PLANNING APPLICATIONS
EDEN DISTRICT COUNCIL (BLUE SHEETS)
Application no: 7/2008/3090
Applicant: North Dales Leisure Parks
Date of Application: 1 October 2008
Type of Application: Full
Location: Hillcroft Caravan Park, Pooley Bridge, Penrith, CA10 2LT
Grid Reference: 347774 524078 See Plan
Proposal: Siting of 8 camping pods with associated car parking spaces
District Council: No Response
Parish Council: Comments
Highway Authority: Not consulted

RECOMMENDATION: APPROVE with conditions

REPORT:

1 BACKGROUND & PROPOSAL

1.1 I am reporting this application to committee because if approved as recommended the decision would represent a departure from the development plan. At the last meeting, committee deferred a decision in order to carry out a site inspection. There were two main issues raised by Members at the site inspection:

- Members requested the views of our Landscape Architect. His views are expected in time for the meeting.
- Members requested a site plan which denoted the exact position of existing trees in relation to the proposed pods. This has been requested from the applicant.

1.2 Hillcroft is a large and established caravan and camping park site which lies to the south-east of Pooley Bridge. The site for the proposed camping pods is within the park in a treed area between two tented camping fields, which are situated between the main static caravan area and the road.

1.3 The proposal provides for the siting of 8 camping pods with associated car parking spaces within the treed boundary between the two fields. The roadside boundary is also landscaped with trees. The site is set at a higher level to the road. This site lies outside of the approved boundary for the caravan park but within the approved tented camping area.

1.4 The proposed camping pods are wooden structures with metal sheet roofs, with a granular finish in brown, which have the appearance of a shingle roof. The roof form is curved over the whole pod. The pods measure approximately 4 metres by 2.5 metres and internally have a single open space. They would
be placed on the land without the need for foundations and are not connected to services. It might perhaps be described as a wooden tent, and permits backpacking and other visitors to have the benefits of camping without the need for their own tent. A photograph of a typical pod will be displayed at the committee meeting.

1.5 The site for the pods straddles the line of the adjacent defined quieter area in the local Plan, the boundary being the trees between the two camping fields.

1.6 There are at present 4 pods located on this site (without the benefit of planning permission) apparently for a trial period, without prejudice to the determination of this current application. The 4 pods are located in the north-east corner of the southern camping field. The presence of these pods is not material to the decision on this application and irrespective of the outcome this breach needs to be resolved.

1.7 Planning permission was granted in November last year (7/2008/3082) for the relocation of the children's play and activity area. The approved location is in the south-west corner of the tented camping field immediately to the north of the site for the proposed camping pods.

2 REPRESENTATIONS

2.1 No representation letters have been received as a result of the site notice displayed at the site.

2.2 Barton Parish Council have not made a resolution on this application and have forwarded the views of five individuals. These individual comments can be summarized as follows:

- Is this application for a change of use?
- The 4 pods already sited are nowhere near the planned area, but in an open field.
- Need to be careful about piecemeal development.
- These fixed structures are very prominent and unlike tents are there all of the time.
- The field should remain for tents only.
- Reluctantly - no objections, subject to conditions.

All of these comments are covered in the assessment below.

3 POLICY & ASSESSMENT

3.1 The following policies of the Lake District National Park Local Plan are relevant:

- T9 (Static caravan sites)
- NE1 (Development in the open countryside)
- NE5 (Development in quieter areas)

3.2 The site lies within open countryside so Policy NE1 of the Local Plan is relevant. However, the use of part of this site for the siting of pods would be
closely integrated with the existing uses on the site so I consider the principle to be acceptable.

3.3 The site straddles the boundary of the defined ‘quieter area’ in the Local Plan (Policy NE5). However, I do not consider this to be an issue as the proposal is within the boundaries of the existing caravan and camping site and it relates to activities already undertaken within the site.

**What status do the camping pods have in planning law?**

3.4 The camping pods would be made elsewhere and delivered to site complete, no operations are required and I consider that the camping pods fall within the statutory definition of a caravan:

*Any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted, but does not include any tent.*

- Section 29(1) of the Caravan Sites & Control of Development Act 1960

Camping pods are a relatively recent phenomenon, so as far as I am aware there is no case law which confirms my opinion, but they do seem to fit this definition. As they are likely to remain on site permanently I have therefore based my assessment of the application in the light of development plan policy on static caravans. This approach is consistent with the assessment of applications for camping pods in Eskdale and Grizedale. On the individual merits of these cases Committee granted planning permission.

**Would the camping pods be contrary to development plan policy?**

3.5 Policy T9 only permits the siting of static caravans within the approved boundaries of established and well screened static caravan sites or on farms in connection with farm diversification proposals. In this case neither of these two circumstances applies as the site is outside of the approved caravan area, so the siting of the pods would therefore be contrary to development plan policy.

**Are there reasons to justify a departure from policy?**

3.6 I consider that a departure from policy might be justified in this case for a number of reasons. Firstly, the pods are very much smaller and more unobtrusive than even conventional touring caravans, never mind static caravans. They are more akin to tents in their impact. Indeed many modern tents are bigger than the pods and may be more intrusive because of their bright colours. On the other hand the pods are likely to be in position all year round whereas tents will come and go, so we need to consider what their impact might be.

3.7 The area in which the pods are proposed to be sited is relatively well shielded by trees from surrounding areas, and is clearly associated with the existing campsite. Their wooden construction and shingle effect roofs are appropriate
for siting amongst trees. Occupiers of the pods would use the existing facilities on site, so no new facilities would be required. I would be concerned if the pods would result in the displacement of existing camping pitches or if they were to be sited in the more open parts of the campsite. However this is not the case in this instance. The landscape impact is therefore likely to be negligible.

3.8 The nearest dwelling that has the potential to be affected by this proposal is The Vicarage, which is on the other side of the lane and some 25m from the boundary of the caravan and camping park. The Vicarage is set at a lower level than the caravan and camping park. Both the boundary to the caravan and camping park and the boundaries to The Vicarage are screened by trees, walls and shrubbery. The area where the proposed pods would be sited has play and camping activities occurring on it already. Given the context of the relationship between the sites, the nature of the use and the type of structure to be installed, I consider that the pods would not adversely affect the residential amenities of this adjacent property to such an extent as to warrant a refusal of planning permission. However, the relationship between the site and the adjacent dwelling could be improved by the addition of more landscaping between the two properties and I recommend that this should be the subject of an appropriate condition.

4 CONCLUSION

4.1 The camping pods would provide relatively inexpensive basic accommodation for visitors to the National Park who might not have the equipment or appetite for conventional camping. There has been a reduction over the years in the availability of low cost accommodation in the National Park and it would enable visitors to come to the heart of Ullswater on foot or via the steamers without the need to carry a tent.

4.2 Given the benefits and limited impacts I recommend that planning permission be granted subject to appropriate conditions.

Committee is recommended to:

APPROVE with conditions

1. The development hereby permitted shall be commenced before the expiration of THREE years from the date hereof.

   REASON: Imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act, 1990.

2. None of the camping pods hereby permitted shall be replaced by any other structure(s) or caravan(s) differing from the approved details, unless and until details of the size, design and colour of such replacements have first been approved in writing by the Local Planning Authority.

   REASON: Permission has been granted on the basis that the proposed
camping pods would have limited landscape impact. Their replacement with caravans or other more intrusive structures might well have a more significant impact and would be contrary to the aims of Policy T9 of the Lake District National Park Local Plan.

3. Unless otherwise agreed in writing by the Local Planning Authority, not more than 8 camping pods shall be sited at any one time on the land edged red on the submitted plan.

**REASON:** For the avoidance of doubt and to safeguard the amenities of the area.

4. The camping pods hereby permitted shall not be occupied other than for holiday purposes and shall not at any time be used for the purposes of permanent residential accommodation.

**REASON:** The accommodation is inadequate for permanent residential use and permitting permanent residential accommodation in this open countryside location would be contrary to Policy H20 of the Cumbria & Lake District Joint Structure Plan 2001-2016 and Policies H5 & H10 of the Lake District National Park Local Plan.

5. All external timber of each of the camping pods hereby permitted shall be stained a dark brown colour to be submitted to and approved in writing by the Local Planning Authority prior to each of the camping pods being sited on the land.

**REASON:** In the interests of the appearance of the development and in accordance with Policy T9 of the Lake District National Park Local Plan.

6. Not later than 12 months from the first placing of any of the camping pods on the site, landscaping of the site shall be undertaken in accordance with the details of a scheme which shall first have been submitted to and approved in writing by the Local Planning Authority. The said scheme shall include hard and soft landscaping proposals, to address the finish of the car parking spaces and the strengthening of the boundary screening on the western boundary roadside boundary of the site.

Any trees or plants which, within a period of five years thereafter, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar sizes and species unless the Local Planning Authority gives written consent to any variation.

**REASON:** To safeguard the visual amenities of the area, in accordance with Policy T9 of the Lake District National Park Local Plan.

**Summary of Reasons for Approval**

Having regard to the relevant development plan policies, in particular Policies NE1, NE5 and T9 of the Lake District National Park Local Plan and all other material planning considerations, the proposal is considered to be acceptable subject to the conditions imposed. It is considered that the proposal justifies a departure from
Policy T9 of the Lake District National Park Local Plan, because of the small size of the camping pods, their unobtrusive materials and design, and their position within a well shielded area of an existing campsite.

BACKGROUND PAPERS: Background papers are available for inspection on the planning application file unless otherwise specified on that file as confidential by reasons of financial/personal circumstances in accordance with the Local Government (Access to Information) Act 1985.