



PLANNING BY DESIGN

FROM CONCEPT TO COMPLETION

Feasibility Report

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| Date: | 25 November 2022 |
| Project Location: | Wetters Bridge Plantation, Twitter Lane, Waddington, BB7 3LG |
| Planning Authority: | Ribble Valley Borough Council |
| Development Proposals: | Siting of Caravan & 2No. Modular Units |
| Planning Application: | <p><u>Background</u></p> <p>According to the Ribble Valley Borough Council Core Strategy 2008-2028, the site is located outwith any settlement boundaries and in the countryside. The site lies adjacent to an existing sewage works, Bashall Brook and a small, well-established tree plantation. The Core Strategy and associated Proposals Map, designates the land immediately west of the site as an Area of Outstanding Natural Beauty (AONB). The proposed site itself is within an identified flood risk zone and is also a protected Local Geodiversity Heritage Site.</p> <p><u>Proposed Development</u></p> <p>It is understood that the client wishes to site a mobile caravan along with two modular units within the existing woodland area. All structures would be temporary (i.e., not affixed to the ground). Services to the site would be private and off-grid.</p> <p>The caravan and units are proposed to provide accommodation for the client's son (and partner) who, due to disability needs, requires a quiet and remote setting to reside. The location would also be beneficial for the development of his small-scale blacksmithing businesses and for his partner's existing small-scale falconry businesses.</p> <p><u>Assessment</u></p> <p>Section 29 (1) of The Caravan Sites and Control of Development Act 1960 states that a caravan is defined as:</p> |

"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"

Section 13 (1) of The Caravan Sites Act 1968 deals with twin unit caravans and provides for a caravan being:

A structure designed or adapted for human habitation which

- a) Is composed of not more than two sections separately constructed and designed to be assembled on a site by means of bolts, clamps or other devices and
- b) Is, when assembled, physically capable of being moved by road from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer), shall not be treated as not being (or not having been) a caravan within the meaning of Part 1 of the Caravan Sites and Control of Development Act 1960 by reason only that it cannot lawfully be moved on a highway when assembled

Section 13 (2) of The Caravan Sites Act 1968 (amended October 2006) prescribes the following maximum dimensions as:

- a) length (exclusive of any drawbar): 65.616 feet (20 metres);
- b) width: 23.309 feet (6.8 metres);
- c) overall height of living accommodation (measured internally from the floor at the lowest level to the ceiling at the highest level): 10.006 feet (3.05 metres).

Where a caravan is proposed for permanent residential accommodation and is set within a wider area of undeveloped pasture, planning permission will be required.

The proposed siting of a caravan and containers for residential accommodation must be in accordance with the relevant local development plan policies. In this case, the following will apply as a minimum:

Policy DME1 'Protecting Trees and Woodlands'

Policy EN2 'Landscape'

Policy EN4 'Biodiversity and Geodiversity'

Policy DME6 'Water Management'

Policy DMH3 'Dwellings in the Open Countryside and AONB'

Broadly, the main considerations of the proposal will be the principle of development, the visual impact on the character of the landscape and the AONB, combined with the impacts on the geodiversity and biodiversity of the site. Impacts on trees and flood risk will also be considered by the Local Authority (LA).

The protection of the open countryside and designated landscape areas from sporadic or visually harmful development is seen as a high priority by the Council and is necessary to deliver both sustainable patterns of development and the overarching core strategy vision.

According to Policy DMH3, the erection of a dwellinghouse (or in this case, a structure to be used as a permanent dwelling) will be significantly restricted in the open countryside (i.e., outwith any town and villages) to proposals which meet at least one from a very specific set of criteria. These criteria are:

- Essential for the purposes of agriculture, forestry or an essential worker
- To meet an identified local need
- Conversion of an existing (structurally capable) building
- Rebuilding or replacement of an existing dwellinghouse

It is therefore unlikely that the proposal would be supported in principle.

The impact on the AONB is expected to be a significant consideration. Whilst the site is adjacent to it, rather than included within the designation, the AONB is highly protected and the LA, in combination with the NPPF (national policy), aims to protect the openness of the landscape from inappropriate development. Any development which may erode the landscape setting will not be supported and those proposals which are supported, are held to high quality design standards. It could be reasonably expected that the Council would take an 'on balance' approach to this proposal under Policy EN2, rather than refusal. However, this will be subject to compliance with all other relevant policies.

Policy EN4 seeks to achieve biodiversity net gain as a result of development, which is in line with the NPPF requirements. However, the site is immediately adjacent to an existing sewage works, so it is unlikely that a single caravan and 2 containers will have a significant and detrimental impact on the existing ecosystems above and beyond the existing impact of said neighbouring development. The proposal would also comprise temporary structures which would have minimal impact on the ground. It would therefore be reasonable to conclude that the development will not cause irreparable damage or warrant the provision of biodiversity net gain initiatives. However, the client should be prepared for requests for additional supporting information from the Council in this regard. This can be addressed, as required.

In addition to the above, the Planning Authority is likely to request a Tree Survey, to identify all trees within the site and immediate vicinity which may be impacted as a result of the development. This will be a requirement under Policy DME1, which is stringent in its approach to protect trees, woodland and other soft landscaping from the impacts

of development. It is unlikely that this will be necessary for an application for Planning Permission in Principle, or if the principle is not acceptable under an application for Full Planning Permission.

Flood risk is the final main consideration for the proposal. Given the site is within a wider flood risk area, it may be the Council's view that any development – temporary or otherwise- will be strictly limited. Water management measures are referred to in the policy, such as sustainable surface water drainage systems. However, this does not usually apply to caravans. It is therefore expected that the suitability/safety of the site will be subject to the outcome of internal consultations with the relevant Flood Risk Team.

Advice

Should the client wish to pursue the proposal, then an application for Planning Permission in Principle will be required.

Process

Upon instruction, Planning By Design will submit an application for Planning Permission in Principle. This will require to be supported by a Design and Access Statement.

The enclosed quote states that the application will be submitted within 4 weeks. However, we aim to have plans approved by the client within 7 days, with the application and supporting evidence submitted within the next 7 days.

Upon receipt of an application for a Planning Permission in Principle, the Local Council is expected to assess the proposed works against the site history and the following legislation, which includes but is not limited to:

- National Planning Policy Framework (NPPF)
- The Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991
- Ribble Valley Borough Core Strategy 2008 - 2028
- Supplementary Planning Guidance

The Planning Service may request further information to support the application, which can be addressed as required.

Consultations are expected between the Planning Service and collaborating teams (internal and external). These may include but are not limited to:

Roads Development
Natural Heritage
Contaminated Land
Relevant Water Board
Environment Agency
Flood Risk Team

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| | <p>Should the Planning Service recommend approval, then it is likely to be subject to conditions. These can be addressed, as required.</p> <p><u>Timescales</u></p> <p>Once validated, the statutory timescale for determination of the application is up to 8 weeks. However, it is understood that many Local Planning Authorities are currently facing significant delays which are having an impact on timescales for determination. Any applications referred to committees for a Decision often take longer than 8 weeks to be determined.</p> <p><u>Next steps</u></p> <p>To apply for planning permission in principle, the following will be required:</p> <ul style="list-style-type: none"> • OS Map • Architectural drawings • Design and Access Statement • Relevant Fees |
| <p>Planning History includes</p> | <p>None found via the Council’s online planning register</p> |
| <p>Constraints (if any)</p> | <p>Found via the Council’s Policies Map: AONB Trees Flood Risk Local Geodiversity Heritage Site</p> |
| <p>General Notes</p> | <p>An application for Planning Permission will be required unless the proposal is for temporary use which meets the Cravan Act stipulations or in association with a development which has live or extant planning permission. Given the site constraints, it is advisable to submit an application for Planning Permission in Principle and reserve detailed/technical matters for a further application, once the principle of development has been established.</p> |
| <p>Likelihood of success</p> | <p>This development proposal has a low/medium chance of securing planning permission. This is subject to the Council’s position regarding the impact on the AONB, landscape character and the implications/requirements regarding net biodiversity. Nonetheless, Planning By Design will endeavour to promote and support your development proposal.</p> |
| <p>What we will do on your behalf</p> | <p>Our expert staff compile all necessary documents, prepare your application, submit to the planning department of your local council, deal with the planning case officer and answer any queries as we manage your case towards obtaining a Decision on your planning application.</p> |

Recommended tasks

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| Comprehensive planning appraisal | Y |
| Formal pre-application enquiry (written response) | |
| Attend meeting (pre-app, committee, Council site visit etc.) | |
| Cover Letter; Planning and/or Design & Access Statement | Y |
| Lawful Development Certificate/Prior Approval | |
| Planning application (prepare, submit and monitor) | Y |
| Planning Appeal (prepare, submit and monitor) | |
| Objection Letter | |
| Requires drawings? | Y |
| Remote Survey (architectural/design team) | Y |
| Building Regulations | |

Disclaimer

The information contained in this document is our expert opinion and does not constitute the view of your local authority, an official decision can only be obtained through an application to your planning authority.

It is strongly recommended that no works commence in relation to the proposed development, or contractors booked until you have all the necessary approvals. Doing so would be at your own risk.

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