



**Horsham
District
Council**

DEVELOPMENT MANAGEMENT REPORT

TO: Development Management Committee (South)

BY: Development Manager

DATE: 19 April 2016

DEVELOPMENT: Variation of condition 1 to previously approved application DC/14/2273 which restricted the number of caravans that could be sited in the caravan park to 29, to allow an additional five caravans to be sited in the existing caravan park

SITE: Oaklands Park Emms Lane Brooks Green Horsham

WARD: Billingshurst and Shipley

APPLICATION: DC/15/2664

APPLICANT: Mr Daniel Wenman

REASON FOR INCLUSION ON THE AGENDA: Number of letters at variance to Officers recommendation

RECOMMENDATION: To refuse planning permission

1. THE PURPOSE OF THIS REPORT

To consider the planning application.

DESCRIPTION OF THE APPLICATION

- 1.1 This application seeks to vary condition 1 of DC/14/2273. Condition 1 of DC/14/2273 states that; *"No more than 29 caravans and mobile homes stationed on the land shall be occupied for human habitation."* The application seeks permission to station a further five mobile homes on the site taking the total number of mobile homes to 34.

DESCRIPTION OF THE SITE

- 1.2 The site is located outside of any built up area boundary and lies on the eastern side of Emms Lane. The surrounding area is predominantly rural, however there is a row of 8 dwellings on the opposite side of the highway with a further two dwellings located to the south west of the site.
- 1.3 Oaklands Park was formerly part of the larger caravan park known as Brooks Green Park which originally consisted of 60 caravans/mobile homes. Brooks Green Park has recently been subdivided and now forms two separate parks. The park known as Brooks Green Park is located on the northern part of the original site and currently has planning permission for a total of 46 permanently sited mobile homes (these comprise 31 original units, 4 granted under DC/13/2165 and a further 11 granted under DC/15/0674). The

mobile homes submitted under DC/13/2165 and DC/15/0674 are subject to a legal agreement requiring occupiers to have a local connection.

- 1.4 The southern part of the original site is now known as Oaklands Park and forms the application site. The site has permission for 29 mobile homes for permanent residential use (consolidated under DC/14/2273), to be occupied by persons of 50 years of age or over, and with a local connection.
- 1.5 A further caravan park known as "Larkins Park" is located to the north of Brooks Green Park and comprises 28 touring caravans with occupancy restricted to 11 months in any year.

2. INTRODUCTION

STATUTORY BACKGROUND

- 2.1 The Town and Country Planning Act 1990.

RELEVANT GOVERNMENT POLICY

- 2.2 National Planning Policy Framework 2012 (NPPF).

- NPPF7 - Requiring good design
- NPPF3 - Supporting a prosperous rural economy
- NPPF11 - Conserving and enhancing the natural environment

RELEVANT COUNCIL POLICY

- 2.3 The following policies of the Horsham District Planning Framework (2015) are considered to be relevant to the determination of the application;

- Policy 1 Sustainable Development
- Policy 2 Strategic Development
- Policy 3 Development Hierarchy
- Policy 4 Settlement Expansion
- Policy 10 Rural Economic Development
- Policy 15 Housing Provision
- Policy 16 Meeting Local Housing Needs
- Policy 17 Exceptions Housing Schemes
- Policy 19 Park Homes and Residential Caravan Sites
- Policy 24 Environmental Protection
- Policy 32 The Quality of New Development
- Policy 33 Development Principles
- Policy 40 Sustainable Transport
- Policy 41 Parking

PLANNING HISTORY

SP/10/01	Replacement dwelling for mobile home Site: Brooks Green Park Emms Lane Brooks Green	REF
SP/16/97	Change of use of 2 holiday plots to use for owner and managers caravan Site: Brooks Green Park Emms Lane Brooks Green	PER

SP/9/97	Erection of a site office and equipment storage barn Site: Brooks Green Park Emms Lane Brooks Green	PER
SP/54/98	Tree felling & surgery Site: Brooks Green Park Emms Lane Brooks Green	PER
SP/61/98	Retention of land for residential purposes ancillary to use of mobile homes Site: Brooks Green Park Emms Lane Brooks Green	PER
DC/04/0084	Erection of dwelling with ancillary office to replace mobile homes	PER
DC/05/0643	Change of use of land for siting of existing mobile homes	PER
DC/05/0647	Erection of an amenity block (Outline)	PER
DC/08/0072	Erection of an amenity block (Approval of Reserve Matters)	PER
DC/08/2051	Variation of condition 4 of SP/44/98 to allow use of 28 caravans/mobile homes to be occupied between 1st November and 5th January and 1st February to 29th February (inclusive) each year	PER
DC/10/0696	To extend the time limit for implementation of DC/08/0072 (Approval of Reserved Matters) for the erection of an amenity block	PER
DC/13/2047	Fell 6 x trees at Brooks Green Caravan Park	PER
DC/14/1175	Variation of conditions 3,4,5 and 6 of planning permission DC/08/2051 to allow year round residential use of 28 caravans	WDN
DC/14/2273	Change of use to allow year round residential use of all 29 existing caravans and necessary infrastructure on existing caravan park.	PER
DC/15/2663	Change of Use from agricultural to allow the siting of an additional three residential mobile homes for year round occupation on land adjoining existing caravan park, and all necessary infrastructure	PDE

3. OUTCOME OF CONSULTATIONS

The following section provides a summary of the responses received as a result of internal and external consultation, however, officers have considered the full comments of each consultee which are available to view on the public file at www.horsham.gov.uk.

INTERNAL CONSULTATIONS

- 3.1 **Strategic and Community Planning (summarised)** - As the Council are able to demonstrate a strong 5 year housing land supply position, the development of additional unallocated housing in this countryside location is not considered appropriate or necessary at this time. In addition, as this site has not been allocated for development or expansion in the HDPF or in a Neighbourhood Plan it is not in accordance with the development strategy and should therefore be refused as per paragraph 12 of the NPPF. The proposal is also not considered to accord with Policy 16 of the HDPF as an affordable housing offer has not been detailed.

- 3.2 **Public Health and Licensing** – No objection to the provision of additional homes with the proviso that the site retains open land for the purposes of recreation, amounting to ten percent of the total area in line with the site licence conditions.

OUTSIDE AGENCIES

- 3.3 **Southern Water** – No comments to make on proposal
- 3.4 **West Sussex Highways (summarised)** - It is not anticipated that the increase in traffic movements would be material or cause a highway safety concern.

PUBLIC CONSULTATIONS

- 3.5 **Shipley Parish Council** – Objection on the grounds of overdevelopment of this type of housing, insufficient drainage structures and deterioration of local carriageways as a result of increasing traffic and drainage problems.
- 3.6 **Thirteen letters of support** have been received relating to the application on the grounds that the proposal would provide low cost accommodation, homes on site are of top quality, and the site owners have improved the site.

4. HOW THE PROPOSED COURSE OF ACTION WILL PROMOTE HUMAN RIGHTS

- 4.1 Article 8 (Right to respect of a Private and Family Life) and Article 1 of the First Protocol (Protection of Property) of the Human Rights Act 1998 are relevant to this application, Consideration of Human rights forms part of the planning assessment below.

5. HOW THE PROPOSAL WILL HELP TO REDUCE CRIME AND DISORDER

- 5.1 It is not considered that the development would be likely to have any significant impact on crime and disorder.

6. PLANNING ASSESSMENTS

- 6.1 It is considered that the main issues in the determination of the application are:

- Principle of the development
- Impact upon the surrounding countryside and neighbour amenity
- Highways

Principle

- 6.2 The National Planning Policy Framework (NPPF) sets out that there is a presumption in favour of sustainable development and that this should run through both plan-making and decision-taking. In terms of the determination of planning applications this should mean the approval of developments that accord with the development plan without delay, and that where the development plan is silent or relevant policies are out of date, that permission be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits, or policies of the NPPF indicate otherwise.
- 6.3 Paragraph 55 of the NPPF states that new isolated homes in the countryside should be avoided unless there are special circumstances. Consistent with this, Policy 26 states that any development should be essential to its countryside location and should support the

needs of agriculture or forestry, enable the extraction of minerals or the disposal of waste, provide for quiet informal recreational use or enable the sustainable development of rural areas.

- 6.4 Policy 19 of the Horsham District Planning Framework (2015) (HDPF) relates to Park Homes and Residential Caravan Sites and notes that park homes have a role to play in the provision of low cost housing in the district. The policy states that;

“Proposals for the provision of park homes/residential caravans to meet a local district wide housing need will be supported provided that the development:

1. Is provided to meet a local housing need; there will be a requirement for them to be marketed in the first instance for a reasonable period of time to residents of Horsham district;

2. The park homes/residential caravans shall be used for permanent accommodation; and

3. No significant barriers exist in terms of flooding, poor drainage and poor ground stability.

Subsequent proposals for permanent housing development on the site or use as holiday accommodation will not be supported whilst the need for such accommodation exists.”

- 6.5 Policy 19 supports the development of park homes to meet a ‘local district wide housing need.’ Park homes are a form of low cost market housing, and would therefore count towards the District’s 5-year housing land supply. Since the adoption of the HDPF in November 2015, the Council is able to demonstrate a full 5-year supply of housing land sufficient to meet the needs of the District to 2031. It is therefore considered that at the current time there is not a District wide housing need as the Council can demonstrate a strong 5 year housing supply position, and therefore the proposal would not comply with policy 19.
- 6.6 The application site lies in the countryside outside of the identified built-up area of any settlement. Given this location, the initial principle of the proposal moves to be considered in the context of paragraph 55 of the NPPF, and policy 3 and 4 of the Horsham District Planning Framework (HDPF). Policy 3 seeks to locate appropriate development, including infilling, redevelopment and conversion within built-up area boundaries, with a focus on brownfield land.
- 6.7 Policy 4 relates to settlement expansion and states that; *“Outside built-up area boundaries, the expansion of settlements will be supported where;*
- a.the site is allocated in the Local Plan or in a Neighbourhood Plan and adjoins an existing settlement edge.*
- b.the level of expansion is appropriate to the scale and function of the settlement type.*
- c.the development is demonstrated to meet the identified local housing needs and employment needs or will assist the retention and enhancement of community facilities and services.*
- d.the impact of the development individually or cumulatively does not prejudice comprehensive long term development, in order not to conflict with the development strategy; and*
- e.the development is contained within an existing defensible boundary and the landscape and townscape character features are maintained and enhanced.”*
- 6.8 In respect of policy 3 and 4, the proposed units are outside the built up area boundary, are not allocated for development within the HDPF, and are not identified within an emerging Neighbourhood Development Plan. The Council is able to demonstrate a strong 5 year housing supply position, and consequently there is not a need for further housing at present on sites outside the built up area boundary and not allocated or identified in a Neighbourhood Plan.

Impact upon the surrounding countryside and neighbour amenity

- 6.9 The proposal seeks permission for the variation of condition 1 of DC/14/2273 to allow an additional five mobile homes to be sited on the existing caravan park. Section 7 of the NPPF provides guidance relating to design and states that good design is a *"key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people."* It also notes in paragraph 64 that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.
- 6.10 It is considered that due to the existing use of the site and the size of the park, five additional mobile homes could be satisfactorily absorbed into the site. It is considered that five additional units could be provided without appearing cramped and that the units would be viewed in the context of the existing pattern and form of development on the site. It is therefore considered in this respect the proposal would comply with Policy 33 of the HDPF and the guidance contained within the NPPF.
- 6.11 The site is bordered to the south by the residential properties of Camomile Barn and Cedar House, whilst to the west is Japhets, Fairways and Tuppland. It is considered due to the layout of the site and the proposed restriction on occupation to those aged 50 and above that the proposed increase in the number of units on the site would not lead to detrimental impacts upon the amenities of nearby residents in terms of general noise and disturbance.

Highway safety

- 6.12 The Highways Authority at WSCC has reviewed the proposed access to the site and has not raised any objections to the proposed development. Similarly, no objection is raised by the Highway Authority in relation to traffic movements and highway capacity or safety. Paragraph 32 of the NPPF states that *'development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.'* It is not considered that the proposed development would lead to impacts upon the highway that could be considered severe. The Highways Authority are satisfied that the proposed site can accommodate development at the scale proposed, would not cause any significant impact in terms of an increase in traffic movements within the vicinity of the site and that car parking could accord with the WSCC Parking Calculator. It is therefore considered in this respect the proposal complies with policy 41 of the HDPF.

Conclusion

- 6.13 The site is situated in a rural location outside of the defined built up area boundary. Policy 19 of the HDPF states that proposals for park homes will be supported where the proposal would meet a 'local district wide housing need'. In this respect the Council is able to demonstrate a strong 5 year housing supply position, and consequently there is not a need for further housing at this time on sites outside the built up area boundary which are not allocated or identified in a Neighbourhood Plan. Whilst no objection to the proposal is raised on amenity or highway grounds the proposal would be contrary to policy 3, 4, 19 and 26 of the Horsham District Planning Framework (2015).

7. RECOMMENDATIONS

7.1 It is recommended that the application is refused for the following reason;

1. The proposed development is located in a countryside location, outside the defined built up area boundary, on a site not allocated for development within the Horsham District Planning Framework, or an adopted Neighbourhood Development Plan. The Council is able to demonstrate a 5 year housing land supply and consequently this scheme would be contrary to the overarching strategy and hierarchical approach of concentrating development within the main settlements. Furthermore, the proposed development is not essential to its countryside location and consequently represents an inappropriate, unsustainable and unacceptable form of development that is contrary to the aims and objectives of the NPPF and Policies 1, 2, 3, 4, 19 and 26 of the Horsham District Planning Framework (2015).

Background Papers: DC/15/2664, DC/14/2273