

REPORT TO THE SOUTHERN AREA PLANNING COMMITTEE

Date of Meeting	05 th January 2011		
Application Number	S/2011/1611		
Site Address	Stonehenge Campsite, Berwick St James, Salisbury. SP3 4TQ		
Proposal	Erection of 2 log pods for tourist accommodation on two approved caravan pitches and creation of a fire pit		
Applicant	Mr William Grant		
City/Town/Parish Council	Berwick St James		
Electoral Division	Till & Wylve Valley	Unitary Member	Cllr Ian West
Grid Ref	407390 140549		
Type of Application	Full		
Case Officer	Lucy Minting	01722 434377 Ext 54377 Lucy.minting@wiltshire.gov.uk	

Reason for the application being considered by Committee

Councillor West has requested that the application be determined by Committee due to

- Visual impact upon the surrounding area
- General appearance
- Considerable amount of interest from local residents

1. Purpose of report

To consider the above application and to recommend that planning permission be GRANTED subject to conditions.

2. Report summary

The main issues in the consideration of this application are as follows:

- Planning appeal
- Wooden pods - The effect on the character and appearance of the locality including its effect on the special landscape area within which the site is located and the nearby Winterbourne Stoke Conservation Area
- Archaeological considerations
- Additional firepit - The effect on the living conditions of occupants of nearby dwellings through potential noise and disturbance
- Other queries

The application has generated comments from 2 parish councils; and 15 letters of objection/observations/recommended conditions from the public.

3. Site Description

The site forms part of the Stonehenge Campsite on the outskirts of Berwick St James within the Special Landscape Area and is adjacent to the Winterbourne Stoke Conservation Area.

Planning permission was allowed at appeal for ‘Change of use of land to touring caravan and camping site, including retention of access, driveway, hardstandings, shower/wc block, chemical toilet disposal area, cess pit and electric hook-up points.’

The campsite is currently divided into three distinct parts comprising an upper paddock, closest to the Berwick Road, a middle paddock (both outside of the application site), and a levelled lower section (the subject of this application) closest to the river.

The lower section contains 5 hard surfaced standings, currently used as caravan pitches, as well as various associated facilities in connection with the campsite.

There is direct access from this lower part of the field onto a public footpath which leads into the village of Winterbourne Stoke, some 200 metres to the east. This lower section is the closest part of the site to the river, although the land is raised above the flood plain and separated from the river by a 50 metre strip of grass and woodland.

4. Relevant Planning History		
Application Number	Proposal	Decision
213	Re-building of shed & piggeries	AC 01.06.50
TP/59	Construction of new access to highway	AC 27.06.51
TP/226	Site chosen for the erection of house or bungalow	AC 12.10.55
S/2010/0007	Change of use of land to touring caravan and camping site, including retention of access, driveway, hardstandings, shower/wc block, chemical toilet disposal area, cess pit and electric hook up points	Refused 11.05.2010 Allowed at appeal 11.11.2011

5. Proposal

The planning consent allows 15 caravan pitches on the lower section of the campsite. This application is to change two of these approved pitches to permanent wooden pods for tourist accommodation.

The planning consent is subject to a condition restricting a maximum of 10 firepits on the upper and middle paddocks of the campsite. This application is also proposing an additional firepit in this part of the site.

6. Planning Policy

Adopted Salisbury District Local Plan saved policies, including the saved policies listed in

Appendix C, of the draft South Wiltshire Core Strategy:

G1 – General principles for development
G2 – General criteria for development
C2 – Development in the countryside
C6 – Special landscape area
CN11 – Views in and out of conservation areas
T9 – Touring caravans and tents
T7 – Tourist accommodation in the countryside

Wiltshire & Swindon Structure Plan:

DP14 – Development in open countryside
RLT10 – Tourist accommodation

Government Guidance:

PPS 7 – Sustainable development in rural areas
PPS4 – Planning for Sustainable Economic growth - PPS4 cancels objectives (i-iii) and paragraphs 1 (ii-iv), 2, 3, 4, 5, 6, 7, 16 (i-ii), 17, 18, 19, 30 (i-ii), 32, 34 (i-ii), 35, 36, 37, 38, 39, 40 of PPS7.

Good Practice Guide for Planning & Tourism.

7. Consultations

Environmental Health

No objections concerning this application.

With respect to your specific question regarding noise impact the change of distance between where the fire pits are currently permitted and where the proposed fire pit would be located is minor. By way of example, and assuming that the noise generated by people around one fire pit on the eastern edge of the existing approved area and one fire pit in the proposed location will be the same and assuming no significant difference in screening, the difference in noise at the nearest dwellings would only be between 2 and 3 dB. A change of this amount is generally accepted to be imperceptible to humans.

Strategic Landscape

No objections to the installation of log pods on pitches 11 and 12. Agree with the submitted documents that the visual impact of the pods will be less than a caravan.

In light of the inspectors appeal decision and imposed condition, the suggested location for firepit 11 is inappropriate and should not be permitted. Fire pits are only to be permitted in the Rally Field/Blue Land to protect the ambience and amenity of local residents.

Highways

No highway objections - it is considered that the proposed development will not detrimentally affect highway safety.

Archaeology

Given the very small footprint of impact proposed, does not consider it necessary to recommend an archaeological condition.

Berwick St James Parish Meeting

Support subject to conditions:

If the Council is minded to accept this application then the 2 log pods should have no plumbing, no furnishing and have a maximum period of occupation of say 28 days. The static pods must be place of a caravan and not in addition to one and must be for tourist use only. Appropriate precautions to be in place for the firepit.

Winterbourne Stoke Parish Council

Support subject to conditions:

1. The erection of the two pods is supported subject to the condition that they are for tourism uses only
2. The creation of an additional firepit is not supported. The Parish Council concurs fully with the comments made by the Strategic Landscape Consultee who reiterated condition 7 of the Inspector's report.

Wiltshire Fire & Rescue Service

Comments which can be added as an informative.

CPRE

Supports the pods as long as they are only for tourism, and holds with previous decisions against the firepit.

8. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

15 letters of letters of objection/observations/recommended conditions received

Summary of key relevant points raised:

- Pods maybe used as long term accommodation units and not for tourism purposes (applicant has stated contractors from Bulford have been living on the site)
- Pods will be permanent features within special landscape area with constant visual impact. The permitted use of the site is for temporary touring caravans/tents and it is unlikely for all pitches to be occupied or in use in the winter
- Appearance of pods is preferable and less obtrusive to caravans – suggestion that they should be resited to pitches 9 and 10 as more preferable to see from garden of Keepers Cottage than caravans
- Design is inappropriate to English countryside and in exposed/prominent location when normally found in wooded areas
- Pods are taller and wider than the average caravan and very distinctive – query height of bearers from ground level and colour of pods.
- Solid foundations will require archaeological investigations
- Query if pods will remain in original positions
- Concern over future applications for more pods
- Consider there is a lack of interest in site, and permanent pods will not encourage tourism although may be used as residential units.

- Firerisk - Firepit is very close to the public footpath, closer to adjoining thatched cottages (than the approved area for firepits) and log pods/caravans/car parking areas within campsite
- Noise and disturbance from users of firepit
- Lack of information on size and usage of firepit
- Conflicts with Caravan Site Licence (rental of pods/possibly for long term accommodation)
- Query differences between positions of pitches on approved, proposed plans and within design and access statement
- Query if car parking is proposed – AGENT has confirmed no formal car parking spaces are proposed in this application
- Query accessibility to site for delivery of pods
- Suggested conditions:
 - Query utility services to pods which should include no fixtures inside (furniture/cooker) outside (aerials, satellite dishes, flagpoles, telephone cables, electricity cables, water pipes, solar panels, gas canisters) and not be connected to water, drainage/or power supply to prevent permanent occupation
 - Occupation of the pods - shall only be used for recreational or tourism use
 - Rentals for people staying the pods shall be restricted to a maximum period – no greater than 28 days
 - Occupation of the pods should be limited to a specific time of year
 - Firepit should only be used when prevailing wind conditions ensure any smoke and flames will neither endanger or become a nuisance to the immediate neighbourhood
 - The pods are in lieu of caravan pitches – ensure overall total of 15

9. Planning Considerations

9.1 Planning Appeal decision

The Inspector's decision to S/2010/0007 is attached at appendix A. He considered that the main issues to consider were:

The effect on the character and appearance of the locality and effect on the Special Landscape Area (SLA) and nearby Conservation Area - The Inspector considered that there are only limited views of the site from nearby residential properties and that in the medium to long term these would reduce as existing and proposed landscaping matured and that with conditions to secure the landscaping and control the extent of the camping and caravanning; the 'harm to the character and appearance of the locality including the SLA would not be material.'

The effect on the living conditions of occupants of nearby dwellings - The Inspector considered that subject to conditions limiting the area for and numbers of tents and caravans together with limitations on firepits, amplified and non-amplified music and additional landscaping; the development 'would not be material harmful to the living conditions of occupants of nearby dwellings.'

Economic benefits - The inspector considered that the development 'accords with PPS4 (policy EC7) which urges Councils to support sustainable rural tourism and leisure development to help deliver the Government's tourism strategy.'

9.2 Wooden pods - The effect on the character and appearance of the locality including its effect on the special landscape area within which the site is located and the nearby Winterbourne Stoke Conservation Area

As this application is for permanent wooden pod structures which would remain on site at all times whether or not they are occupied, in lieu of two approved caravan pitches; saved policy T7 of the local plan (which is also listed as a saved policy in Appendix C, of the draft South Wiltshire Core Strategy) is relevant. This policy states that small scale proposals for permanent holiday accommodation will be granted permission where it can be demonstrated that there is no adverse effect on the quality of the landscape and the criteria set out in policy T9 are satisfied including that the use would not be detrimental to the amenities of residents in the area.

The site of the proposed log pods are in the south eastern corner of the site where there is a large earth bank to the south and west and existing topography limits views from the north and east.

The pods are wooden structures with metal sheet roofs, with a brown granular finish having the appearance of a shingle roof. The wooden pods are 2.83m wide, 4.77m long and 2.65m high with the roof form curved over the whole pod and internally have a single open space. The agent refers to the fall-back position that these plots could still be used by caravans should the application be refused and that the proposed pods given their height, size and materials would have a lesser impact than white caravans on the plots.

The maximum length of caravan that may be towed on British roads by a car (with a Gross Vehicle Weight not exceeding 3.500kg) is 7 metres and the maximum width for towing caravans on the road is 2.55 metres. Caravans over 7m (23') long MUST be twin axle and towed by a vehicle exceeding 3500kg.

It is not considered that this proposal to site two wooden pods for tourist accommodation on two of the caravan hardstandings will alter the favourable conclusions made by the Inspector to the original approval for change of use of the land to a camping and caravan site.

Third party suggestions include that the occupation of the pods should be limited to particular months. The site has planning permission for caravans on a year round basis and as such it is considered unreasonable to restrict the months of use. Conditions to limit the use of the pods as holiday accommodation are however considered necessary.

The appeal decision is conditioned that there shall be a maximum of 15 caravans on any day of the calendar year in this part of the site. This application is for two wooden pods in lieu of two caravan pitches and as such it is important that a condition is adding making it clear these pods are in lieu of two caravan pitches and not in addition.

Objections have been raised to the permanency of the proposed pods and that this will change the nature of the campsite from a temporary touring caravan and tents to more permanent structures and suggested conditions including that they should not be connected to water/drainage or power.

Given the fact that conventional touring caravans/motorhomes generally provide these facilities it is not considered reasonable to restrict connection on this basis.

9.3 Archaeological considerations

Following queries over the foundations and infrastructure requirements for the pod; it has been confirmed that the pods will sit on top of a hardstanding created by removing 6-8 inches of topsoil and adding 6 inches of recycled hard core from the site and 2 inches of

South Carney gravel or thinned road paintings (the same as pitches 1-5 on site), so that it is level with the existing ground level. The 1.5 Ton wooden PODS will then sit on top of the hard standings just like a Caravan, Motor home, car or Tent.

The pods would not be connected directly to a water supply or foul drainage cesspit but each pod contains an electric hook-up in a similar fashion to a caravan. They also possess their own oil filled heater and lamp. Water and shower/wc facilities are already provided on site by existing facilities.'

A written scheme of investigation for archaeological watching brief dated May 2010 submitted in relation to the previous application states:

'Some groundworks have been already been undertaken and a large area to the south, shown as plots 9-12, has been stripped of topsoil. No archaeological features or finds were present in this area during a site inspection in April 2010.'

In light of the findings of the written scheme of investigation and the relatively minor works proposed to create hardstandings no further archaeological work is recommended.

9.4 Additional firepit - The effect on the living conditions of occupants of nearby dwellings through potential noise and disturbance

The planning permission for the campsite is subject to the following condition:

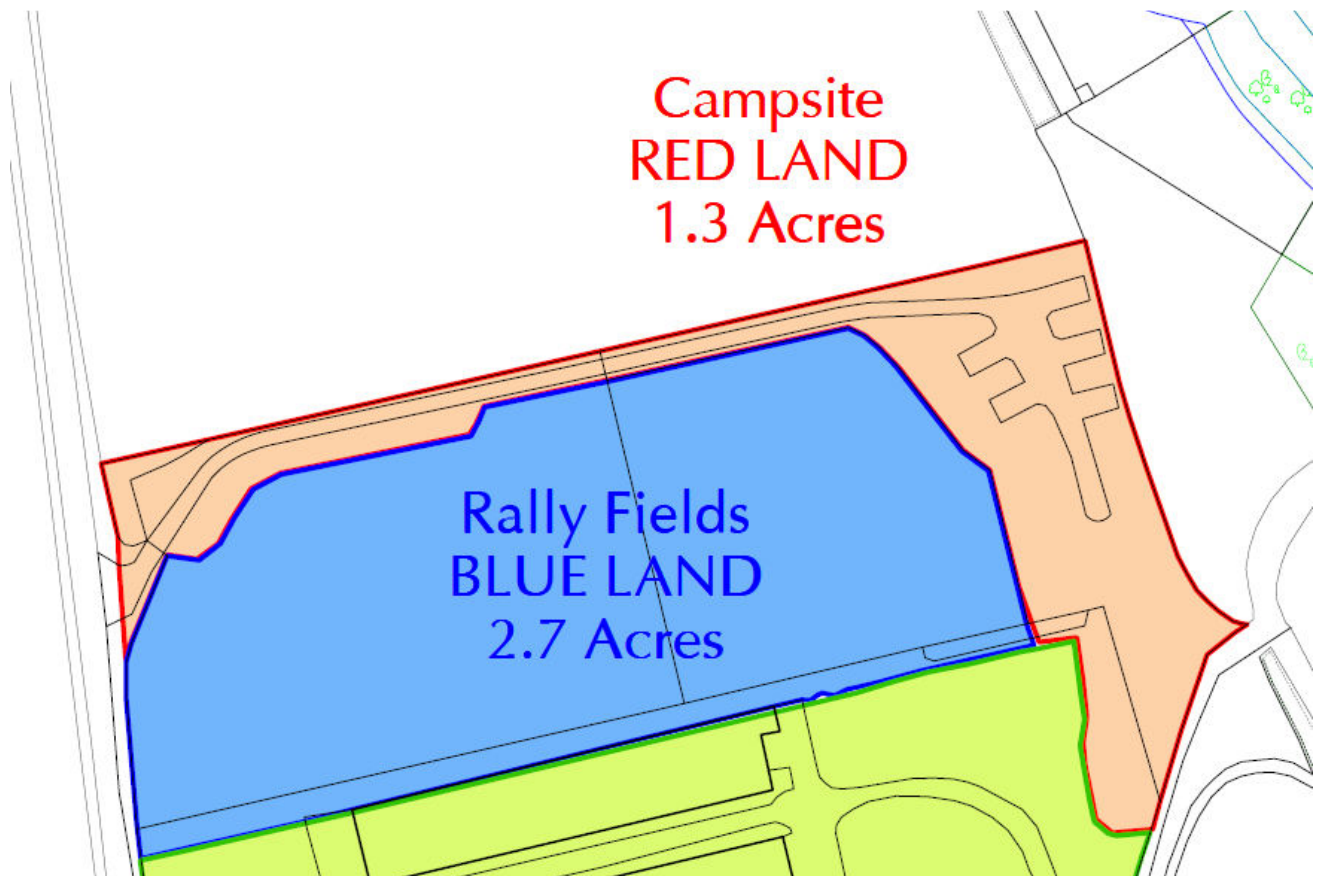
7. A maximum of 10 fire pits shall be permitted within the land notated as "Rally Fields/Blue Land" on drawing WGDP 01 within the site and no other fires (excluding domestic barbecues and domestic garden/maintenance fires) shall be lit within any part of the site.

Lots of campsites voluntarily control open fires as part of their site rules possibly to avoid damage to grass/fire risks. The firepits were controlled following concerns about potential impact to neighbours from noise/anti-social behaviour at unsociable hours. The Inspector's report refers to firepits in paragraph 63:

63. Conditions to restrict the location and number of fire pits and to prevent the playing of amplified music at any time in the appeal sites and to place a time limit of 2300 hours for the termination of the playing of unamplified music on any day will help to prevent noise and disturbance to nearby residents of the site at unsociable hours.

It was suggested at the appeal inquiry that there should be no fires at all on site apart from domestic barbecues (these would not usually pose the same problem due to their small scale and once the food is cooked people don't generally linger to keep the fire alive). The Inspector disagreed but ensured that the firepits were on the furthest part of the site from neighbours.

The permitted firepits are allowed anywhere in the rally fields/blue land, shown on the plan below:



The approximate distances to the nearest dwellings from this area where firepits are allowed have been roughly scaled, as has the location of the proposed firepit in the campsite/red land and the distances to the dwellings. In straight line terms the proposed firepit is approx 30m further from Till Cottage to the north, 30m closer to Willow Brook to the east and approximately the same distance to Keepers Cottage to the south.

The environmental health department were asked to specifically comment on the proposed fire pit and potential impact to neighbour amenity. They have advised that the change of distance between where the fire pits are currently permitted and where the proposed fire pit would be located is minor. They have advised that assuming that the noise generated by people around one fire pit on the eastern edge of the existing approved area and one fire pit in the proposed location will be the same and assuming no significant difference in screening, the difference in noise at the nearest dwellings would only be between 2 and 3 dB. A change of this amount is generally accepted to be an imperceptible to humans.

The agent has suggested that a condition could be added to restrict the hours of operation of the fire pit. Such a condition was not added to the previous consent and in light of the comments from the environmental health department to the application is not considered necessary.

It is not considered that the additional firepit in this location will have a potential significant impact upon neighbour amenity over and above the firepits that already allowed in the blue land.

9.5 Other queries raised:

Fire safety- concerns have been raised that the firepit will be a fire risk to thatched dwellings in the area. This is not a reason to refuse planning permission as this is not controlled through the planning system, although the council could evoke environmental legislation should such fires become a statutory nuisance. Wiltshire Fire & Rescue service has

advised that the pods will be subject to the Regulatory Reform (Fire Safety) Order 2005 and the campsite will need to have a fire risk assessment enforced by the Fire Service.

10. Conclusion

Subject to conditions, the development will not cause any significant demonstrable harm to interests of acknowledged importance, in this case, the impact on the character and appearance of the area or the living conditions of nearby properties.

11. Recommendation

Planning Permission be GRANTED for the following reason:

The development will not cause any significant demonstrable harm to interests of acknowledged importance, in this case, the impact on the character and appearance of the area or the living conditions of nearby properties. The development is in accordance with the relevant 'saved' policies of the Adopted Salisbury District Local Plan, including the saved policies listed in Appendix C, of the draft South Wiltshire Core Strategy, namely:

G1 – General principles for development
G2 – General criteria for development
C2 – Development in the countryside
C6 – Special landscape area
CN11 – Views in and out of conservation areas
T9 – Touring caravans and tents
T7 – Tourist accommodation in the countryside

And subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

(2) Notwithstanding the Town and Country Planning (Use Classes) Order 1987 as amended by the Use classes (Amendment) Order 2005 (or any Order revoking or re-enacting those Orders), the holiday accommodation units hereby permitted shall not be occupied by any one person for a period of more than 28 continuous days in every calendar year, unless otherwise approved, in writing, by the Local Planning Authority.
Reason: Permission has been granted on the basis of a holiday accommodation use, in the interests of the rural economy. The accommodation is inadequate for permanent residential use and permitting permanent residential accommodation in this open countryside location would be contrary to planning policy.

Policy:G1 – General principles for development
G2 – General criteria for development
C2 – Development in the countryside
C6 – Special landscape area
CN11 – Views in and out of conservation areas
T9 – Touring caravans and tents
T7 – Tourist accommodation in the countryside

(2) Notwithstanding the Town and Country Planning (Use Classes) Order 1987 as amended by the Use classes (Amendment) Order 2005 (or any Order revoking or re-enacting

those Orders), the holiday accommodation units hereby approved shall be used only for holiday accommodation only and for no other purpose.

Reason: Permission has been granted on the basis of a holiday accommodation use, in the interests of the rural economy. The accommodation is inadequate for permanent residential use and permitting permanent residential accommodation in this open countryside location would be contrary to planning policy.

Policy:G1 – General principles for development
G2 – General criteria for development
C2 – Development in the countryside
C6 – Special landscape area
CN11 – Views in and out of conservation areas
T9 – Touring caravans and tents
T7 – Tourist accommodation in the countryside

- (3) This permission approves the erection of two pods in lieu of 2 caravan pitches on the land outlined notated as Campsite/red land on plan reference PV409/WFG Pod Planning Application Plan, such that the land notated as Campsite/Red Land shall only be used to accommodate a maximum of 13 caravans in addition to the holiday accommodation units hereby approved on any day of the calendar year.

Reason: For the avoidance of doubt.

- (4) This development shall be in accordance with the following drawings:

Plan Reference: 1. Floor Plan
Plan Reference: 2. Roof Plan
Plan Reference: 3. Front View
Plan Reference: 4. Side View
Plan Reference: 5. Rear View
Plan Reference: 6. Cross Section
Plan Reference: 7. Long Section
Plan Reference: PV 409/WFG Pod Planning Application Plan
Plan Reference: Stonehenge Campsite Land Use Plan 18 April 2011
Reason: For the avoidance of doubt and in the interests of proper planning

INFORMATIVE: Wiltshire Fire & Rescue

The applicant should be made aware of the letter received from Wiltshire Fire & Rescue Service regarding advice on fire safety measures. This letter can be found on the application file which can be viewed on the council's website against the relevant application record.

Appeal Decisions

Inquiry held on 17-18 May 2011

Site visit made on 19 May 2011

by **K Nield BSc(Econ) DipTP CDipAF MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 11 July 2011

Appeal A Ref: APP/Y3940/C/10/2139334

Land at Stonehenge Campsite/Summerfield House, Berwick Road, Berwick St. James, Wiltshire, SP3 4TQ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr W F Grant against an enforcement notice issued by Wiltshire Council.
- The Council's reference is S/2010/1661
- The notice was issued on 24 September 2010.
- The breach of planning control as alleged in the notice is without planning permission, the use of the land for temporary events (in particular the use as a temporary camping site for the stationing and human habitation of tents) in excess of that permitted by Part 4, Class B of the Town and Country Planning (General Permitted Development) Order 1995.
- The requirements of the notice are:
 - (a) Remove any tents stationed on the Land in excess of that permitted by Part 4, Class B of the Town and Country Planning (General Permitted Development) Order 1995; and
 - (b) Cease permanently the use of the Land for temporary events, in particular the use as a temporary camping site for the stationing and human habitation of tents, in excess of that permitted by Part 4, Class B of the Town and Country Planning (General Permitted Development) Order 1995.
- The period for compliance with the requirements is one month from the date the notice takes effect in respect of both (a) and (b) above.
- The appeal is proceeding on the grounds set out in section 174(2)(a) and (e) of the Town and Country Planning Act 1990 as amended.

Summary of Decision: The enforcement notice is quashed and planning permission is granted as set out in the Formal Decision below.

Appeal B Ref: APP/Y3940/C/10/2142020

Land at Stonehenge Campsite/Summerfield House, Berwick Road, Berwick St. James, Wiltshire, SP3 4TQ

- The appeal is made under section 174 of the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.
- The appeal is made by Mr W F Grant against an enforcement notice issued by Wiltshire Council.
- The Council's reference is S/2011/0001.
- The notice was issued on 15 November 2010.
- The breach of planning control as alleged in the notice is: without planning permission, the carrying out of engineering and other operations on the land, including materially altering the landform by excavating and re-profiling the ground to form levelled areas; formation of hardstandings; formation of earth bunds and associated fencing; installation of a cesspool/waste disposal point and enclosing fencing, installing electrical

hook-ups and lighting; materially altering the position of and widening an access onto a classified road and resurfacing and improvements to an existing track; partial construction of a new track, formation of a pathway and erection of a toilet block and washing up building.

- The requirements of the notice are:
 - (a) Permanently demolish all the hardstandings, remove the new vehicular access and track surfacing materials, pathway surfacing materials, cesspool/waste disposal point and associated fencing, lighting and electrical hook-up points from the Land;
 - (b) Return the excavated and re-profiled parts of the Land to its former landform, levels and profiles prior to development took place, i.e. to match that of the land immediately adjacent;
 - (c) Permanently demolish the toilet/shower block and washing up building and reinstate the land to its condition before development took place, i.e. to match the levels and profile of the land immediately adjacent;
 - (d) Reduce the height of the earth bunds and associated fencing so that where adjacent to Berwick Road as shown between the approximate points X-X on the plan attached to the Notice, the height of the bunds or the fences or their combined height does not exceed one metre;
 - (e) Permanently remove the partly constructed track formed between the approximate points Y-Y as shown on the plan attached to the Notice and reinstate the Land to its condition to match the levels and profiles that of the land immediately adjacent;
 - (f) Permanently remove all demolition materials arising from steps (a)-(e) from the Land;
 - (g) Re-seed all the reinstated areas with grass.
- The period for compliance with the requirements is 3 months in respect of items (a) – (f) listed above and 3 months or by the end of the next planting season following the date the notice takes effect, whichever date is the later of the two in the case of item (g) listed above. The planting season is stated by the Council to run from 1 November to 31 March the following year.
- The appeal is proceeding on the grounds set out in section 174(2)(a), (c), (e), (f) and (g) of the Town and Country Planning Act 1990 as amended.

Summary of Decision: The enforcement notice is quashed and planning permission is granted as set out in the Formal Decision below.

Appeal C Ref: APP/Y3940/A/10/2136994
Stonehenge Campsite, Berwick Road, Berwick St. James, Salisbury, SP3 4TQ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by W F and S R Grant against the decision of Wiltshire Council.
- The application Ref S/2010/7/FULL, dated 24 December 2009, was refused by notice dated 11 May 2010.
- The development proposed is described as the retention of access, driveway, hardstandings and change of use of land to touring caravan site.

Summary of Decision: The appeal is allowed and planning permission is granted as set out in the Formal Decision below.

Application for costs

1. At the Inquiry an application for full costs in respect of Appeal B was made by Mr W F Grant against Wiltshire Council and in respect of Appeal C by W F and S R Grant against Wiltshire Council. The application is the subject of a separate Decision.

Procedural matters

2. At the opening of the Inquiry the appellants withdrew the appeals under ground (e) in respect of both Appeal A and Appeal B. No evidence was called in respect of those appeals by either party.
3. In respect of Appeal C the Council had amended the description to "*Change of use of land to touring caravan and camping site, including retention of access, driveway, hardstandings, shower/wc block, chemical toilet disposal area, cess pit and electric hook-up points*". As the appellants have applied this revised description in the appeal documentation and I consider it describes the extent of the development more fully I intend to determine the s78 appeal on that basis.
4. The oral evidence at the Inquiry was taken on oath.

The enforcement notices

5. There are some minor errors in the notice in respect of Appeal B. Within the requirements of the notice under sections (b) and (e) words appear to be omitted which reduce the clarity of the requirements. I can make corrections to the notice without injustice to the parties.

Preliminary matters

6. The parties submitted an agreed Statement of Common Ground (SCG) at the opening of the Inquiry. The SCG agreed relevant planning policy guidance applicable to the development and other matters including some agreed conditions.
7. The SCG also contained Plan WGDG 01 prepared to assist the description and assessment of the parts of the site as a whole. This termed the area to the north of the site comprising the access, track and main caravan site with laid out pitches as "Campsite" (or Red Land) on the Plan. A field area broadly to the south of the access and west of the Red Land is termed "Rally Fields" (or Blue Land) and a further area to the south of the Rally Fields is termed "Parkland and Summerfield" (or Green Land).
8. These descriptive terms are used, with some variation, throughout the evidence by both parties and have relevance to some of the matters agreed by the parties and suggested conditions. As this subdivision of the site assists with the description of the scheme I will apply those terms.
9. The plans attached to the two enforcement notices include all the above listed areas. However, the application site boundary for Appeal C includes all the Campsite area but only (the eastern) part of the Rally Fields.
10. There is a single appellant in respect of both Appeal A and Appeal B but two appellants in respect of Appeal C. For clarity in the overall decisions I shall use the term "appellants" throughout.

The appeal under ground (c) (Appeal B)

11. The appeal under ground (c) is that the matters described in the notice (if they occurred) do not constitute a breach of planning control. I noted at my visit, and it was not in dispute at the Inquiry, that the operational development comprising the alleged breach had occurred.

12. The appellants accept that several items of the alleged breach require planning permission. Broadly these comprise the toilet/shower block and washing up building, cesspool/waste disposal point and associated fencing, lighting and electrical hook-up points. The appellants have not raised matters under this ground in connection with these items of operational development itemised in the Appeal B notice where there is a breach of planning control.
13. The appellants' case under this ground is in respect of two matters identified in the alleged breach. Firstly, earth bunds with a mesh fence either side of the access, slightly inset from the site frontage with Berwick Road (B3083) and secondly in respect of an access track leading from Berwick Road into the site and providing vehicular and pedestrian access mainly to caravan pitches in the eastern part of the site.
14. The earth bunds are grassed with some additional landscaping. A green coloured flexible mesh fence has been positioned mainly along the forward face of the bunds which in some places exceeds the height of the bunds (but in other places does not). The combined effect of the bunds and fence is to form a means of enclosure to The Rally Fields and it also provides a partial visual screen into the site from the public domain along the highway. The bunds are inset from the highway by varying but fairly short distances. In the following assessment I shall describe the combined height of the bunds and where higher the fence as together comprising "the bunds".
15. There is some disagreement between the principal parties regarding the total height of the bunds. The Council has provided measurements from ground level at the edge of the highway indicating that the height varies from 1.1 metres (m) to 1.65m. The appellants have taken measurements from the mid-point of the highway where the camber is highest and indicate that the height of the bunds above that point vary from less than 1m to 1.32m. Without doubting their accuracy, I find the basis of the appellants' measurements from the camber to be rather contrived and I am more persuaded by the Council's measurements in providing a total height of the bunds.
16. The appellants contend that the bunds are permitted development under Part 2 Class A of Schedule 2 to the General Permitted Development Order 1995 (as amended) (GPDO). That permits "*The erection, construction, maintenance, improvement or alteration of a gate, fence, wall, or other means of enclosure*" subject to compliance with a number of specified criteria.
17. However, criterion (a) of Class A does not permit such development adjacent to a highway used by vehicular traffic where the height of any gate, fence, wall or means of enclosure exceeds 1m above ground level.
18. In this case although the bunds are inset slightly from Berwick Road they clearly perform a function of separating the appeal site from that highway. In the context of this site they act as a boundary to the highway. Notwithstanding their inset from the highway I consider that it is positioned adjacent to them. As they exceed 1m in height they are not permitted development under Part 2 Class A.
19. With regard to the access there is no dispute that until (at least) 2008¹ there was a simple grass farm track leading from Berwick Road. Additional photographs show that reasonably extensive engineering operations to remove

¹ Photographs in Appendices 3 and 11 of evidence of Stephen Hawkins

the surface and create a base and apply scalplings were undertaken. These works also appear to have widened the track (from its appearance in earlier photographs) and altered the position of its junction with Berwick Road.

20. Taken together those are engineering operations which cumulatively are significant in scale and exceed works that could reasonably be regarded as incidental to the provision of a means of access. As a matter of fact and degree, I find the proposed works beyond that which is permitted by Part 2 Class B, neither are they permitted by any other Class of the GPDO. The proposed works, in my opinion, are such that they fall within the meaning of "development" under s55 of the Act for which an express grant of planning permission is required.
21. In a ground (c) appeal the burden of proof lies with the appellants and since this has not been discharged in respect of the matters in dispute the appeal under ground (c) fails.

The appeals under ground (a) (Appeal A and Appeal B) and the s78 appeal (Appeal C)

Background

22. It is not in dispute that the areas termed "Campsite" and "Rally Fields", all formerly comprising agricultural land, have been used for camping and caravanning activities to varying degrees for some 2-3 years². The Campsite area initially contained 5 hard surfaced standings used with various facilities/buildings provided in connection with that use. This area previously contained a number of modest agricultural buildings now mostly demolished. Until December 2010 this area had certification firstly from the Caravan & Camping Club and then the Caravan Club to use that part of the site as a Certified Location.
23. The Rally Fields comprise two paddocks. The upper paddock (nearest Berwick Road) has been used for temporary touring and camping "events" under permitted development rights provided under Part 4 Class B of Schedule 2 and Part 27 of Schedule 2 to the GPDO. Use of the lower paddock for camping and caravanning took place when there was high demand such as around the summer solstice.

Main issues

24. There is no dispute between the parties that planning policies at both national and local level, whilst seeking (in general terms and subject to various criteria) the protection of the countryside from inappropriate development, support tourist related development in the countryside including the development of caravan and camp sites.
25. Saved policy T9 of the adopted Salisbury Local Plan (LP) is in line with the general thrust of SP³ policy RLT10 and policy EC7 in PPS4⁴. It is a permissive policy allowing the provision of new touring caravan/camping sites adjacent to the main holiday routes subject to a number of criteria. Amongst other matters the criteria require the site to be well screened from vantage points, highways and residential development and that trees and other landscaping are

² Evidence of Anthony Allen

³ Wiltshire and Swindon Structure Plan (SP)

⁴ Planning Policy Statement 4: Planning for Sustainable Economic Growth (PPS4)

planted within and around the site. In addition the policy requires that the use should not be detrimental to the amenities of residents of the area. The site of the appeals lies in close proximity to the A303 and the parties agree that it is a main holiday route as required by policy T9.

26. In the light of the above I consider that the main issues in these appeals are:

- (i) the effect on the character and appearance of the locality including its effect on the Special Landscape Area (SLA) within which the site is located and the nearby Winterbourne Stoke Conservation Area (CA),
- (ii) the effect on the living conditions of occupants of nearby dwellings through potential noise and disturbance, and
- (iii) whether other considerations including economic benefits outweigh any harm that is identified.

Reasons

Character and appearance

27. The appeal site adjoins the south-western extent of the CA which in that area comprises a meadow and other open land near the river. The parties agree that the proposed development preserves the elements of the setting and character of the CA that make a positive contribution to that heritage asset. I see no reason to differ. Consequently, there is no conflict with national policy HE 10 in PPS5⁵.
28. The wider area around the appeal site falls within both the Salisbury Plain West High Chalk Plain and the Wylde Chalk River Valley landscape character areas described in the Wiltshire Landscape Character Assessment. The appeal site is situated on the valley floor of the River Till.
29. A recent Landscape Character Assessment was undertaken for Salisbury District⁶. That indicates that the appeal site lies within Character Area A1: Till Narrow Chalk River Valley which is situated towards the north-east of Salisbury and running through adjacent areas of chalk downland (Area D). Within that area the overall condition of the landscape is good with moderate to high landscape character sensitivity and moderate visual sensitivity. I acknowledge that within the general description of the landscape character of the area there are pockets exhibiting some variation to the general landscape characteristics. I have noted the evidence of interested parties in this regard who pointed out some local variations in the area near the appeal site.
30. The appeal scheme contained proposals for enhancing the planting both at the site boundaries and within the site. The Council confirmed that this contained an appropriate mix and size of species for this location. The Council also confirmed that assumed growth rates to maturity for the suggested species were acceptable.
31. A detailed assessment of the visual effect of the cumulative effect of the appeal schemes from various viewpoints within the Till Valley and on the surrounding downland was undertaken by the appellants' landscape consultant. The Council's assessment was of a more limited nature. In addition, I was able to

⁵ Planning Policy Statement 5: Planning for the Historic Environment (PPS5)

⁶ Salisbury Landscape Character Assessment: Chris Blandford Associates (February 2009)

look at the site from various viewpoints at my site visit and reach my own conclusions on the visual effect of the schemes on the landscape.

32. In the main the appellants' photographic evidence, assessment, and its conclusions were not disputed by the Council. It was accepted by the Council that the visual envelope of the Campsite and Rally Fields areas is very limited with only a few areas of land in the public domain from which clear views of the site can be gained.
33. In the short to medium term persons using a public right of way alongside the River Till to the east of the site would be able to see (the upper parts of) caravans stationed in the nearest pitches alongside the eastern edge of the Campsite area although a steep embankment serves to restrict views into the site from the path. In the longer term planting within and outside the site would provide screening for much of the year.
34. Views into the proposed development in the Rally Fields would be gained from a section of the public right of way to the south-east of Summerfield House, and from a section of bridleway to the west of the B3083. In the medium term it would be possible to see substantial numbers of tents in the Rally Fields from the bridleway but views into that area would reduce towards the longer term due to growth in the landscaping that has taken place or is further proposed.
35. I agree with the Council that glimpses of tents in the Rally Fields would be gained from the hillside position of a byway to the east (Viewpoint 22). However, that would be at a distance of approximately 1.5 km from the site. At the time of my (spring) visit those views were restricted by vegetation and, as the photographic evidence indicates, they would not be prominent even in the winter time when there would be less leaf growth.
36. Views into the site from the B3083 are currently limited to a section of about 300m leading south from the A303. The site entrance, part of the access track and earth bunds with fencing would be clearly visible from the road. I am satisfied that planting of the earth bunds along the site frontage, some of which has taken place, would provide reasonable short term visual screening which would be enhanced over the medium term by additional planting such that only the top parts of tents in the upper paddock area of the Rally Fields would be visible. Over the longer term those views into the site would diminish further.
37. The parties agree that the fence along the bunds is prominent in some views and I do not differ in that respect. I consider that its removal, secured by a planning condition if all other matters are acceptable, would be in the interest of the visual amenity of the area.
38. Planting alongside the northern boundary would also provide substantial screening of the site from the B3083. The Council expressed doubts at the Inquiry that there was sufficient space between the access track and the site boundary to allow for sufficient plant growth. Although I saw on my visit that the width of the planting strip varied I consider that there is adequate space to allow planting which would provide a screen over a period of between 5 – 10 years. Planting has taken place alongside the boundary outside the appellants' land but no scheme is before me that would allow for the management of that area which reduces the weight I have attached to it in contributing to a screen.

39. The A303 is in an elevated position to the north-west of the appeal site where there is an exposed section following the removal of trees and vegetation by the Highways Agency and which allows views towards the site from passing vehicles. However, traffic on that road is reasonably heavy and moving at considerable speed so such views as there are from that position are likely to be fleeting in the short term but would reduce with screening from the existing and proposed landscaping .
40. There are a number of residential properties within the visual envelope of both the caravan site and the Rally Fields. In the short term views of the Rally Fields from Scotland Lodge, which is at a slightly elevated position above the A303 can be gained. These views would significantly reduce in the medium term as the landscaping matures. Views from the other dwellings are limited. However, I noted that parts of the site can be seen presently from Over the Hill to the south and parts of the gardens of Till Cottage and Keepers Cottage.
41. In all these cases the limited views that exist at present would reduce in the medium to long term as the existing and proposed landscaping at the edges of the site matures. Control of the extent of the camping and caravanning to minimise the visual impact and to ensure adequate landscaping can be secured through planning conditions, if all other matters are acceptable. Consequently, both the use of the site for camping and caravanning together with the related operational development would be well screened in the medium to long term (5-9 years).
42. Overall, I found the appellants' assessment of visual impact persuasive in indicating that there would be very limited visual impact of the appeal schemes on both the local and wider areas of the landscape. It is, in any event, based on a worst-case scenario of all the proposed caravan pitches being occupied and tents present in both paddocks of the Rally Fields. However, I agree with the appellants that the situation for most of the period being considered would be less than that further reducing the likely visual impact.
43. I note the Council's concern that the assessment does not fully consider the visual effect of vehicles at the site entrance (either entering or leaving) or on the access track. I accept that vehicles and caravans in those positions could be visible particularly from some of the elevated viewpoints. Such activity is likely in most cases to be of a transient nature and even at the busiest times is not likely to be harmful to the landscape character for anything other than a short time. Consequently, I have not attached significant weight to that concern.
44. Taking all the above factors into account I consider that there would be limited conflict with SP policy RLT10 and LP policy T9. I do not consider that the harm to the character and appearance of the locality including the SLA from the appeal proposals would be material and it would not of itself lead me to dismiss the appeals.

Living conditions

45. The Council has raised objections in this regard only in respect of the enforcement notice issued in respect of the alleged change of use (Appeal A) and not the scheme comprising the s78 appeal (Appeal C). Notwithstanding that, compelling evidence was given at the Inquiry by a number of the interested parties who live near the site (and others) to indicate that at various times the use of parts of the site for camping and caravanning had led to noise

and disturbance to their living conditions at unsocial hours. The evidence provided indicated that this was primarily from music (both amplified and non-amplified) played late at night particularly from those parts of the Rally Fields and Summerfield House closest to the dwellings. Some of the interested parties indicated that the music and other noises could be heard over a wide area.

46. I have no doubt that much of the problem in this regard stemmed from the fairly uncontrolled use of the site at that time. Suggested planning conditions discussed at the Inquiry to limit the area for camping and caravanning (and the numbers of caravans and tents) together with limitations on amplified and non-amplified music and greater visual screening would, in my opinion, go a very considerable way to resolving the concerns that were aired. Such conditions can be attached to a planning permission, if all other matters are acceptable.
47. Subject to the imposition of planning conditions as discussed above attached to any permissions granted in respect of these appeals I conclude on this issue that the development proposed in Appeal A and Appeal C would not be materially harmful to the living conditions of occupants of nearby dwellings and would accord with the overall aims of LP policy T9(iv).

Economic benefits

48. The parties agree that the use of the site for tourist related purposes would lead to economic benefits both to the immediate and wider areas. The scheme would provide one FTE⁷ job and there was agreement that there would be some visitor spend, albeit unquantified, in the area.
49. The proposed development, taken as a whole, accords with national planning policy in PPS4 (policy EC7) which urges Councils to support sustainable rural tourism and leisure developments to help deliver the Government's tourism strategy. It is also supported by the Government's commitment to promote sustainable growth and jobs⁸.

Fallback position

50. The appellants have permitted development rights which enable them to make use of the site for camping⁹ and caravanning. For the days that such activity would be covered by these rights the numbers of tents and caravans at the site would be fairly uncontrolled and could be significantly greater than those suggested in the schemes now before me with the suggested conditions. There is a reasonable likelihood that some of the problems brought to my attention by uncontrolled camping and caravanning in the past would re-occur under this fall back position. Consequently I can attach considerable weight to it in my overall balance of considerations.

Other matters

51. A number of other matters are brought to my attention by the interested parties. There is concern that the appeal schemes would have a harmful effect on nature conservation interests in particular the nearby SSSI¹⁰ along the River Till. However, no substantive evidence was produced to support that contention and I cannot attach significant weight to it.

⁷ Full time equivalent (FTE)

⁸ Ministerial Statement dated 23 March 2011 by Greg Clark, Minister of State for Decentralisation

⁹ Under Part 4 Class B of Schedule 2 and Part 27 of Schedule 2 to the GPDO

¹⁰ Site of Special Scientific Interest (SSSI)

52. Concern was also expressed by interested parties and the local Parish Councils in respect of the effect of the schemes on highway safety, particularly slow moving large vehicles and some vehicles towing caravans seeking to exit the site onto the B3083. The initial consultation responses of the Highways Agency and the Highways Department of the Council¹¹ did not raise objections in this respect, however shortly before the Inquiry an objection was received¹² indicating the view of the relevant highways officer that visibility from and of vehicles leaving the site access is restricted by a hedge that had recently been planted along the roadside site frontage. The principal parties agree that greater visibility can be secured by re-positioning the planting along the bunds and that this could be secured through a condition, if all other matters are acceptable.
53. I have had regard to other matters raised including the effect on archaeology, and sewerage and waste water disposal. None alters my view as to the main issues on which these appeals turn.

Conditions

54. The parties have both suggested¹³ a number of conditions in the event that the appeal is successful. A number of the suggested conditions are common to the individual appeals, notwithstanding differences in site boundaries. Conditions relevant to the individual appeals are set out in the Annexes to this decision.
55. A number of conditions are suggested mainly to safeguard the visual amenity of the area. For this reason a condition is required for details of any existing and proposed landscaping to be submitted to the Local Planning Authority and approved in writing. In connection with Appeals B and C I will attach a condition requiring the removal of the mesh fence. I also agree that a number of conditions should be attached in respect of all the appeals for the provision and maintenance of landscaping including a requirement for a landscape management plan. These landscape conditions require the permitted use to cease and all tents and other incidental development to be removed in the event that the conditions are not satisfied.
56. I agree that a condition is required to put a restriction on the siting and number of caravan pitches. Whilst the parties agreed in principle that they should only be within the area notated as "Campsite/Red Land" on Drawing WGDP 01 contained in the SCG to the easternmost part of the site, to protect the visual amenity and character of the area and also help to safeguard the living conditions of occupants of nearby dwellings, they differed as to the number of pitches and caravans that would be appropriate in that area.
57. The appellants have suggested that that part of the site could accommodate 15 caravans laid out as illustrated on Drawing: Landscape Plan 2010. The Council considers that the area should be restricted to the northern part of that area such that it would accommodate 11 pitches and caravans (Plots 1-8 and 13-15 on Drawing: Landscape Plan 2010). The disputed area is well contained by earth embankments following the excavation and re-profiling of the ground in that area and it is reasonably well screened by existing vegetation. It is the nearest area to the garden of Keepers Cottage across the public right of way but a considerable distance from the house and the most private part of the

¹¹ Evidence of Charlie Bruce-White

¹² Document 13 to the Inquiry

¹³ Contained in the Statement of Common Ground

- garden. In consequence, I lean to the view of the appellants that there would not be a materially harmful effect on the amenities of the occupants of Keepers Cottage from the use of pitches 13-15 on Drawing: Landscape Plan 2010 and the condition I will impose will reflect that conclusion.
58. Conditions are suggested to limit the area for tented camping, the number of tents and the number of days that the use would be permitted. The area to be used is not in dispute by the parties (the area notated as Rally Fields/Blue Land on drawing WGDP 01) but the number of tents and number of days that would be available for camping are in dispute.
59. The appellants suggest that the defined area for tented camping should only be used for such purposes between 19 March and the 30 September inclusive within any calendar year and that it should be used for a maximum of 20 tents on any day within that time period save for 10 days when a maximum of 100 tents would be permitted and a further 14 days when a maximum of 40 tents would be permitted.
60. The Council has suggested a more restrictive approach within the same area. It suggests that that land could be used for tented camping for up to a maximum of 100 days between 1 March and 1 October inclusive within any calendar year. Within that period the Rally Fields should not be used for the stationing of more than 20 tents in total on any day save for between 18 - 25 June inclusive when no more than 100 tents in total could be stationed there and no more than 40 tents in total on Bank Holiday weekends. As the Council's suggested period for use is similar in span to that suggested by the appellants I do not see any particular benefit to the overall visual amenity of the area to limiting the number of days to 100 when the area could be used for a limited use of a maximum of 20 tents. The location of those tents away from dwellings is not likely to lead to harm to the living conditions of occupiers of nearby dwellings. Further such a limitation of use suggested by the Council would, to my mind, be difficult to monitor either by itself or by local residents.
61. The further limitations in respect of use by up to a maximum of 100 tents (8 days) and use by up to a maximum of 40 tents on Bank Holiday weekends suggested by the Council do not differ markedly from the limitations suggested by the appellants and which would, in my view, be simpler to monitor. For those reasons I will impose conditions along the lines suggested by the appellants in respect of these matters.
62. To support the above conditions I agree that an up-to-date written record of all persons visiting the site is maintained and permitted development rights that would otherwise allow camping and caravanning on other parts of the site should be removed. Circular 11/95¹⁴ advises that such permitted rights should only be removed in exceptional circumstances and I consider that this is such a case to safeguard the living conditions of occupants of nearby dwellings and also as uncontrolled camping and caravanning on the remainder of the site would cause harm both to the visual amenity and character of the area.
63. Conditions to restrict the location and number of fire pits and to prevent the playing of amplified music at any time in the appeal sites and to place a time limit of 2300 hours for the termination of the playing of unamplified music on any day will help to prevent noise and disturbance to nearby residents of the site at unsociable hours.

¹⁴ Circular 11/95: The Use of Conditions in Planning Permissions

64. A condition to restrict access to and egress from the land used for tented camping from the southernmost access to the site will safeguard the living conditions of the occupants of Over the Hill. A condition requiring the provision of an alarm system installed to the cesspit will help to prevent pollution to water courses.

65. Finally I will attach a condition to require a written scheme of investigation of archaeological remains and to implement a programme of work based on the findings prior to any ground works being undertaken.

Balance of considerations and conclusion on the ground (a) and s78 appeals

66. Although I have found some limited conflict with SP policy RLT10 and LP policy T9 in respect of the effect of the schemes I do not consider that the proposed development would have a materially harmful effect on the character and appearance of the locality including the SLA. Any resulting harm would be significantly outweighed by direct and indirect economic and tourism benefits to the locality and the wider area. In addition I found that the scheme would not, subject to conditions, have a harmful effect on the living conditions of occupants of nearby dwellings.

67. I conclude that for the reasons given above and having regard to all other matters raised the appeals under ground (a) and s78 should succeed.

The appeal on grounds (f) and (g) (Appeal B)

68. As there is success on ground (a) which leads to the corrected notice being quashed, there is no need to go on to consider the appeals on grounds (f) and (g).

Formal decisions

APP/Y3940/C/10/2139334 (Appeal A)

69. I allow the appeal, and direct that the enforcement notice be quashed. I grant planning permission, on the application deemed to have been made under section 177(5) of the 1990 Act as amended, for the development already carried out, namely the use of the land for temporary events (in particular the use as a temporary camping site for the stationing and human habitation of tents) in excess of that permitted by Part 4, Class B of the Town and Country Planning (General Permitted Development) Order 1995 at Land at Stonehenge Campsite/Summerfield House, Berwick St. James, Salisbury, SP3 4TQ, shown on the plan edged red attached to the enforcement notice, subject to conditions attached at Annex A to this decision.

APP/Y3940/C/10/2142020 (Appeal B)

70. I direct that the enforcement notice be corrected by the deletion of "to development took place" and the substitution thereof of the words "to the development taking place" in paragraph 5 requirement (b) and by the deletion of "profiles that" and the substitution thereof of the words "profiles to that" in paragraph 5 requirement (e).

71. Subject to the above corrections I allow the appeal, and direct that the enforcement notice be quashed. I grant planning permission, on the application deemed to have been made under section 177(5) of the 1990 Act as amended, for the development already carried out, namely the carrying out of engineering and other operations on the land, including materially altering

the landform by excavating and re-profiling the ground to form levelled areas and formation of hardstandings; formation of earth bunds and associated fencing, installation of a cesspool/waste disposal point and enclosing fencing, installing electrical hook-ups and lighting; materially altering the position of and widening an access onto a classified road and resurfacing and improvements to an existing track; partial construction of a new track, formation of a pathway and erection of a toilet block and washing up building at Land at Stonehenge Campsite/Summerfield House, Berwick St. James, Salisbury, SP3 4TQ, shown on the plan edged red attached to the enforcement notice, subject to conditions attached at Annex B to this decision.

APP/Y3940/A/10/2136994 (Appeal C)

72. I allow the appeal and grant planning permission for a change of use of land to touring caravan and camping site, including retention of access, driveway, hardstandings, shower/wc block, chemical toilet disposal area, cess pit and electric hook-up points at Stonehenge Campsite, Berwick Road, Berwick St. James, Salisbury, SP3 4TQ in accordance with the terms of the application (Ref S/2010/7/FULL, dated 24 December 2009) and the details submitted therewith and thereafter and subject to conditions set out at Annex C to this decision.

Kevin Nield

INSPECTOR

ANNEXE A

SCHEDULE OF CONDITIONS FOR APPEAL A: APP/Y3940/C/10/2139334

1. The development shall be carried out strictly in accordance with the approved plans insofar as they fall within the area of land outlined in red on the enforcement notice (Landscape Plan 2010 and drawing WGDP 01).
2. The land notated as "Campsite/Red Land" on drawing WGDP 01 shall only be used to accommodate a maximum of 15 caravans on any day of the calendar year.
3. No amplified music shall be played or broadcast at any time on any day of the calendar year on the land notated "Campsite/Red Land" or land noted as Rally Fields/Blue Land or land notated as Parkland and Summerfield/Green Land on drawing WGDP 01.
4. No unamplified music shall be played after 2300 hours on any day of the calendar year on the land notated "Campsite/Red Land" or land notated as "Rally Fields/Blue Land" or land notated as "Parkland and Summerfield/Green Land" on drawing WGDP 01.
5. The use of the land for tented camping shall be strictly limited to that part of the site within the area notated as "Rally Fields/Blue Land" on drawing WGDP 01 and shall be used only in connection with the use of the area notated as "Rally Fields/Blue Land" as a whole. No caravans, motorhomes, campervans or other vehicle or structure adapted for human habitation which would fall within the definition of a caravan shall be stationed or parked on this land, which shall not be used for any camping other than for tented camping purposes between 19th March and the 30th September inclusive within any calendar year. That part of the application land within the area notated "Rally Fields/Blue Land" on drawing WGDP 01 shall be used only in connection with the use of the area notated as "Rally Fields/Blue Land" as a whole for a maximum of 20 tents on any day within the time period specified above, save for 10 days when a maximum of 100 tents and also a maximum of 40 tents on 14 additional days can be stationed within the period prescribed above. For the avoidance of any doubt, any day or part thereof when a tent or tents are stationed on the land or when activities incidental to camping are continuing (for example, the stationing of portaloos) is to be regarded as a day's use for the purposes of this condition.
6. Notwithstanding the provisions of any Class of the Schedule to Town and Country Planning General Permitted Development Order 1995 (or any order revoking and re-enacting that order with or without modification), there shall be no stationing of any tents on any part of the land other than on the area referred to as Rally Fields/Blue Land on drawing WGDP 01 or within the approved caravan site, and there shall be no stationing of caravans outside of the approved caravan site.
7. A maximum of 10 fire pits shall be permitted within the land notated as "Rally Fields/Blue Land" on drawing WGDP 01 within the site and no other fires (excluding domestic barbecues and domestic garden/maintenance fires) shall be lit within any part of the site.

8. Within seven days of the date of implementation of the permission hereby granted the applicant/site manager shall keep an up-to-date written record of all persons visiting the site for the purposes of recreation and the number of caravans and tents there on any day. The written record shall be maintained daily thereafter and made available to the Local Planning Authority for inspection at reasonable notice.
9. There shall be no vehicular access and egress to and from the land used for tented camping from the southernmost vehicular access to the site (adjacent to Over the Hill).
10. Within one month of the date of implementation of the permission hereby granted, the details of any existing external lighting installed on the land and any additional external lighting proposed, shall be submitted to and approved by the Local Planning Authority. Details shall include the type of light appliance, the height and position of fitting, illumination levels and details of measures to reduce light pollution including any external cowls, louvres or other shields to be fitted to the lighting. Development shall be carried out in accordance with the approved details and maintained as such thereafter. Other than those agreed, there shall be no further lighting of the site, unless otherwise agreed through a new planning permission.
11. The use hereby permitted shall cease and all caravans, tents and other incidences of the use shall be removed within three months of the date of failure to meet any one of the requirements set out in (i) to (iv) below:
 - (i) Within 3 months of the date of this decision, a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas together with details of all existing planting and proposed planting to be undertaken including details of planting locations, size, densities and times of planting and arrangements for aftercare and maintenance, shall be submitted to and approved in writing by the Local Planning Authority, the plan to include a timetable for its implementation;
 - (ii) Within 3 months of the date of this decision, if the Local Planning Authority refuses to approve the scheme submitted under (i) above or fails to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State;
 - (iii) An appeal is made in pursuance of (ii) above, and that appeal has been finally determined and the submitted scheme has been approved by the Secretary of State.
 - (iv) The approved landscape management plan has been implemented in full in accordance with the approved timetable.
12. Within 3 months of the date of this decision details of a scheme for an alarm system to be fitted to the cess pit to provide warning against overflowing shall be submitted to and approved in writing by the Local Planning Authority. The system shall be installed within 3 months of the approval by the Local Planning Authority and shall thereafter be retained and maintained.
13. Within one month of the date of the permission hereby permitted visibility splays of 4.5m x 75m measured from the centre line of the access adjacent to the northern site boundary shall be provided across the site frontage. The

visibility splays shall be maintained permanently thereafter free from obstruction above a height of 300mm.

14. The fence along the side and top of the earth bunds fronting the Berwick Road (B3083) and within the site shall be removed within three months of the date of the permission hereby granted.

ANNEXE B

SCHEDULE OF CONDITIONS FOR APPEAL B: APP/Y3940/C/10/2142020

1. The development shall be carried out strictly in accordance with the approved plans insofar as they fall within the area of land outlined in red on the enforcement notice (Landscape Plan 2010 and drawing WGDP 01).
2. Within one month of the date of implementation of the permission hereby granted, the details of any existing external lighting installed on the land and any additional external lighting proposed, shall be submitted to and approved by the Local Planning Authority. Details shall include the type of light appliance, the height and position of fitting, illumination levels and details of measures to reduce light pollution including any external cowls, louvres or other shields to be fitted to the lighting. Development shall be carried out in accordance with the approved details and maintained as such thereafter. Other than those agreed, there shall be no further lighting of the site, unless otherwise agreed through a new planning permission.
3. The use hereby permitted shall cease and all tents and other incidences of the use shall be removed within three months of the date of failure to meet any one of the requirements set out in (i) to (iv) below:
 - (i) Within 3 months of the date of this decision, a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas together with details of all existing planting and proposed planting to be undertaken including details of planting locations, size, densities and times of planting and arrangements for aftercare and maintenance, shall be submitted to and approved in writing by the Local Planning Authority, the plan to include a timetable for its implementation;
 - (ii) Within 3 months of the date of this decision, if the Local Planning Authority refuses to approve the scheme submitted under (i) above or fails to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State;
 - (iii) An appeal is made in pursuance of (ii) above, that appeal has been finally determined and the submitted scheme has been approved by the Secretary of State.
 - (iv) The approved landscape management plan has been implemented in full in accordance with the approved timetable.
4. Within 3 months of the date of this decision details of a scheme for an alarm system to be fitted to the cess pit to provide warning against overflowing shall be submitted to and approved in writing by the Local Planning Authority. The system shall be installed within 3 months of the approval by the Local Planning Authority and shall thereafter be retained and maintained.
5. Within one month of the date of the permission hereby permitted visibility splays of 4.5m x 75m measured from the centre line of the access adjacent to the northern site boundary shall be provided across the site frontage. The visibility splays shall be maintained permanently thereafter free from obstruction above a height of 300mm.

6. The fence along the side and top of the earth bunds fronting Berwick Road (B3083) and within the site shall be removed within three months of the date of the permission hereby granted.

ANNEXE C

SCHEDULE OF CONDITIONS FOR APPEAL C: APP/Y3940/A/10/2136994

1. The development shall be carried out strictly in accordance with the approved plans (Site location Plan, Planning application plan: PV 316/WFG/TA, Landscape Plan 2010 and drawing WGDP 01).
2. The land notated as "Campsite/Red Land" on drawing WGDP 01 shall only be used to accommodate a maximum of 15 caravans on any day of the calendar year.
3. No amplified music to be played or broadcast at any time on any day of the calendar year on the land notated "Campsite/Red Land" or land notated as "Rally Fields/Blue Land" on drawing WGDP 01.
4. No unamplified music to be played after 2300 hours on any day of the calendar year on the land notated "Campsite/Red Land" or land notated as "Rally Fields/Blue Land" on drawing WGDP 01.
5. The use of the land for tented camping shall be strictly limited to that part of the site within the area notated as "Rally Fields/Blue Land" on drawing WGDP 01 and shall be used only in connection with the use of the area notated as "Rally Fields/Blue Land" as a whole. No caravans, motorhomes, campervans or other vehicle or structure adapted for human habitation which would fall within the definition of a caravan shall be stationed or parked on this land, which shall not be used for any camping other than for tented camping purposes between 19th March and the 30th September inclusive within any calendar year. That part of the application land within the area notated "Rally Fields/Blue Land" on drawing WGDP 01 shall be used only in connection with the use of the area notated as "Rally Fields/Blue Land" as a whole for a maximum of 20 tents on any day within the time period specified above, save for 10 days when a maximum of 100 tents and also a maximum of 40 tents on 14 additional days can be stationed within the period prescribed above. For the avoidance of any doubt, any day or part thereof when a tent or tents are stationed on the land or when activities incidental to camping are continuing (for example, the stationing of portaloos) is to be regarded as a day's use for the purposes of this condition.
6. Notwithstanding the provisions of any Class of the Schedule to Town and Country Planning General Permitted Development Order 1995 (or any order revoking and re-enacting that order with or without modification), there shall be no stationing of any tents on any part of the land other than on the area referred to as Rally Fields/Blue Land on drawing WGDP 01 or within the approved caravan site, and there shall be no stationing of caravans outside of the approved caravan site.
7. A maximum of 10 fire pits shall be permitted within the land notated as "Rally Fields/Blue Land" on drawing WGDP 01 within the site and no other fires (excluding domestic barbecues and domestic garden/maintenance fires) shall be lit within any part of the site.
8. Within seven days of the date of implementation of the permission hereby

- granted the applicant/site manager shall keep an up-to-date written record of all persons visiting the site for the purposes of recreation and the number of caravans and tents there on any day. The written record shall be maintained thereafter and made available to the local planning authority for inspection at reasonable notice.
9. There shall be no vehicular access and egress to and from the land used for tented camping from the southernmost vehicular access to the site (adjacent to Over the Hill).
10. Within one month of the date of implementation of the permission hereby granted, the details of any existing external lighting installed on the land and any additional external lighting proposed, shall be submitted to and approved by the Local Planning Authority. Details shall include the type of light appliance, the height and position of fitting, illumination levels and details of measures to reduce light pollution including any external cowls, louvres or other shields to be fitted to the lighting. Development shall be carried out in accordance with the approved details and maintained as such thereafter. Other than those agreed, there shall be no further lighting of the site, unless otherwise agreed through a new planning permission.
11. The use hereby permitted shall cease and all caravans, tents and other incidences of the use shall be removed within three months of the date of failure to meet any one of the requirements set out in (i) to (iv) below:
- (i) Within 3 months of the date of this decision, a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules for all landscape areas together with details of all existing planting and proposed planting to be undertaken including details of planting locations, size, densities and times of planting and arrangements for aftercare and maintenance, shall be submitted to and approved in writing by the Local Planning Authority, the plan to include a timetable for its implementation;
 - (ii) Within 3 months of the date of this decision, if the Local Planning Authority refuses to approve the scheme submitted under (i) above or fails to give a decision within the prescribed period, an appeal shall have been made to, and accepted as validly made by, the Secretary of State;
 - (iii) An appeal is made in pursuance of (ii) above, and that appeal has been finally determined and the submitted scheme has been approved by the Secretary of State.
 - (iv) The approved landscape management plan has been implemented in full in accordance with the approved timetable.
12. Within 3 months of the date of this decision details of a scheme for an alarm system to be fitted to the cesspit to provide warning against overflowing shall be submitted to and approved in writing by the Local Planning Authority. The system shall be installed within 3 months of the approval by the Local Planning Authority and shall thereafter be retained and maintained.
13. Within one month of the date of the permission hereby permitted visibility splays of 4.5m x 75m measured from the centre line of the access adjacent to the northern site boundary shall be provided across the site frontage. The visibility splays shall be maintained permanently thereafter free from obstruction above a height of 300mm.

14. The fence along the side and top of the earth bunds fronting Berwick Road (B3083) and within the site shall be removed within three months of the date of the permission hereby granted.