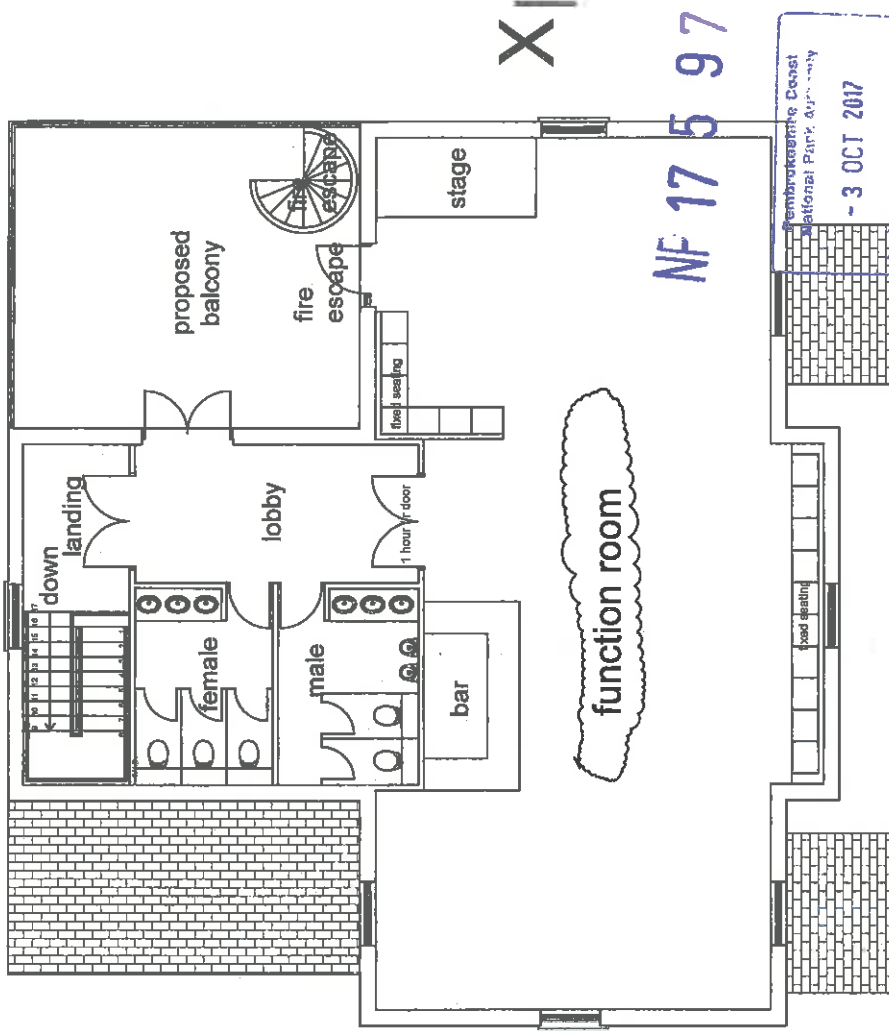
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REV. J OVERFLOW CAR PARK ADDED 25/11/2017
 REV. I PROPOSED STORM WATER SOAKAWAY ADDED 25/11/2017
 REV. H BALDWINY ADDED & EXTERIOR AMENDMENTS 31/05/2017

| | | | |
|------------------------|------------|------------------------------------------------------------------------------------|----|
| JOB: | | PROPOSED REDEVELOPMENT OF CLUBHOUSE AT BUTTYLAND CARAVAN PARK, STATION RD, MAHOBIE | |
| BLOCK PLAN AS PROPOSED | | | |
| DATE: | 08/09/2015 | DESIGNED BY: | |
| DRAWN BY: | MS | CHECKED BY: | |
| SCALE: | 1/500 | SCALE: | A3 |
| DRAWN BY: | | MR. D. BROWN | |



ground floor plan



first floor plan

NF 17 5 97

Remythekingthe, Deest
National Park, & ...
- 3 OCT 2017
Standard Pers. C. ...

REV K FIRST FLOOR AREA CHANGED TO FUNCTION ROOM
27/09/2017
REV J WINDOW AND BALCONY
REV B BALCONY ADDED & EXTERIOR AMENDMENTS
31/03/2017

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|-------------------------------------------------------------------------------------|--------------|
| PROPOSED REDEVELOPMENT OF DULIHURSE AT BUTTYLAND DARAVAN PARK, STATION RD, MANDREIK | |
| DATE: | 08/09/2015 |
| DESIGNER: | 101 |
| CLIENT: | GERALD BLAIN |
| SCALE: | 1/100 AS |

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