

Officers Report

Planning Application No: 139532

PROPOSAL: Planning application for caravan site for siting of 79no. static caravans and 109no. touring caravans.

LOCATION: Barlings Country Holiday Park Barlings Lane Langworth Lincoln LN3 5DF

WARD: Cherry Willingham

WARD MEMBER(S): Cllr C Darcel, Cllr C Hill, Cllr A Welburn

APPLICANT NAME: Mr Epton

TARGET DECISION DATE: 3/4/2020

DEVELOPMENT TYPE: Major - Other

CASE OFFICER: Martin Evans

RECOMMENDED DECISION: Approve

This application is reported to planning committee because of the consultation responses received and the complex planning history for the site.

Description:

This is an application for planning permission for the siting of 79no. static caravans and 109no. touring caravans. As part of the development the existing reception building will be moved to be closer to the access of the site. The existing caravan storage area will be relocated and provides 50 spaces. A maintenance area will be created in the northern corner of the site. The number of proposed touring caravans has been reduced based on an amended proposed site layout plan.

The existing vehicular access from Barlings Lane would be used to access the proposal. The proposed site plan uses a purple line to denote the proposed area for touring caravans which also includes storage of 50no. touring caravans and existing touring caravan toilets and amenities. The 79no. static caravans are shown surrounding the on-site ponds and on the western fringes of the site. A landscape buffer is shown to the western boundary with the dwellings fronting Barlings Lane.

The application site is 7.7ha in area. The existing site consists of a static and touring caravan site on the fringes of Langworth. The application site is almost entirely in flood zone 3 with a small portion of the western fringes of the site located in flood zone 2. To the north east the site adjoins Barlings Eau (a main river) which features a flood defence along its western boundary with the application site. To the south east of the site is a woodland. To the south west are residential dwellings lining Barlings Lane. To the north west is agricultural land.

Relevant history:

W4/1002/91 – Planning application for **touring** caravan site and extension to children's play park and sports area. This was refused by WLDC but subsequently allowed on appeal, subject to conditions. Condition 4 related to the number of touring caravans on the site (limited to 20) and condition 5 limits the type of caravans to tourers and use as holiday rather than permanent residential.

W4/1003/91 Planning application to change use of land to extend car park and for car boot sales area. Refused 22/4/92.

W4/765/93 Planning application to use land for storage of 50 caravans. Granted subject to conditions 6/12/93.

W3/148/95 Planning application for site static caravan to provide site bailiff's accommodation. Granted subject to condition 25/7/95.

97/P/415 planning application to site static caravan (renewal of W4/148/95) to provide site bailiff's accommodation for further two year period. Granted subject to conditions on 15/12/97.

98/P/0992 – Change of use to hair and beauty facility including site administration office – Approved 21/4/99.

M06/P/0164 Planning application to change the use of hair and beauty salon and erect extension to form living accommodation and office with access off Barlings Lane to the north of Riverside. Refused 28/2/07.

124920 Planning application for 27 chalet style static caravans, extensive tree planting and landscaping to include circulatory roads. Also, change of use of existing reception building to include reception and accommodation for site warden, construction of storage building and gas tank. Refused 24/3/2010.

128354 – Planning application for 27no chalet style static caravans, landscaping and roads including change of use of reception to warden accommodation –Approved 2/8/12. This application approved a layout plan and both the decision and plan can be viewed on our website under ref 128354.

129076 – Certificate of Lawful Use or Operational Development approved 5/12/12- according to paragraph 9 of appeal 2205963 “9. A certificate issued on 5th December 2012 contained an error concerning a relevant date, and that was corrected by the Council by the issuing of the revised certificate dated 31st July 2013 for:

- The use of the application site as a caravan park but the siting of caravans limited to the following; The area marked cross-

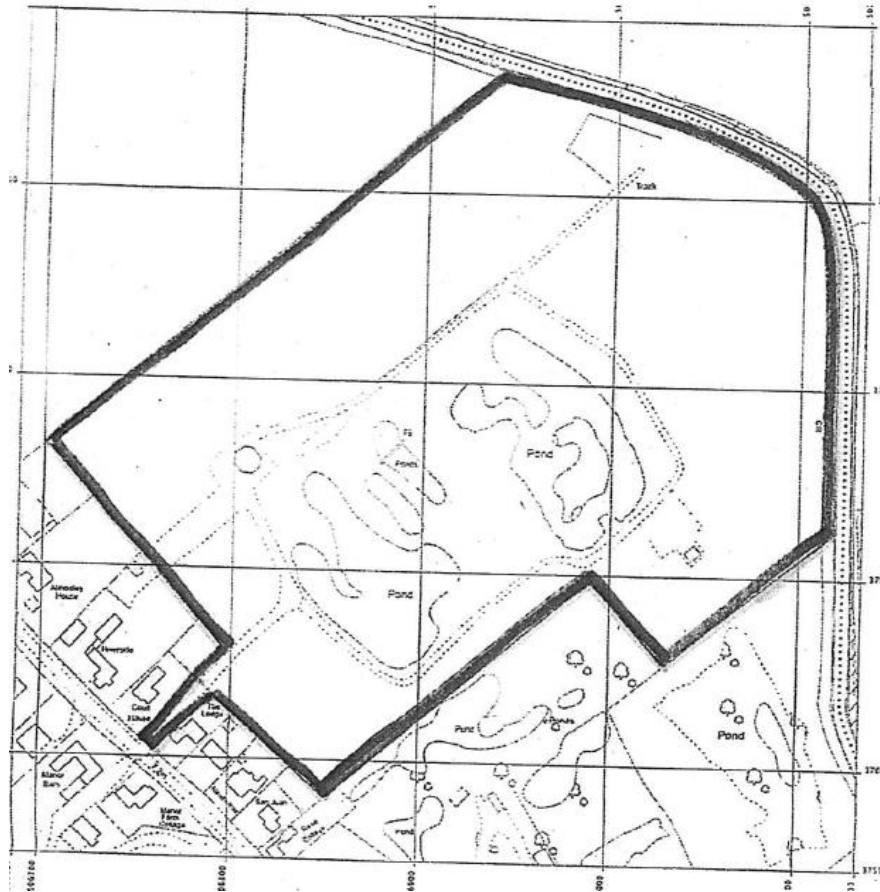
hatched on the attached plan for the siting of a maximum of 32 touring caravans for holiday accommodation use.

- The siting of a single static caravan for warden's accommodation in the same area in location marked on the attached plan.
- The use of the area marked hatched on the attached plan for the storage of a maximum of 50 caravans.
- The development of the lakes as annotated on the attached plan and their use for recreational fishing.

Subsequent to the granting of the Certificate an appeal was lodged (APP/N2535/X/13/2205963). It was allowed and a modified certificate of lawful use or development was issued 17/4/14. The Inspector stated "Having concluded that condition 4 is not enforceable, I consider that the Council was not entitled under section 191(1)(c) to impose a new limitation of 32 touring caravans in the LDC" The effect is that the 1993 planning permission remains in force without the limitation to 20 touring caravans in condition 4, but subject to other conditions, so far as those remain in force. The new certificate issued by the Inspector states:

"The use of the land as a touring caravan park and extension to children's play area and sports area without complying with condition No.4 of planning permission Ref: W4/1002/91 granted on appeal on 5th March 1993 (appeal ref: T/APP/N2535/A/92/213480/P7)."

The above decision applies to the land outlined in black below:



131613 – details in relation to Conditions 2, 3, 4, 5, 6 of 128354 (27 Holiday chalets).

133001 – application to vary conditions 13 and 14 of 128354. Conditions 13 and 14 related to the use of the chalets for holiday purposes and required the applicant to keep a register of occupants. This application was refused 19th August 2015 and dismissed at appeal reference APP/N2535/W/16/3143243 27/6/16.

138904 Planning application to remove condition 5 of planning permission W4/1002/91 allowed on appeal 5th March 1991 - touring caravan park use. Withdrawn 29/3/19.

The current Caravan Site Licence reference CS0043 provides for 250 touring caravans and 60 seasonal pitches, making a total of 310 tourers. In addition to this, the site is licensed for 28 static caravans.

Representations:

Cllr Darcel requests the application is determined by planning committee stating:

2/12/2019 “My request is a result of recent flooding that has occurred in Langworth and Barlings which residents were told in 2015 should not happen

again, and the inconsistent advice from the EA and from the W3IDB for this Application from the advice given for 127132 for which an FFL of 7.41m above datum was specified and for Application 130773 where a FFL of 7.6m above datum was specified.

Applications 127132,130773 and 139532 all sit within the same EA Flood envelope for Langworth and Barlings so presumably safe FFLs should be the same. Details are to be sent in a separate email.

If ,as a Councillor, I can see that both the EA;s and W3IDB's advice would seem not to give future occupiers of the static caravans the same protection and safety from flooding as is expected elsewhere in the village, I have a responsibility to flag this up to the Planning Committee.

There is a 1m difference between the proposed FFL's at the Barlings site and the George Hotel and that cannot be right!

Suds may not be compulsory but some form of enhanced on site storage would help properties next door,

LP 14 a) The EA advice seems inconsistent with that given in other applications. i.e. 127132 and 130773

LP14 b) In 127132 the W3IDB estimated the effect the raised footprint of the new build would have on nearby properties. In this Application there would be 79 raised foot prints. What effect will they have on the neighbours, No calculations are given or shown.

LP14 c) No satisfactory mitigating measures appear to be shown and it would seem there will be an out flow of water from the site rather than the extra flood water being stored on the site.

LP14 d) I have seen no working evacuation policy in place for the site should the site be seriously flooded and

LP14 e) There are no positive proposals explained that will help protect the wider area from flooding.

LP 14 f) SUDs may not be compulsory but some form of enhanced on site storage is possible and would help properties next door.

LP 26 d) a number of next door properties have lodged objections and the loss of amenity for these properties needs to be considered”

28/11/2019

“As a District Councillor who has taken a keen interest in both the serious flooding that has occurred in Langworth and on the campsite at Barlings Lane over recent years and the hazardous road junction where Barlings Lane meets the A158 I must ask you not to approve this application. While I welcome the reduced car and caravan journeys that will both enter and leave the site and the provision of a pavement to join to the existing paved foot path I feel the suggested drainage provision does not meet the NPPF. The NPPF is quite clear, any development must make the area more sustainable than it was before the development commenced,

I cannot see how this will be achieved with this application. In short, in my judgement (and part of my original training was in Land Drainage) the application fails to meet LP14 a),b),c),e) and f).

The attached charts and photographs and photos previously supplied, and the attached letter clearly show how badly Langworth and properties on Barlings Lane were affected. The only reason flood water was not as high in Langworth and Barlings this year as it was in 2007 was the massive lake created at Short Ferry by the Barlings Eau bursting its bank, just west of Short Ferry Bridge. This unintended happening must have relieved Langworth and Barlings of 1000's of cubic metres of flood water, which if modelled in to the Langworth catchment area would surely have raised water levels upstream in Langworth and on the caravan site to even higher levels than were recorded in 2007. Instead, the only house flooded to my knowledge was at No 8 Scothern Lane.

I would suggest the 6.5m FDL suggested by the EA is not adequate. Parts of Scothern Lane with a mODN height of 6.7m were flooded by some 20cm of flood water last week. That the level of water did not rise higher was because of 3 residents' pumps working flat out.

Not only this, I would suggest the 69 raised platforms for Static Caravans on the site will cause water levels to rise in nearby properties, contradicting the intentions of the NPPF. I do not have suitable 3D modelling software but it is my guess that the campsite at Barlings Lane would have had at least 30cm of water added to its levels had the river bank at short Ferry not been breached. With the EA software it should be easy to calculate the effect the volume of water stored a Short Ferry would have had in raising water levels on the camp site. I would be grateful if you asked your contact at the EA to rerun the model to see if I am correct and I would suggest the attached resident's letter, based on local knowledge confirms my comments. With regards traffic, the application fails to meet the guide lines in LP13, a), b), c), g) and h). There is no bus service nearby, and there is no easy access on to the A158. While the new foot-path is welcome, there is no mention of how it will be enforced or conditioned and there is no mention of cycle-ways or of improved access onto the A 158. I would also like to remind you of the letter of the Parish Council recently sent to the Chief Planning Officer regards a lack of compliance to previous conditions to the site, and the local concern that work has already started on the project, or that there does not seem to be an adequate emergency evacuation process in place. It is possible to make the site sustainable and to meet the requirements of SUDs but the proposed measures will not achieve this. If the developer could work with the EA to achieve a scheme that would meet SUDs requirements and if it was conditioned and enforced I would be pleased to withdraw this objection."

Flooding charts for Langworth, flooding photographs and a letter to Anglian Water from a Mr Dearman were also included with Cllr Darcel's second representation.

Langworth Group Parish Council:

On 15th August 2019 the Langworth Group Parish Council held an extra ordinary meeting to discuss application 139532. Having taken note of

comments from the general public, at a separate public meeting held prior to the extraordinary meeting of the parish council, the council voted and does not support the application.

The Parish Council Does Not Support the Application

The parish council asked for the comments as listed below to be submitted to West Lindsey District Council who, will be asked to post the comments on the planning portal under application 139532.

Highway Considerations

- Councillors expressed disappointment that the developer or a representative from WLDC planning was not attending. Neither did either party tell us that they were not attending.
- One of the recurring concerns is traffic access and egress from Barlings Lane to the A158. The parish council is working with the Lincolnshire Road Safety Partnership looking at way's road safety can be improved at the junction. There are no comments in the planning application that mention improvements to road Safety.
- There have been many accidents at the junction between Barlings Lane and the A158 which are not recorded as the police did not attend
- The Lincolnshire Road Safety Partnership has acknowledged the junction is problematic.
- The road width of Barlings lane is quoted in the planning application as being 10 metres. This is incorrect. The width of the road is much narrower, down to 4.5 metres in places.
- There is already a conflict between farm traffic and private vehicles using Barlings Lane. Increasing the number of touring caravans will exacerbate the situation as will the increase in traffic from an additional 79 static caravans
- To date, LCC in their capacity as Highway Authority has not commented on the application. On previous applications for development at Barlings Lane they have not made any comment or asked for the imposition of conditions to improve the highway. It is thought that LCC pay little or no attention to the applications and carry out a desktop "rubber stamping" exercise without exploring how the existing community will be affected by a significant increase in traffic and pedestrians on a non-classified road without footpaths.
- Since the site, as existing, generates pedestrian traffic, which is likely to increase, WLDC should be asked to impose a condition to enforce the developer to provide footpaths to highway standards to link with other existing footpaths.

Planning Gain

- Although local employment may be given, no other gain to the local community is envisaged and Langworth already struggles with sustainability. Previous planning applications disregard of conditions
- There has been in the region of eleven previous planning applications for this site.
- What conditions are in place is not clear and could probably be more confusing if this application is determined without due care consideration.

- The track record of compliance with planning conditions is only given 'lip service' by the applicant.

Application 139532

- The application description is unclear. Although they are asking for 79 static caravans and 180 touring caravans, but they seek to limit their overall numbers and quote this as a reason to allow the application. It is not clear that this is over and above anything which has already been allowed by previous planning approvals.

- As this is a new application, the 79 static caravans and 180 touring caravans are over and above what is already been applied for in previous successful planning applications. Hence, we are unsure what the true numbers are and what will or should be allowed.

- The Council is concerned that the applicant states "there is no planning control over the number of touring caravans that can be stationed on site". Surely this should be part of the Lawful Development Certificate which was drafted by the Planning Inspectorate in 2014. As he discounts condition 4 in planning permission W4/1002/91 saying that it was immune from enforcement action, we feel that he was derelict in not providing new limitations within his report. Furthermore, WLDC should have also identified this problem. Consequently, the applicant now feels that he can do what he wants in terms of the numbers of touring caravans.

- The applicant states in paragraph 1.2 and 5.3 of their access and design Statement "the site has approval for 60 seasonal pitches and 310 tourers and 28 static caravans the net effect being that current planning and licencing controls permit up to 338 caravans to be stationed on the site"

Seemingly, the applicant is using this as some kind of covert leverage in support of the application.

- The WLDC case officer needs to study what is and what is not permitted on the existing site and use this information when determining this application.

- In previous applications for this site, the conditions applied by WLDC have not been implemented by the developer. It needs to be clear to the applicant and to the residents of Langworth how many caravans mobile and static are allowed on the site and what conditions the applicant must comply with.

- It was stated that condition 5 of the 1991 application remains in place. That is: the site is used for touring caravans only. However, a subsequent application (128354) was allowed for 27 static chalets but this was for only part of the site. The Council believe that condition 5 still applies to the rest of the site.

- The application shows that the site is not visible from the public highway/footway. This is not the case as lodges and caravans are clearly visible from Barlings Lane, the A158 and the public highway to Newball.

- The applicant has not ticked the box for storage of LPG.

- The applicant is asking for 79 static caravans. The other application (128354) was for 27 static chalets. Is this the same thing?

- The applicant has not provided any public consultation on this application and a large degree of animosity has already developed between the residents and the applicant.

- There is a distinct lack of supporting information on the planning portal.

Local Plans NPPF

- If the application is approved the number of people on the site will be significant. The local plan says development should be in proportion to its surroundings.
- The Council considers that the proposal does not meet the policies within the local plan or the NPPF.
- LP2 Permitted growth no more than 10%
- LP7 Sustainability, it's in a flood plain, should be in scale with local surroundings.

Site licence

- There is a difference between a planning application and a site licence.
- A site licence was granted to the applicant in 2016. The licence is for 250 caravans and 60 Pitches. It was confirmed that the parish council were not consulted about the licence.
- A question raised was: why did WLDC issue a site licence without first consulting residents?
- WLDC has granted the site a licence that is referred to in the application.
- The WLDC licence is out of date since it refers to organisations and standards that no longer exist.

WLDC need to review their licence terms.

- A caravan site licence should only be issued to site after planning has been approved. If this application is approved will the applicant need to re-apply for a licence?
- In his documentation and supporting evidence, allegedly, the applicant has inferred: If this application is not determined in his favour then the fall-back position will be to site touring caravans. This contradicts the applicant other views that touring caravans are bad for the road networks and will cause problems along Barlings Lane.
- It is recognised that the inspector, when determining a previous application that went to appeal did not, specify a total number of caravans for the site. The inference giving the impression that the total number of caravans permitted to use the site is only limited by regulations governing the density, spacing and access to caravans.
- The site is alleged to be for holiday use only. Anecdotal evidence seems to suggest that the site does have residents who are not using the site as holiday accommodation. Also, some residents use the site for more than 6 months of the year. Surely this must mean that this has become their main residence which conflicts with the Local Plan
- The applicant has indicated that the site should have permanent residents and has made previous applications with this in mind

Flooding

- The application lacks detail about flood risk and procedures in the event of a flood.
- The reasons given in the flood risk assessment that the proposed development is compliant with the sequential and exceptions tests set out in the NPPF are flawed. Everyone is aware that the site has been subject to serious flooding in the recent past and at one point giving rise to the evacuation of people and animals. The Parish Council and residents are

seriously concerned that the risk of flooding is very real and mitigation matters are not being taken seriously.

- Proposed hard standing areas and roadways within the site are expected to reduce the capacity for surface water to soak away.
- The site has been covered in flood water to a depth estimated as the height of a car wheel.
- The fishing ponds have been unable to contain run off/flood water in the past and there is no reason to assume it will do in the future.
- Flood risk and safety measures in the application are incorrect. An item regarding flood emergency procedures advised: “residents can move to the first floor”.

Benefit to the local economy, the concerns:

- Some doubt about how “local” is defined.
- There is no retail, outlets, in Langworth so there would be no benefit to the community in respect of patronising local retailers.
- No consideration has been given to the three main bases measuring sustainability.
- The George Hotel may gain some small seasonal benefit.
- The site may generate additional employment opportunities.
- An extension of the site is expected to create demand for supplies of everyday items such as milk, newspapers, bottled gas. It could be foreseen that the site could become insular and detached from the local community as it establishes its own retail outlets and café bar in the future. This could take business away from the George Hotel.
- WLDC LP7 is referred to in the applicant’s design and access statement. The proposal to site 79 touring caravans and 180 touring caravans on the site will be of benefit to the local community. The applicant’s access and design statement fail to demonstrate how the proposal will benefit the local community.
- Paragraph 5.3 of the developers’ design, and access statement says: “it is not applicable to judge the development against benefits to the local economy”.

Voting:

After considering the comments made at the public meeting and comments made by parish councillors and the two West Lindsey District Councillor the chairman proposed a vote.

Do any councillors support the application – None

Do any councillors object to the application – Five object, one abstention.”

The Parish Council also wrote separately requesting information on the planning history be provided which was treated as a separate requires rather than a representation for consideration as part of this application.

Local Residents:

Residents of San Juan, Mulberry House, Whipoorwill, Court House, Pinfold Lodge, Newholme Barlings Lane; Manor Farm, Bardney Road, Newball object to the proposal for the following summarised reasons:

- Proposal is too large. Contrary to LP2, LP4 and LP7.
- May develop into full holiday resort.
- Applicant must be made to complete other applications before this is granted.
- There have been breaches of planning control and lack of enforcement. All breaches must be remedied. Some are used as permanent homes.
- Increased traffic, highway safety including junction of Barlings Lane and A158. There is a lack of footways in Barlings Lane. No traffic plan contrary to NPPF paragraph 111. Traffic impacts not considered contrary to NPPF paragraph 102.
- May be used for residential purposes.
- Existing lighting is intrusive.
- Noise and rubbish.
- Noise, dust from existing vehicular access into neighbouring properties.
- Crushed stone internal roads create dust.
- Drainage and flooding. Contrary to NPPF paragraph 150 as this is a flood plain. Errors in flood risk assessment- reference to escape to second floor which doesn't exist; no consideration of risk to life with touring caravans located in most at risk areas; how will river levels be monitored 24 hours a day; lack of evacuation details;
- Visibility of the site from surrounding roads.
- Raising caravans will make them harder to screen.
- Impact on residential amenity due to proximity of caravans to houses, security and property value.
- No benefits to the village. Impact on services like schools and doctors.
- According to the Caravan Sites and Control of Development Act 1960 Section 5 Model Standards for Caravan Sites, a maximum of 30 vans per acre is permissible. A total of 150 vans is considerably less than the applicants' assessment. I believe this materially affects the existing licence CS0043 and, should you agree to sanction more static vans, would also limit the total number of these.
- No mention of caravan storage or seasonal pitches.
- Cumulative impacts on the community with 137084 and 139764.
- Where would additional facilities required by caravan site licence be located?
- No health impact assessment contrary to LP9.
- Residents were assured by WL there would be no development of this site before purchasing their dwellings.
- Lack of mains sewerage and commercial waste collection.
- Minimal demand for use of the site.
- Increased carbon emissions and loss of peaceful countryside setting.

Residents of Avondale, Barlings Lane make general observations as summarised below:

- Impact on the site of nature conservation interest which are important to tackling flooding and pollution.
- Lack of information regarding impact on local habitat and environment/ protection.

- Quality of location should be prioritised over quantity of pitches.
- Light pollution.
- Increased traffic and highway safety implications.
- Flood risk and impact on travelling not considered. Caravan occupants may not have time to leave the site before it is flooded.
- There would be more caravans on the site than houses in Langworth.
- Benefits outweighed by disbenefits.
- Lack of facilities in Langworth.
- Statics are not more beneficial than tourers.
- Not a sustainable development.

WLDC Growth and Projects (Visitor Economy) Tourism:

“In principle, and subject to normal planning considerations, the Growth and Projects Team (including Visitor Economy) are supportive of the application from a visitor economy perspective. Tourism is a major sector in West Lindsey bringing into the area around £126.5 million in revenue and supporting c1707 full time jobs (STEAM data 2017). Staying visitors account for 27% of all visitors to the district and is currently worth £44.76 million (STEAM data 2017) which, has grown annually since 2012. The provision of quality accommodation for visitors is an important element for future sustainable development within the district and any initiative which promotes this will add value to the current product as well as supporting the local authority aspiration of being a prosperous and enterprising district where an increased number of businesses and enterprises can grow and prosper.

In this application it is important to acknowledge that bringing more visitors into the district, who will use all the services available, will undoubtedly aid the economy of the district for local businesses and residents.”

LCC Archaeology

“This office would like to reiterate that the developer has yet to fulfil their planning conditions for previous phases of development on this site, as regards submitting the archaeological report to the local planning authority for their approval, and also depositing this report and archaeological artefacts recovered to the museum as required by conditions 8 and 9 of planning approval 128354. It is essential that the findings of the archaeological excavations are reported on and that any finds deposited and made publicly accessible, as required under the National Planning Policy Framework (section 16, paragraph 199). Without this any archaeological remains impacted by development have been destroyed without record, in breach of both national and local planning policy and in contravention of the conditions of planning approval that were applied for this purpose.

On the basis of the plans proposed, which do not appear to involve any groundworks, no archaeological input would be recommended for this present application.”

Highway and Lead Local Flood Authority (HLLFA)

10/09/2019: No objection in principle to this development.

The development will require a footway link on the southwest side of Barlings Lane connecting the development to the existing footway network, together with a suitable uncontrolled tactile crossing point at the site access. This will form part of recommended conditions to the Local Planning Authority in final comments.

Drainage: As a major development there is a requirement to deliver a surface water drainage scheme in line with sustainable urban drainage principles. It is stated in the application form that the surface water is to be discharged to on site ponds however a strategy on how this is to be achieved with more control than what is described in the Flood Risk Assessment will be required together with any necessary supporting information.”

19/2/2020:“The drainage satisfies the HA, the rate of a discharge of 1.8l/s per second is significantly lower than the existing Qbar flow rate, and the existing lakes having suitable attenuation.”

27/2/2020: Recommends a condition requiring footway link from the site to existing footways on Barlings Lane with associated informatives.

Environment Agency:

The proposed development will only meet the National Planning Policy Framework’s (NPPF) requirements in relation to flood risk if the following planning condition is included.

The development shall be carried out in accordance with the approved flood risk assessment and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 6.5 metres above Ordnance Datum (AOD)
- Static caravans shall be secured to the ground

Reason To reduce the risk of flooding to the proposed development and future occupants. These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme’s timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.”

Flood warning and emergency response information is issued to the Council and information for environmental permits is issued to the applicant.

As requested by Cllr Darcel his representations were sent to the EA with the following response received:

“We do not wish to amend our position, and the letter (ref: AN/2019/129344/01-L01) sent on 19 August 2019 still applies.

The advice differs for the other sites referenced (your ref: 127132 and 130773) as the proximity to the main river varies between the sites. The reason for a requirement for different finished floor levels at different sites in Langworth is that the closest river levels to the site are used in assessing risk

together with land levels on the site in order to estimate the depth of flooding that could potentially occur. These river levels differ further upstream of the Barlings Country Holiday Park due to a gradient in the channel.”

Witham Third District Internal Drainage Board

“The site is within the Witham Third District Internal Drainage Board area. The site is in Zone 2/3 on the Environment Agency Flood Maps and potentially at flood risk. It is noted a Flood Risk Assessment is included in the Application that acknowledges the risk and provides appropriate mitigation, including minimum FFL of 6.1m, signing up to flood warnings and having an evacuation plan.”

Relevant Planning Policies:

Development plan

To the extent that development plan policies are material to an application for planning permission the decision must be taken in accordance with the development plan unless there are material considerations that indicate otherwise (section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004).

Here, the Development Plan comprises the provisions of the Central Lincolnshire Local Plan (April 2017); and the Lincolnshire Minerals and Waste Local Plan (December 2017 and June 2016).

Lincolnshire Minerals and Waste Local Plan

<https://www.lincolnshire.gov.uk/residents/environment-and-planning/planning-and-development/minerals-and-waste/minerals-and-waste/88170.article>

- Core Strategy and Development Management Policies
- Site locations

No relevant policies.

Central Lincolnshire Local Plan

<https://www.n-kesteven.gov.uk/central-lincolnshire/local-plan/>

Policy LP1: A Presumption in Favour of Sustainable Development

Policy LP2: The Spatial Strategy and Settlement Hierarchy

Policy LP7: A Sustainable Visitor Economy

Policy LP13: Accessibility and Transport

Policy LP14: Managing Water Resources and Flood Risk

Policy LP17: Landscape, Townscape and Views

Policy LP21: Biodiversity and Geodiversity

Policy LP25: The Historic Environment

Policy LP26: Design and Amenity

Policy LP55: Development in the Countryside

Other

National Planning Policy Framework 2019 and Planning Practice Guidance

<https://www.gov.uk/government/collections/planning-practice-guidance>

Paragraph 213 states:

"Existing [development plan] policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, according to their degree of consistency with this Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given)."

Langworth and Barlings Neighbourhood Plan

West Lindsey District Council has approved the application (on 16th May 2016) by Langworth Parish Council to have the parish of Langworth and Barlings designated as a neighbourhood area, for the purposes of producing a neighbourhood plan.

The neighbourhood plan group are now consulting with the public and working towards the production of the neighbourhood development plan.

Main issues

- **The principle of development**
- **Visual impact**
- **Residential amenity**
- **Flood risk and drainage**
- **Highway impacts**
- **Other**

Assessment:

The principle of development

The application site is very large with its south western boundary adjacent to a cluster of residential development which is slightly removed from the continuous built footprint of Langworth whilst the other boundaries of the site face countryside. For these reasons, it is considered reasonable to determine the proposal under policies relevant to the countryside. Policy LP2, tier 8 restricts development in the countryside unless allowed by, amongst others, LP7 which states:

“Development and activities that will deliver high quality sustainable visitor facilities such as culture and leisure facilities, sporting attractions and accommodation, including proposals for temporary permission in support of the promotion of events and festivals, will be supported. Such development and activities should be designed so that they:

- a. contribute to the local economy; and*
 - b. benefit both local communities and visitors; and*
 - c. respect the intrinsic natural and built environmental qualities of the area;*
- and*

d. are appropriate for the character of the local environment in scale and nature.

Development should be located within existing settlements, or as part of planned urban extensions, unless it can be demonstrated that:

- such locations are unsuitable for the nature of the proposal and there is an overriding benefit to the local economy and/or community and/or environment for locating away from such built up areas; or*
- it relates to an existing visitor facility which is seeking redevelopment or expansion.”*

The proposal would deliver high quality visitor accommodation; would contribute to the local economy by increasing visitor spending in the area; would benefit local communities by increasing spending in the area, potentially creating employment opportunities and benefit visitors by providing an enhanced tourist facility; would respect the natural and built environmental qualities of the area by expanding within the existing site boundary and reflecting the layout and design of the adjacent existing caravan site; and would be appropriate for the character of the local environment in scale and nature as shown in the considerations below as a result of lack of identifiable technical problems with the proposal and the its nature being acceptable because caravans are part of the established nature of the area. The location of the proposal is acceptable because it relates to an existing visitor facility which is seeking redevelopment and expansion.

The proposal complies with Policy LP7 and therefore LP2. Policy LP7 is considered consistent with NPPF because paragraph 83 sets out that decisions should enable sustainable rural tourism and leisure developments which respect the character of the countryside. These considerations are reflected in LP7 therefore it is afforded full weight.

The proposal is acceptable in principle.

Visual impact

Local Plan Policy LP17 states:

“Character and setting

To protect and enhance the intrinsic value of our landscape and townscape, including the setting of settlements, proposals should have particular regard to maintaining and responding positively to any natural and man-made features within the landscape and townscape which positively contribute to the character of the area, such as (but not limited to) historic buildings and monuments, other landmark buildings, topography, trees and woodland, hedgerows, walls, water features, field patterns and intervisibility between rural historic settlements. Where a proposal may result in significant harm, it may, exceptionally, be permitted if the overriding benefits of the development demonstrably outweigh the harm: in such circumstances the harm should be minimised and mitigated.

Creating and protecting views

All development proposals should take account of views in to, out of and within development areas: schemes should be designed (through considerate development, layout and design) to preserve or enhance key local views and vistas, and create new public views where possible. Particular consideration should be given to views of significant buildings and views within landscapes which are more sensitive to change due to their open, exposed nature and extensive intervisibility from various viewpoints.”

LP17 is consistent with NPPF paragraph 170 as they seek to protect valued landscapes and recognise the intrinsic character and beauty of the countryside. It is therefore attributed full weight.

Following a thorough review of the substantial planning history for the application site and wider caravan park it is clear that the Planning Inspectorate has formally determined via appeal reference APP/N2535/X/13/2205963 (as detailed above) that the application site and more land beyond it to the north west is able to operate as a touring caravan site without restriction on the number of tourers that may be stationed on the site. The current proposal entails 79no. static caravans and 109no. touring caravans are proposed. This is a significant and very strong fall-back position for the applicant. If the current application were refused based on the visual or character impact of additional caravans, the applicant could allow more caravans on the site than are currently proposed without the need for planning permission.

Notwithstanding the above, it is considered views of the proposal from Barlings Lane will be restricted by the intervening residential dwellings, the woodland to the south east of the site and roadside vegetation and planting to the northern boundary of the site. The significant tree cover within the centre of the application site will also lessen the visual impact of some of the caravans.

The most significant visual impact would be experienced by residents of the dwellings to the south west of the site which back on to the proposal. The layout plan shows intervening landscaping which, subject to conditioning of further details and retention, should help lessen the visual impact. Views of the application site from the north west would be slightly limited by the 27 static caravans which separate the application site from the open farmland. There would be some long distance views from the A158. There is fairly significant planting to the eastern bank of Barlings Eau which will lessen the visual impact of the proposed touring caravan area from views from the east. There are more exposed views of the proposed touring caravan area from the north such as from the road to Newball but there is sufficient space within the maintenance area and site boundary to allow planting to take place to soften this visual impact.

The proposal is considered to have an acceptable impact on visual amenity and the character of the area in accordance with LP17.

Residential amenity

Policy LP26 requires proposals do not unduly harm residential amenity with consideration to compatibility with neighbouring land uses; overlooking; overshadowing; loss of light; increase in artificial light or glare; adverse noise and vibration; adverse impact upon air quality from odour, fumes, smoke, dust and other sources; adequate storage, sorting and collection of household and commercial waste, including provision for increasing recyclable waste; and creation of safe environments. This is consistent with the requirements of NPPF Paragraph 127 that policies and decision should ensure that developments “f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users” and NPPF paragraph 170 in seeking to prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability and can be attached full weight.

All of the caravans are in excess of 21m from residential dwellings which will prevent undue overlooking or any other form of harm to residential amenity for existing residents. The nature of the use as a visitor facility is not considered to fundamentally conflict with the adjacent permanent residential uses in terms of issues such as noise, disturbance or general activity associated with the use. It is necessary to add a lighting condition to prevent undue light pollution. The proposal would result in increased use of the existing vehicular access to the site which is located between two dwellings. As already noted there is a very strong fall-back position whereby the site could be filled with touring caravans which would have a broadly equivalent impact. There is not considered to be undue harm to residential amenity resulting from the increased use of the vehicular access adjacent existing dwellings.

The impact on residential amenity complies with Policy LP26 and is acceptable.

Flood risk and drainage

The site is at high risk (flood zone 3) of river flooding from Barlings Eau whilst small parts of the site are at high and medium risk of surface water flooding. Policy LP14 and the NPPF require a flood risk sequential test. The PPG states:

“The Sequential Test does not need to be applied for individual developments on sites which have been allocated in development plans through the Sequential Test, or for applications for minor development or change of use (except for a change of use to a caravan, camping or chalet site, or to a mobile home or park home site).”

The aforementioned lawful use of the application site is as a caravan site without restriction on the number of caravans therefore no change of use to a caravan site would occur. Therefore no sequential or exceptions test is required.

The existing site does not have a specific flood warning and evacuation plan. The proposal would provide such a plan meaning there is a flood risk betterment for this site classified as more vulnerable.

There is a requirement for the proposal to have an acceptable flood risk assessment. An FRA was submitted with the application which proposed the following flood risk mitigation measures:

- The finished floor levels of the caravans shall be set at a minimum of 6.500 mAoD (aligned with the previous approval on the site).
- The proposed pitches for the caravans will be located on areas of crushed stone as will the access. The caravans will be securely fastened to the ground via steel chains fixed to insitu concrete pads. This will prevent any movement of the caravans during times of flooding.
- A Flood Warning and Evacuation System will be put into place for the new units.
- Surface water runoff shall be dealt with via direct infiltration. If the ground become saturated water will be directed to the existing lakes.

Paragraphs 5.9, 5.10 and 5.11 detail a flood warning and evacuation plan. The site will be registered with the Environment Agency's 'Warnings Direct' flood warning system amongst other measures.

The EA raises no objection on flood risk grounds subject to condition requiring development in accordance with the FRA and FFL no lower than 6.5m AOD and static caravans being secured to the ground.

It is clear that touring caravans can be towed from the site before a flood to the safety of flood zone 1 which starts on Barlings Lane and the static caravans would be fixed to the ground to prevent movement in a flood, visitors would be above the flood level due to the proposed FFL and the evacuation plan should ensure people can leave before flooding occurs. The proposal would not make flooding on adjacent sites worse because the proposal shows it can deal with its own surface water. The site specific flood risk assessment is considered acceptable in accordance with Policy LP14 and the NPPF.

Foul and surface water drainage are important considerations. Policy LP14 and the NPPF require major development such as this to provide SUDS drainage where possible.

Soakaway testing has been provided showing infiltration is not viable on this site. A network of filter drains alongside the new internal access roads are proposed that will receive runoff from the new static caravans. Additionally, the filter drains will intercept runoff from the access roads. Surface water would flow to the existing lakes on the site. Water levels in the lakes are maintained by overflow pipes to Barlings Eau. The 0.5m level difference between lake water level and top of bank provides an attenuation volume that can be utilised for the anticipated increase in runoff from the new development. Existing overflow from each lake will be adjusted so that a restricted discharge will occur at the normal water level and a high level

overflow provided just below top of bank level. There is capacity in the lakes to accommodate additional flows to them. The assessment of the proposed surface water drainage demonstrates that the existing lakes can provide the required attenuation volume for up to the 1 in 100 year plus climate change storm event without flood risk to the site or other areas in the vicinity being increased. The LLFA considers the drainage strategy acceptable. Foul flows are proposed to connect to Anglian Water foul drain which is acceptable. The proposed surface water drainage scheme is SUDS compliant and foul drainage is appropriate in accordance with LP14 and the NPPF. Policy LP14 requires proposals demonstrate that they have incorporated Sustainable Drainage Systems (SuDS) in to the proposals unless they can be shown to be impractical whereas NPPF Paragraph 165 requires this for only major developments. However, there is general consistency in requiring developments do not lead to increased risk of flooding therefore LP14 is given full weight.

Flood risk and drainage matters are acceptable.

Highway impacts

Policy LP13 requires well designed, safe and convenient access for all and that appropriate vehicle parking provision is made for development users. This is consistent with NPPF paragraph 108 requiring proposals ensure safe and suitable access to the site can be achieved for all users and paragraph 109 requiring development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety. The policy is therefore attributed full weight.

The existing vehicular access would be used by the proposal which is appropriate for such use. The proposed internal road layout and parking adjacent to each caravan is acceptable. Vehicles can access and egress the site in a forward gear. LCC Highways raises no objection in principle to the highway impacts of the proposal. It requires a footway connection on the southwest side of Barlings Lane to the existing footway which can be secured via condition in the interests of pedestrian safety. There are no concerns about cumulative impacts with existing and or permitted developments in the area and the junction of Barlings Lane with the A158.

The highway implications of the proposal are acceptable.

Other

Ecology- Policy LP21 is consistent with NPPF section 15 in requiring protected species are taken into account and enhancements are secured and is therefore attributed full weight. The application site is no longer recognised as a site of nature conservation interest. It is apparent from the site visit the application site primarily consists of mown lawn suitable for the stationing of caravans which is of negligible ecological value whilst the lakes and Barlings Eau would remain unaffected by the proposal. It is appropriate to secure ecological enhancements as part of the proposal via condition.

Archaeology- LCC Archaeology require no archaeological measures for this proposal.

Conclusion

The proposal entails the appropriate redevelopment and expansion of an existing tourist facility which is acceptable in principle in accordance with Policy LP7 and LP2. There would be some visual impact but this would not cause significant harm and can be mitigated by landscaping. There would be no harm to residential amenity by virtue of the nature of the use being compatible with residential dwellings and the physical impact of the caravans and vehicle movements being limited. Flood risk and drainage matters have been addressed and are acceptable. No harm to highway safety would arise and the internal site access roads and parking provision are appropriate. There are no other technical problems with the proposal therefore planning permission should be granted.

It is recommended planning permission is granted subject to the following conditions:

Conditions stating the time by which the development must be commenced:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To conform with Section 91 (1) of the Town and Country Planning Act 1990 (as amended).

Conditions which apply or require matters to be agreed before the development commenced:

None.

Conditions which apply or are to be observed during the course of the development:

2. Development shall proceed in accordance with the following approved drawings and shall be for a maximum of 79 static and 109 touring caravans:
LDC2599-02B

Reason: For the sake of clarity and in the interests of proper planning and in accordance with the terms of the application.

3. No external lighting shall be installed within the application site unless details have first been submitted to and approved in writing by the Local Planning Authority. Lighting shall be installed in accordance with the approved details.

Reason: To prevent harm to residential amenity and the character and appearance of the area in accordance with Policies LP17 and LP26 of the Central Lincolnshire Local Plan.

4. No additional caravans shall be stationed on the site until, a scheme of landscaping including details of the size, species and position or density of all hedges and trees to be planted and measures for the protection of trees to be retained during the course of development shall have been submitted to and approved in writing to the Local Planning Authority. The details approved in writing by the Local Planning Authority shall be planted in the first available planting season following their approval. Any trees or hedges 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 landscaping scheme to enhance the development and that initial plant losses are overcome is provided in accordance with Policies LP17 and LP26 of the Central Lincolnshire Local Plan.

5. No additional caravans shall be stationed on the site until a scheme of ecological enhancements shall be submitted to and approved in writing by the Local Planning Authority. The agreed details shall be installed within 6 months of their approval and retained.

Reason: To secure ecological enhancements in accordance with Policy LP21 of the Central Lincolnshire Local Plan and the provisions of the NPPF.

6. Foul and surface water drainage shall be carried out in accordance with the Drainage Strategy Report by ADC Infrastructure dated 07/01/2020 prior to the first use of each caravan.

Reason: To ensure appropriate foul and surface water drainage is secured in accordance with Policy LP14 of the Central Lincolnshire Local Plan.

7. No additional caravans shall be stationed on the site before a 1.8 metre wide frontage footway (to the southwest side of Barlings Lane), to connect the development to the existing footway network, has been provided in accordance with details that shall first have been submitted to, and approved in writing by, the Local Planning Authority. The works shall also include appropriate arrangements for the management of surface water run-off from the highway.

Reason: To ensure the provision of safe and adequate pedestrian access to the permitted development, without increasing flood risk to the highway and adjacent land and property in accordance with Policy LP13 and LP26 of the Central Lincolnshire Local Plan.

8. The development shall be carried out in accordance with the approved flood risk assessment and the following mitigation measures it details:

- Finished floor levels shall be set no lower than 6.5 metres above Ordnance Datum (AOD)
- Static caravans shall be secured to the ground
- These mitigation measures shall be fully implemented prior to occupation
- The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants in accordance with Policy LP14 of the Central Lincolnshire Local Plan.

9. The development hereby permitted shall operate the flood warning and evacuation plan detailed in paragraphs 5.9 to 5.11 of the Flood Risk Assessment by LDC issue 1 dated 20/05/2019.

Reason: To reduce the risk of flooding to future occupants in accordance with Policy LP14 of the Central Lincolnshire Local Plan and the provisions of the NPPF.

Conditions which apply or relate to matters which are to be observed following completion of the development:

10. The development hereby permitted shall be used for holiday accommodation only and shall not be used as a persons sole or main residence.

Reason: To ensure the development is not occupied as permanent residential accommodation as this would be contrary to Policies LP2, LP4, LP7 and LP26 of the Central Lincolnshire Local Plan.