Planning Committee: 16 October 2012 **Item Number:** **6**

Application No: W 12 / 0864

Registration Date: 24/07/12
Town/Parish Council: Kenilworth **Expiry Date:** 18/09/12
Case Officer: Chris Johnston
chris.johnston@warwickdc.gov.uk

Fernhill Farm, Rouncil Lane, Kenilworth, CV8 1NN
Change of use of part of paddock to provide extension to existing caravan storage (amended scheme to ref W11/1109) which proposed caravan storage use of the whole paddock (retrospective application). FOR Mr & Mrs Cockburn

---

This application is being presented to Committee as 5 or more comments in support have been received and it is recommended for refusal.

RECOMMENDATION

Refuse, for the reasons listed at the end of the report and authorise appropriate enforcement action to ensure the cessation of the use of the land for caravan storage within a period of three months.

DETAILS OF THE DEVELOPMENT

This is a revised application for the storage of caravans on the remainder of the paddock area not covered by the Certificate of Lawfulness to be used for the storage of caravans. A previous application for the use of the whole of the paddock for further caravan storage was refused permission on 8th November last year. This new application looks to reduce the amount of the paddock to be used for caravan storage. The applicant now looks to use about two-thirds of the paddock with the part of the paddock closest to the south-eastern edge being left free of caravan storage.

The site has previously been used for the storage of caravans as an extension of the existing use on the farm and evidence of its use is indicated by hardstanding areas, and temporary access roads. The application has been submitted to regularise the use for part of the site.

THE SITE AND ITS LOCATION

The application site is part of Fernhill Hill Farm and lies within the Green Belt located to the east of the farm complex. The site measures 0.45ha and comprises a grassed paddock area. To the North of the site and forming part of the paddock is an area already in use for caravan storage granted permission under a certificate of lawfulness. Further to the west of the site a small area has previously been granted planning permission for caravan storage along with two agricultural buildings. The site is surrounded by fields with no neighbouring properties visible from the site. To the North of the site is a public footpath.

PLANNING HISTORY

W/11/0039 Application for a certificate of lawfulness for the existing use for caravan storage. (Approved 06/06/11)
W/11/0691 Caravan and vehicle storage in two redundant agricultural buildings and in adjacent yard (Retrospective Application). (Approved 01/08/11)
W/11/1109 Caravan storage in remaining section of paddock. The application was refused on the grounds of inappropriate development in the Green Belt and that no very special circumstances existed in order to outweigh Green Belt policies. It was also refused as it was considered to be harmful to the rural character of the landscape, contrary to Local Plan Policy RAP9 (Farm Diversification).

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- RAP9 - Farm Diversification (Warwick District Local Plan1996 - 2011)
- National Planning Policy Framework
- DP6 - Access (Warwick District Local Plan 1996 - 2011)
- DP7 - Traffic Generation (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- DP14 - Crime Prevention (Warwick District Local Plan 1996 - 2011)
- RAP6 - Directing New Employment (Warwick District Local Plan 1996 - 2011)

SUMMARY OF REPRESENTATIONS

Kenilworth Town Council – Had reservations over the potential for further expansion of the usage and recommend conditions preventing transfer of the land to another applicant and to restrict the usage to five years.

Ecology – Potential ecological issues (pond, bats, reptiles)

Public Response: No letters of objection received.

40 letters of support have been received from the public and also a letter of support from Broadlane Leisure. The points raised mostly relate to the provision of local business, the prevention of crime by storing caravans on a safe site, the prevention of the need to store caravans on front gardens to improve the appearance of the street, the promotion of tourism and the business being a well run community facility.

National Farmers Union: Support the application as it provides local need, local employment and does not infringe on the Green Belt.

Country Land and Business Association (CLA): Considers the site is ideally located for caravan storage as it is not visible from the highway and footpaths and supports the wider economy. The CLA understands from the applicant that there is high demand for this sort of facility in the District and there is existing bund, hedge and tree screening. There is good access and adequate customer parking. The NPPF supports the development and diversification of agriculture. The CLA believes it is important to consider rural communities and businesses in the Green Belt. Improving rural businesses will raise funds to help them

improve the rural landscape. The use helps the security of caravans and therefore reduces crime.

ASSESSMENT

The site lies within the Green Belt where there is a general presumption against inappropriate development. The main consideration for the current application is therefore whether very special circumstances outweigh the harm caused to the Green Belt by reason of its inappropriateness.

Since the previous application for the extension of the caravan storage use was refused, the former Government planning guidance relating to Green Belts, PPG 2 'Green Belts', has been replaced by the National Planning Policy Framework. Chapter 9 of the NPPF relates to protecting Green Belt land. It states that the construction of new buildings in the Green Belt is inappropriate (apart from some limited exceptions) and that other forms of development in the Green Belt which are, exceptionally and in principle, not inappropriate would include mineral extraction, engineering operations, local transport infrastructure, the re-use of buildings and development under a Community Right to Build Order (as outlined in paragraph 90).

The extension of an existing caravan storage site is therefore inappropriate development contrary to the NPPF. Paras. 87 and 88 of the NPPF states that inappropriate development in the Green Belt is harmful to it and should not be allowed unless there are very special circumstances that would be considered to outweigh the Green Belt policies.

In this respect, a supporting statement for the application has been submitted by the Caravan Storage Site Owners Association. This statement argues there is a demand and need for the secure storage of caravans due to changes in the insurance industry for all caravans, restrictive covenants on new properties limiting the storage of caravans, and increased concern of caravan theft (which is a concern in the County). No evidence is provided as to whether this demand/need could be met elsewhere, including sites outside of the Green Belt, and whilst there is clearly demand for a secure site for caravan storage as demonstrated by the supporting letters, there is no evidence that there is an increased demand that the existing facilities can not provide or that could not be provided elsewhere on land outside of the Green Belt.

The principle of farm diversification and the support for the rural economy and employment are clearly important. However, farm diversification has already occurred at the site and this business is clearly operating. The proposal would look to create three new part-time jobs which although is an advantage is not a major local rural employment benefit. Although the scope of the extension of the site has been reduced, the principle of the proposal still remains to be inappropriate development and the amount of reduction would not have a significantly lower visual impact on the rural landscape or to the character of the Green Belt area.

In conclusion, it is considered that there are no very special circumstances that exist and no justification to show that the need outweighs the harm for this inappropriate use within the Green Belt and thereby contrary to the NPPF. Furthermore, whilst the proposal would contribute towards sustaining the vitality of the existing farm buildings, the scale and nature cannot be satisfactory

integrated into the landscape without being detrimental to its character thereby contrary to Policy RAP9 of the Local Plan.

RECOMMENDATION

REFUSE, for the reasons stated below.

REFUSAL REASONS

1 The site is situated within the Green Belt and the National Planning Policy Framework (NPPF) seeks to protect the open character of the Green Belt. It also contains a general presumption against "inappropriate" development in Green Belt areas and lists specific forms of development which can be permitted in appropriate circumstances. The development applied for under this application does not fall within any of the categories listed in the NPPF and, in the Planning Authority's view, very special circumstances sufficient to justify departing from the NPPF have not been demonstrated.

2 Policy RAP9 of the Warwick District Local Plan 1996-2011 states that developments for farm diversification should be of a scale and nature appropriate to the rural location and that they should be satisfactorily integrated into the landscape without being detrimental to its character. The proposal cannot be satisfactory integrated into the landscape and is considered to be detrimental to its character and is therefore contrary to Policy RAP9.