

Date of Meeting	27 April 2016
Application Number	16/01161/FUL
Site Address	Blackberries Camping Park, Farleigh Rise, Monkton Farleigh Wiltshire, BA15 2DY
Proposal	Additional 5 pitches at Blackberries Camping Park; new reception building; small disabled toilet/shower attached to existing facilities.
Applicant	Mr Adrian Orchard
Town/Parish Council	MONKTON FARLEIGH
Electoral Division	HOLT AND STAVERTON – Cllr Trevor Carbin
Grid Ref	380101 166093
Type of application	Full Planning
Case Officer	James Taylor

Reason for the application being considered by Committee

Cllr Trevor Carbin has called this application to planning committee if officers are minded to grant planning approval in light of the relationship to other properties.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved.

2. Report Summary

The main issues to consider with this application are:

- Principle of development;
- Green Belt;
- Cotswolds AONB;
- Impact on neighbour amenity; and
- Highways.

3. Site Description

The application site is an established small scale camp site that is limited to 10 pitches. A pitch is defined as a timber pod, tent or caravan. Ancillary to the site there are a number of small buildings including toilet, washing up and shelter facilities; an area for storage of ancillary materials and reception.

The eastern part of the site is a private equestrian development.

The application area is a former MoD site and has areas of hard standing throughout. It has soft landscaping throughout with a central clear area that is the focus of the lawful camping activity. Now that the site has an active economic use there is clear evidence of management, which was notably absent at site inspections in 2012/2013 when the original application was being assessed.

The application site is located within the designated Green Belt and an Area of Outstanding Natural Beauty. Access to the site is existing. The application site is located to the south of a number of residential properties but separated by over 100 metres in an open countryside location. It lies adjacent to a number of employment operations between Monkton Farleigh and Bathford villages.

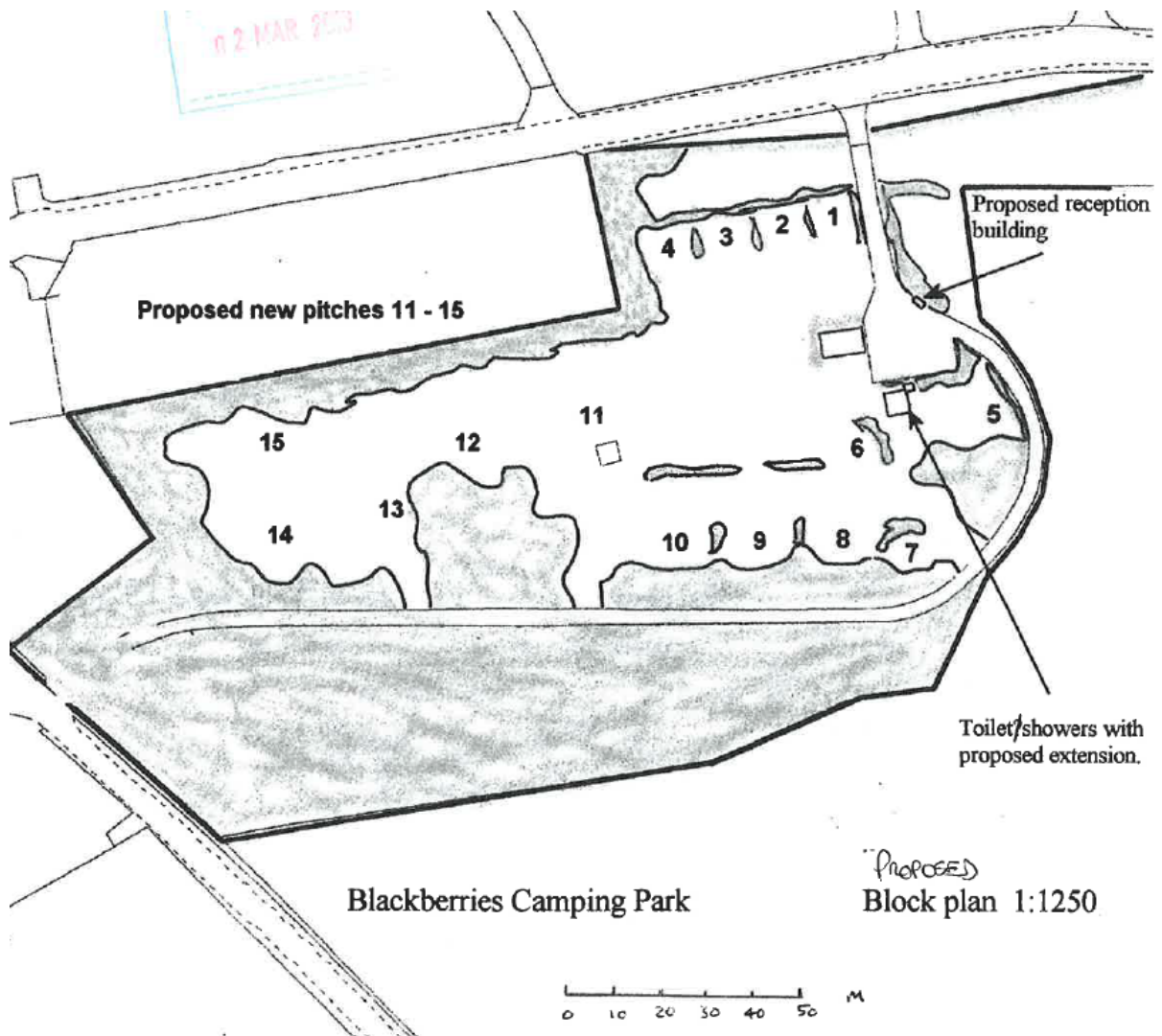
4. Planning History

W/13/00050/FUL - Change of use to small camping facility, conversion of existing building to toilet/shower facilities and erection of stable block and associated works

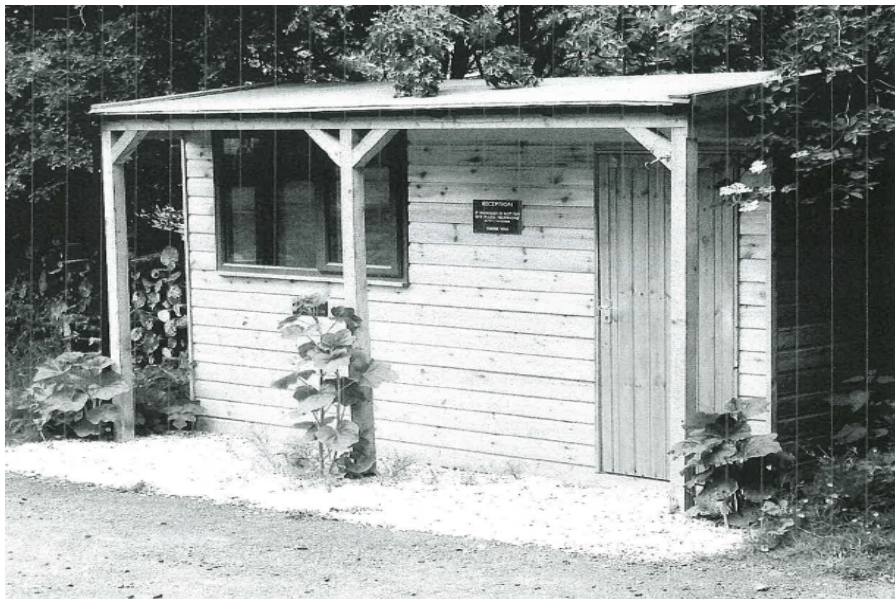
5. The Proposal

This is a proposal for the provision of 5 additional pitches over and above the cap of 10 pitches that was imposed on the original planning permission to allow the site to be used as a camping site in 2013.

In addition the proposal includes a new reception building. This is a retrospective element to the application. The building has a footprint of 3.5 metres by 2.5 metres and is single storey. It is constructed with timber to the walls and felt to the roof. It is also proposed to make a modest extension to the existing toilet block to provide disabled facilities. This is a single storey addition utilising matching materials to the existing block.



Proposed site Plan, showing pitches, reception building and toilet block



The Reception Building

6. Planning Policy

Wiltshire Core Strategy (development plan)

CP1, CP2, CP3, CP7, CP39, CP41, CP48, CP50, CP51, CP57, CP60, CP61, CP62, CP64, CP67, and appendix D's 'saved' policy U1a of the West Wiltshire District Plan 1st Alteration (2004)

Wiltshire Local Transport Plan 2011-2026 Car Parking Strategy (LTP3) – policy PS4.

National Context:

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

7. Consultations

Monkton Farleigh Parish Council: Object.

“There are concerns about an increase of traffic to the area. Last year there were complaints about noise and numbers of people at the campsite so some residents are worried that this will be worse if there are more pitches.”

Wiltshire Council Ecology officer: No objection.

Wiltshire Council Highways: No objection.

8. Publicity

Public consultation consisted of letters to neighbours and interested parties on earlier applications and the erection of a site notice. Four letters of objection have been received which in summary raise the following issues:

- No objections to the operational development i.e. reception building and toilet facilities;
- Flouting of planning conditions historically with the 10 pitch threshold being exceeded;
- Farleigh Rise to the south is a quiet cul-de-sac with retirement bungalows and campers cause a harmful impact on the amenities of occupiers through noise and traffic movements;
- Smoke pollution from fire pits at the campsite / fire hazard; and
- Further spoil the landscape.

9. Planning Considerations

9.1 Principle of development:

Since the grant of planning permission in 2013 the camping park has now become established and is proving to be a successful and popular site where demand is outstripping supply. The period since the permission was granted has allowed the impacts of the development in terms of highway safety and the landscape to become better understood. The reason for originally restricting the scale of the camp site to 10 pitches was on the basis of landscape and highway safety concerns.

Since the grant of planning permission in 2013 there have been changes to the development plan with the adoption of the Wiltshire Core Strategy in 2015. The relevant principle policy in this matter is now CP39. This states:

“Proposals for camping and touring caravan sites (including extensions) will be supported where they can be accommodated without adverse impact on the character and appearance of the landscape and meet criteria....

iii. The scale, design and use of the proposal is compatible with its wider landscape setting and would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas.

iv. The building is served by adequate access and infrastructure.

v. The site has reasonable access to local services and a local employment base.”

In this context it is considered that the provision of more pitches and the provision of ancillary facilities are acceptable subject to detailed considerations.

9.2 Green Belt:

There is no local plan policy on Green Belt and therefore it is necessary to have regard to the policies set out within the NPPF. This is clear that ‘inappropriate’ development within the Green Belt is by definition harmful (paragraph 87). However, the NPPF also makes it clear that there are some developments that are not considered ‘inappropriate’. The list of these includes ‘*provision of appropriate facilities for outdoor recreation...as long as it preserves the openness of the green belt*’ (paragraph 89). Paragraph 81 encourages local planning authorities to ‘*plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.*”

This is a proposal that would provide seasonal accommodation for those seeking to access the Green Belt for outdoor recreation on a former military site that has some ecological value. Without such a use the site would have a poorer visual impact with associated implications for the nationally important landscape and would not be improved derelict land and would not be managed for ecological benefit.

The increase in the number of pitches may result in some nominal impact in terms of openness, however the nature of the impact and the scale of the impact are considered to be so modest as not to result in any demonstrable harm in terms of openness.

The extension to the existing toilet and shower block would largely be obscured from or viewed against the existing building and so it would have no impact on the openness of the Green Belt.

The new reception building is considered to be an appropriate facility for the recreation use of the land and as such it is not considered to be inappropriate development. It has been constructed from timber and dark colour felt to the roof and sited and of a form so as to minimise its impact visually and have a nominal impact on the openness at this point.

9.3 Cotswolds AONB:

The proposed buildings and the increase in the number of pitches are considered, in light of the existing activity, to have no demonstrable impact on this nationally important landscape. The existing site landscaping would mitigate any visual impact – which it must be acknowledged is largely seasonal.

It is considered that without the active management of the site – which this viable economic use facilitates - then it would return to its former and recent unkempt appearance to the overall detriment of this nationally important landscape.

9.4 Parking/highways:

The proposed buildings would have no highway impact.

The access to the site is existing and has been provided in accordance with the conditions imposed on the 2013 planning approval. The access is onto a relatively straight stretch of road and has good visibility in both directions.

Whilst it is acknowledged that the local public highway network is quite rural, the general width of roads and visibility at junctions is considered to be good and far less narrow and restricted than in many other rural locations. In terms of the highway to Monkton Farleigh and to the east there are no highway concerns whatsoever. It is acknowledged that the gradient of the public highway to Bathford is very steep but that of itself is not a significant concern, it is public highway and open to use by all road users.

The proposal would, in these circumstances, not result in any demonstrable highway safety issue.

9.5 Ecology:

The site has previously had acknowledged ecological interests and part of the redevelopment of this site from its previous condition (it was vacant former MOD land for many years) was motivated by the provision of enhanced ecological potential. From site inspection it is clear that these management responsibilities have been embraced by the current developers.

The area into which it is proposed to allow a further 5 pitches has no evident ecological value being grassed areas. One pitch is located adjacent to a former pill box which is a known roost and so the ecology advice is to be cautious on matters of external lighting. There is no reason to consider that any harm to ecological interests would occur from the additional pitches and the increased activity. As a precaution it is reasonable and necessary to ensure external lighting controls previously agreed remain in place. Allowing the additional pitches will help make the business continue to be viable and in turn allow the active management of the site for the benefit of ecology given that the overall intensity of the development would remain modest given the overall area of the site.

9.6 Impact on neighbour amenity

The proposal is located over a hundred metres from the nearest residential property, which is at Farleigh Rise to the south. Four objections have been received from the circa 40 properties that make up this isolated cul-de sac between Monkton Farleigh and Bathford. They highlight that campers have caused loss of amenity through noise, traffic movements and use of fire pits; and assert that any increased use could intensify the issues that they have experienced.

It is not considered that these impacts are so substantial that permission should be refused.

There are statutory protections against issues from noise and smoke and such protections under other legislation can help to control any significant issues. It is not considered that additional pitches would cause any significant or demonstrable harm to the residential amenities of property located over 100 metres from the application site. However on balance, and having had regard to the local concerns raised to date, a condition to require the submission of a management plan is considered to be reasonable. Such a management plan should provide details of how the site operator is seeking to control and have regard to concerns over issues such as noise and traffic associated with guests.

9.7 Other material considerations:

Part of this proposal is retrospective. It is known and accepted in the submissions that there have been breaches in the number of pitches operated in the past and indeed the new reception building has been erected already. The retrospective nature of proposals is now a material consideration and must weigh against any scheme in the overall balance. However having had regard to the nature of the proposals, despite the Green Belt and AONB location of the development, the weight that can be attributed to this material consideration is considered to be slight, especially given the small size of the structure.

There are no other evident material considerations in relation to this proposal. Issues of visibility, waste storage, drainage and landscaping etc are all addressed through the original application. The condition that has limited the amount of pitches to 10 previously should be re-imposed with a revised figure of 15 to reflect this approval and avoid any ambiguity. Indeed for the avoidance of any doubt the previous conditions imposed in 2013 should be reviewed and reworded/re-imposed/deleted as appropriate to reflect the current situation which is a fresh planning application for the camp site use to intensify to 15 pitches and some minor operational development which is partly retrospective.

10. Conclusion (The Planning Balance)

The proposals would not cause any significant demonstrable harm to any acknowledged planning interests. The development is an expansion of a successful economic activity that attracts visitors into the area and which will make use of local facilities that help to support the rural community. Further the economic viable use of this former military site allows for it to be managed to the benefit of the landscape and ecology interests. On the basis of the above then it is assessed that planning permission should be granted subject to conditions.

RECOMMENDATION

Approve 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. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan received on 5 February 2016; 'Proposed block plan' received on 5 February 2016; 'Proposed reception building' – north and east elevations and floor plan received on 5 February 2016; 'Proposed reception building' – south and west elevations and roof plan received on 5 February 2016; 'Proposed new toilet and shower facility' – south and west elevations received on 5 February 2016; 'Proposed new toilet and shower facility' – north and east elevations received on 5 February 2016; 'Proposed new toilet and shower facility' – floor plan received on 5 February 2016

REASON: For the avoidance of doubt and in the interests of proper planning.

3. In accordance with the details submitted and assessed under this application no more than 15 pitches (either tents or pods or caravans) shall be sited and in use on the land at any time.

REASON: In order to define the terms of this permission, highway safety and to protect the rural scene.

4. Any gates shall be set back 10 metres from the edge of the carriageway, such gates to open inwards only, in perpetuity.

REASON: For the sake of consistency, the avoidance of any doubt and highway safety.

5. The existing visibility splays between the edge of the carriageway and a line extending back to a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to a point on the edge of the carriageway 90 metres towards the east and north-western corner of the site frontage towards the west shall be permanently kept free of obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON: For the sake of consistency, the avoidance of any doubt and highway safety.

6. The approved details of refuse storage and external lighting under planning permission W/13/00050/FUL shall be maintained in accordance with those details in perpetuity. There shall be no additional external lighting.

REASON: For the sake of consistency, the avoidance of any doubt and protecting the rural amenities.

7. All shrubs, trees and hedge planting as approved under planning permission W/13/00050/FUL shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON: For the sake of consistency, the avoidance of any doubt and protecting the rural amenities.

8. There shall be no further use of pitches 11-15 until a management plan for the operation of the site has been submitted to and approved in writing by the local planning authority. The management plan shall be submitted within 1 month of the planning permission hereby granted. The management plan shall include details such as the reception hours, measures to control noise generation and guest arrival times. The site management shall be carried out in accordance with the approved details thereafter.

REASON: In the interests of the amenities of the area.

1. INFORMATIVE: Please note that this consent does not override the statutory protection afforded to any protected species. The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural

England prior to commencing works. Please visit the following websites for more information:

<http://www.wiltshire.gov.uk/planninganddevelopment/biodiversityanddevelopment.htm>

<https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

2. INFORMATIVE: The applicant is advised that all British bat species are protected under The Conservation of Habitats and Species Regulations 2010 (as amended), which implements the EC Directive 92/43/EEC in the United Kingdom, and the Wildlife and Countryside Act 1981 (as amended). This protection extends to individuals of the species and their roost features, whether occupied or not. Please note that this consent does not override the statutory protection afforded to any such species. If bats or evidence of bats is found at any stage of development, all works should stop immediately and a licensed bat worker should be contacted for advice on any special precautions before continuing (including the need for a derogation licence from Natural England).

3. INFORMATIVE: The Protection of Badgers Act 1992 protects badgers from cruel ill-treatment, including damage or destruction of their setts, or disturbance whilst a sett is in occupation. This Act makes it illegal to carry out work that may disturb badgers without a Natural England licence. Particular care should be taken when clearing ground prior to development, and if evidence of badger activity is found, (such as foraging routes, snuffle holes, latrines or established setts), then work must stop immediately while a professional ecologist is contacted for advice. Applicants are advised to pay particular attention to foundation ditches, which can be hazardous to badgers. Sloping boards or steps should be provided to allow badgers to escape from such ditches should they become trapped. Failure to consider this matter, leading to the death of individuals, may leave the developer liable for prosecution. Further information about badgers and licensing can be found at <https://www.gov.uk/badgers-protection-surveys-and-licences>

4. INFORMATIVE: All reptiles are legally protected under Schedule 5 of the Wildlife and Countryside Act 1981 (as amended) and planning permission does not provide a defence against prosecution. In order to minimise the risk of reptiles occurring on the site, the developer is advised to clear the site and vegetation in a sympathetic manner during the autumn (September/October) or spring months (April-May) and to maintain the vegetation at a short height to make it unsuitable for reptiles until the construction works commence. If these species are found during the works, the applicant is advised to stop work and follow the advice of a professional ecologist to inform necessary mitigation and/or compensation measures.

5. INFORMATIVE: Under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage and destroy a nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act. Trees, scrub and other vegetation, such as dense ivy, are likely to contain nesting birds between 1st March and 31st August. Woodland, hedgerows, scrub and individual trees are present on the application site and should be assumed to contain nesting birds between the above dates, unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.