

**Retention of residential caravan for overnight accommodation for stockperson at  
The Old Quarry Fosseyway Broadwell Gloucestershire**

<b>Full Application 15/03100/FUL (CD.8481/H)</b>	
Applicant:	Edward Gilder & Co
Agent:	Moule & Co Ltd
Case Officer:	Scott Britnell
Ward Member(s):	Councillor Julian Beale
Committee Date:	10th August 2016
<b>RECOMMENDATION:</b>	<b>PERMIT</b>

**Main Issues:**

- (a) The principle of the development
- (b) The impact upon the Broadwell Conservation Area
- (c) The impact upon the AONB
- (d) The impact on highway safety and the local road network
- (e) Other Matters

**Reasons for Referral:**

This application has been referred to committee by Councillor Beale so that members can assess the need for the development and its impact upon the Area of Outstanding Natural Beauty.

**1. Site Description:**

The application site, The Old Quarry sits in the Cotswold Area of Outstanding Natural Beauty (AONB) with the Broadwell Conservation Area sited approximately 750 - 800 metres to the east.

Located within the Fosseridge Ward, The Old Quarry is accessed via a sloping entrance to the west, which joins the Fosse Way. To the north, east and south the site is surrounded by wooded areas and open countryside. The site benefits from planning permission to be used as a lairage (a place where cattle and sheep may be rested on their way to market or slaughter) in association with the applicant's haulage business.

**2. Relevant Planning History:**

12/01922/FUL - Permitted - Retention of residential caravan for overnight accommodation for stockperson and erection of lairage building (dated 17 July 2012)

15/00984/FUL - Permitted - Improved access (part retrospective) (Dated 13 July 2015)

15/00289/FUL - Permitted - (Retrospective) Erection of an agricultural muck store (dated 9 December 2015)

15/03075/FUL - Permitted - Erection of general purpose building for use as agricultural lairage and associated fodder storage (dated 9 December 2015)

15/03931/FUL - Concurrent full planning application for a permanent rural workers dwelling

### **3. Planning Policies:**

LPR05 Pollution and Safety  
 LPR15 Conservation Areas  
 LPR19 Develop outside Development Boundaries  
 LPR38 Accessibility to & within New Develop  
 LPR39 Parking Provision  
 LPR42 Cotswold Design Code  
 NPPF National Planning Policy Framework

### **4. Observations of Consultees:**

Comments have been received from the following consultees: -

Highways - Response incorporated into the 'Officer's Assessment'.

### **5. View of Town/Parish Council:**

The Parish Council object to the proposals on the following grounds: -

What evidence is there that the site has been used for the purposes suggested?

No enforcement action has been taken on this site over the years despite unrestrained development thereon

### **6. Other Representations:**

5 separate comments from 2 sources have been received objecting to the application. The grounds for objection/comments are summarised as follows: -

- The incremental development of the site
- The impact of the site on the AONB
- The unauthorised development of a timber building
- If the concurrent application for the dwelling is permitted what will happen to the caravan?
- Please disregard the planning appraisal by Fox as it is self-serving
- There is little evidence of business activity on the site

### **7. Applicant's Supporting Information:**

Planning Statement July 2015 - This is available for Members to view prior to Committee.

### **8. Officer's Assessment:**

#### **The Proposals**

The application proposes the retention of a caravan for the purposes of an overnight stockperson in relation to the existing lairage use of the site.

The agent has confirmed that the proposal is to retain the caravan on a temporary basis for a further 3 years, should the concurrent planning application for a permanent dwelling on the site be refused. If that application is permitted then the caravan would be removed.

### **(a) The principle and form of development**

Two reports have been prepared by Fox Rural Planning & Land Management dated 17 November and 31 December 2015. These are hereafter referred to as the Fox Reports and were prepared on behalf of the Council to assess the need for the proposed dwelling subject to the concurrent planning application and the retention of the caravan. Those reports were attached as appendices to planning application 15/03931/FUL for the Committee Meeting in April 2016 and members are respectfully referred to the current Committee Report for that application.

Pages 3 - 4 of the November Fox Report sets out the general context of the use of the site noting that the throughput at the lairage is now over 10,000 animals per annum and involves work at all hours and the majority of the year.

Based on the large numbers of livestock involved with the lairage and the fact that they will have come from the farm or a livestock market, and are likely to be stressed, there is bound to be times when urgent action is necessary for welfare reasons. That these incidents can occur at any time and throughout the year translates into there being a functional need for an experienced stockperson based at the site.

The functional (and financial) need for there to be a stockperson/rural worker on site has therefore been established. Full details of how that assessment has been reached can be found on the concurrent planning application 15/03931/FUL and the Fox Reports.

In addition to the above, the applicant has provided further documentation to demonstrate the use of the site. This additional information was provided in May 2016 to Fox Rural Planning and Land Management in support of the application.

The form of the development, a residential caravan, is not adjudged to be an acceptable long-term solution for the site. Consequently, it is considered appropriate to apply a condition to any planning permission restricting the retention of the caravan to a further 1 year only. This would provide the applicant/owner the ability to continue to operate from the site while exploring potential solutions for a permanent structure. In addition a condition will be required to ensure that the occupation of the caravan will be limited to persons solely or mainly employed in the day to day management of animals utilising the lairage site.

If the concurrent planning application is approved then this application can be refused.

The application is adjudged to be compliant with Local Plan Policy 19, 24, 42 and Sections 3 and 7 of the NPPF.

### **(b) The impact upon the Broadwell Conservation Area**

The Broadwell Conservation Area is situated some 750 - 800 metres away to the east of the site. Given this distance, established screening and the fairly minor development proposed no perceivable impacts have been identified on the setting of the Conservation Area.

The application is adjudged to comply with Local Plan Policy 15 and Sections 7 and 11 of the NPPF.

### **(c) The impact upon the AONB**

Paragraph 115 of the NPPF states that great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of [protection in relation to landscape and scenic beauty.

Local Plan Policies 19 and 42 state that certain types of development may be appropriate in the countryside to support select activities including work.

While not appropriate as a permanent structure it is considered that a further temporary permission of 1 year would be acceptable, given the fact that the caravan is not visible from the public realm, is linked to an established rural business use and is not causing permanent or irreparable damage, subject to their still being a need.

This would provide the applicant/owner the ability to continue to operate from the site while exploring potential solutions for a permanent structure (should the concurrent application be refused). On this basis the application is adjudged to comply with Section 11 of the NPPF.

#### **(d) The impact on highway safety and the local road network**

The Highways Officer has commented that they have no objection to the retention of a residential caravan for overnight accommodation of a stock-person. The access was granted in 2015 (15/00984/FUL) and it is noted that if permission is granted for the erection of a permanent dwelling on the site that the caravan would be removed. The Highways Officer has also reviewed the turning head details submitted and is satisfied with its detail and subject to these being made a condition to the application no objections have been offered.

The application is adjudged to comply with Local Plan Policies 38 and 39 and Section 4 of the NPPF.

#### **(e) Other Matters**

A number of comments have been made with regards to the development of the site and the perceived lack of enforcement thereon. The relevant planning history provided earlier in this report indicates that a number of planning applications have been made retrospectively. This is not (in most cases) unlawful but those who undertake such development do so at their own risk and any enforcement matters should be reported to the Council's Planning Enforcement Team. A review of the Council's records indicate only one outstanding enforcement matter at this site, which relates to the erection of the timber outbuilding (permanent rural workers dwelling) that is subject to the concurrent planning application.

The Council's Environmental Health Officer has requested an investigation for the potential for contaminated land on this site; please refer to application 15/03931/FUL. It is noted that no such requirement was made in relation to the original planning consent for the caravan in 2012.

A request was also made to the Council during the assessment of the concurrent planning application for a permanent rural workers dwelling, regarding disclosure of the information that the applicant had submitted to support the application. Full details regarding this matter can be found within the Officer's Report in relation to 15/03931/FUL.

#### **9. Conclusion:**

Subject to no permanent dwelling being approved under application 15/03931/FUL, this application is adjudged acceptable on the basis that permission is granted for the retention of the caravan for a single year only and is occupied by a worker employed in association with the lairage business. The application complies with Local Plan Policy 19, 24, 38, 39 and 42 and Sections 3, 4, 7, 11 and 12 of the NPPF.

#### **10. Conditions:**

The development hereby approved shall be implemented in accordance with the following drawing number(s): GI213-001, GI213-002, Photographs numbered 1, 2, 3, RCA211/SK002

**Reason:** For purposes of clarity and for the avoidance of doubt, in accordance with paragraphs 203 and 206 of the National Planning Policy Framework.

The occupation of the caravan shall be limited to persons solely or mainly employed in the day to day management of animals utilising the lairage site

**Reason:** The application site by virtue of its location remote from amenities, facilities, services and public transport links and outside a designated Development Boundary would represent an unsustainable and inappropriate location for unrestricted residential development contrary to national and local planning policy and guidance that seek to direct residential development to the most sustainable locations such as Principal Settlements. The unrestricted occupation of the accommodation would be contrary to Local Plan Policy 19 and Paragraph 55 of the National Planning Policy Framework.

Within one year from the date of this planning permission the caravan hereby permitted shall be removed from the site.

**Reason:** Permanent development of this would detract from the character of the area and permission is given only to meet the special, temporary needs of the applicant or to enable the Local Planning Authority to give further consideration to the use after the temporary period has expired in accordance with the Cotswold District Local Plan and Circular 11/95.

Within 2 months from the date of this decision the vehicle parking and manoeuvring facilities shall be completed in all respects in accordance with the approved details and they shall be similarly maintained thereafter for that purpose.

**Reason:** To enable vehicles to enter and leave the highway in a forward gear and in the interests of highway safety. This condition is imposed in the light of Local Plan Policies 38 and 39.

The Old Quarry, Fosseway, Broadwell

15/03100/FUL CD.8481/H

127

206.1m

APPLICATION  
SITE

FOSS WAY (A429)

Scale: 1:1250

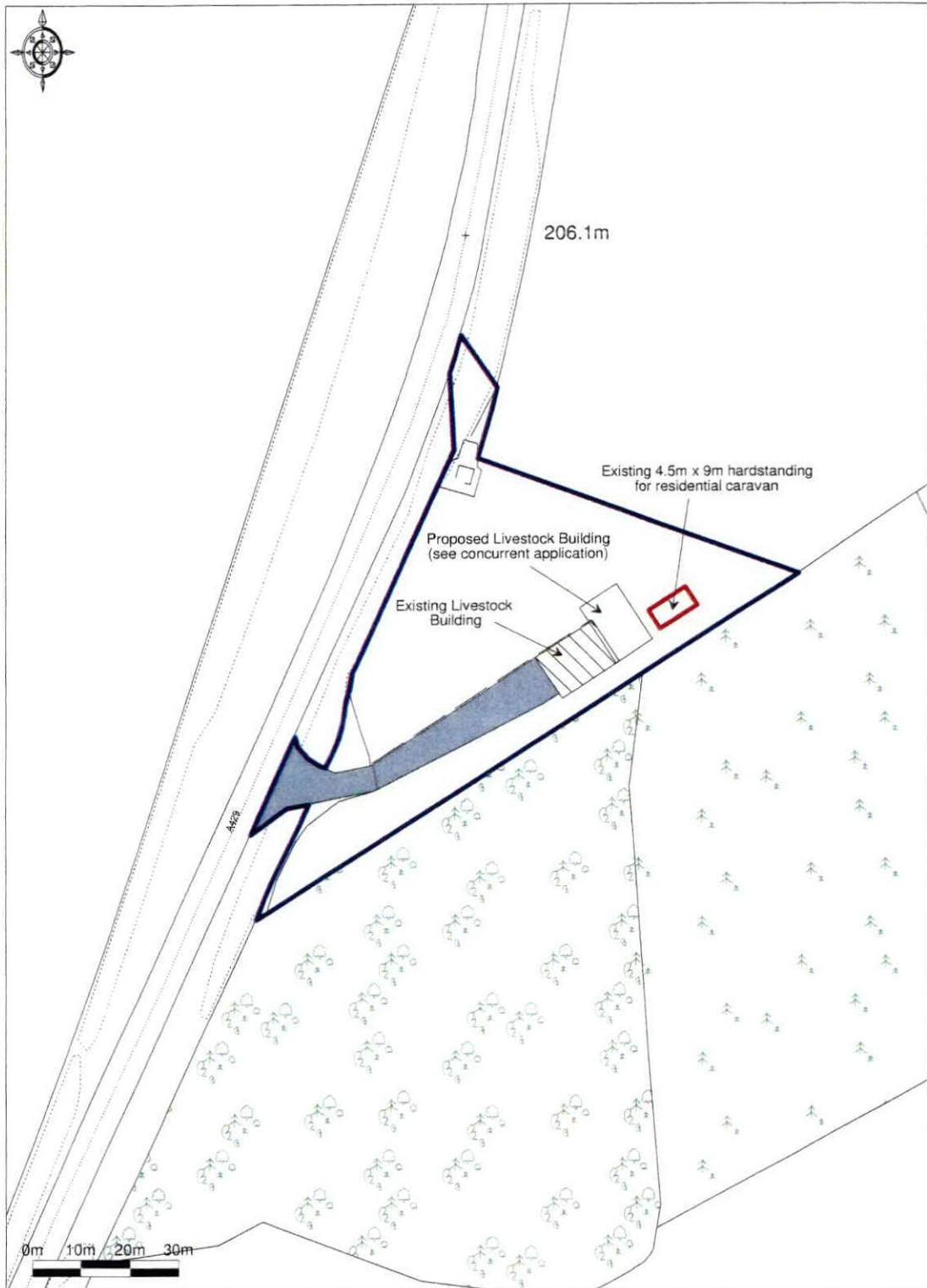
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20.1m

Retention of Caravan at The Old Quarry, Stow on the Wold

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Location Plan GI213-001

