

REPORT FOR WESTERN AREA PLANNING COMMITTEE

Date of Meeting	14/11/2018
Application Number	17/08216/FUL
Site Address	Land North of 146, Upper Westwood BA15 2DE
Proposal	Provision of two self-contained camping pods with parking, change of use of land to leisure / tourism (resubmission of 17/02852/FUL).
Applicant	Mr & Mrs John Blake
Town/Parish Council	WESTWOOD
Electoral Division	Winsley and Westwood – Cllr Johnny Kidney
Grid Ref	380247 159451
Type of application	Full Planning
Case Officer	Matthew Perks

Reason for the application being considered by Committee

Cllr Johnny Kidney requested that this application be called-in for the elected members to determine should officers be minded to grant permission. The key issues identified by Cllr Kidney for Members to consider are as follows:

- Environmental or highway impact; and
- There is significant local concern regarding access and impact on the AONB.

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:

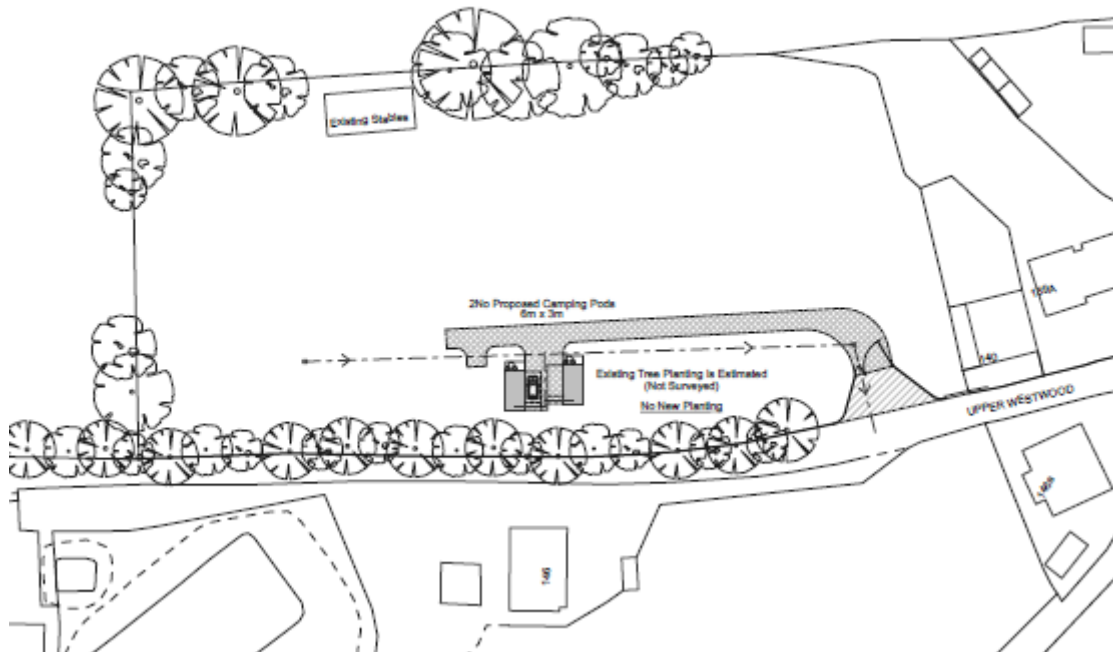
- Principle of development;
- Landscape: Green Belt, Cotswolds AONB and Conservation Area
- Impact on neighbour amenity; and
- Highways.

Westwood Parish Council objects to the proposed development for the reasons set out within section 7 of this report. Section 8 summaries the letters of representation the LPA has received which comprises 51 letters of objection and 25 letters expressing support.

3. Site Description

The application site comprises circa 0.2 hectares of an existing paddock measuring 0.7ha in extent located approximately 150m to the west of the Westwood village settlement boundary. Westwood is classified as a 'Large Village' in the settlement hierarchy as set out under WCS Core Policy CP2; with the site being open countryside and located within the Green Belt and

AONB; and, adjacent to the Westwood Conservation Area. As illustrated below, the site is roughly rectangular in shape and is well enclosed by dense and mature tree planting. The paddock has a structure in the form of a stable block near the northern boundary.



4. Planning History

W/76/01194/FUL - Make safe existing entrance to land with new gate and slab – Approved

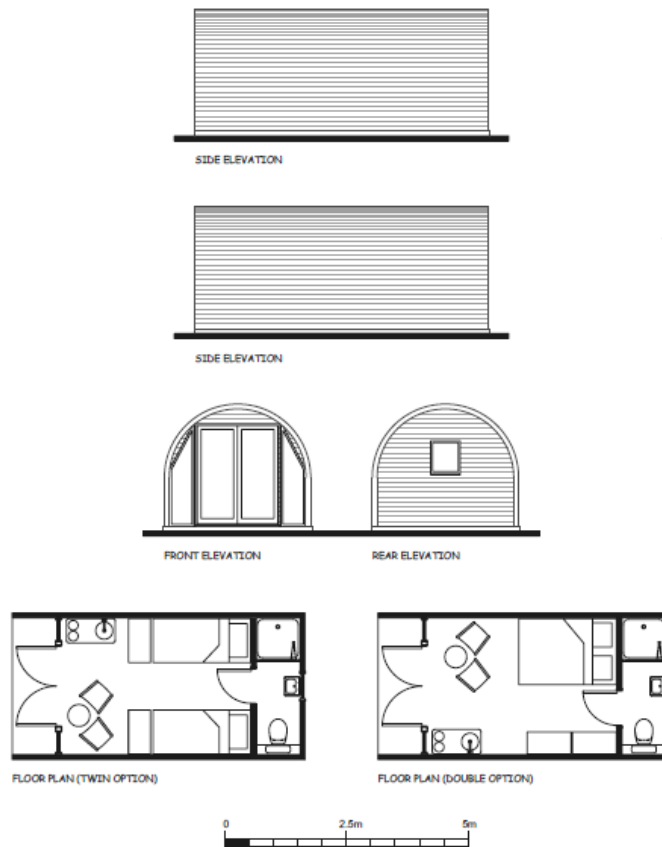
W/77/00975/HIS – Erection of stable block – Approved

17/02852/FUL - Provision of four self-contained camping pods with parking. Change of use of land to leisure / tourism – Withdrawn before a decision was made by LPA.

18/02852/CLE – Re-opening of existing field gate – Lawful development certificate issued.

5. The Proposal

The application proposal seeks full planning permission for the provision of two self-contained camping pods with access, parking and the associated change of use of paddock land to leisure / tourism purposes. The proposed pod dimensions would be 6m x 2.8m with the maximum height being 2.6m (taken from ground level to the top of the roof arc). The following inserts illustrate the proposed pod structure, the internal layout and the elevation treatment.



6. Planning Policy

Local context: Wiltshire Core Strategy (the development plan) - CP1, CP2, CP7, CP39, CP50, CP51, CP57, CP60, CP62, CP64, CP67 and appendix D's 'saved policy U1a of the West Wiltshire District Plan 1st Alteration (2004)

Cotswolds Area of Outstanding Natural Beauty Management Plan 2018-2023 - adopted 20 September 2018

National Context: National Planning Policy Framework 2018 (NPPF); and, Planning Practice Guidance (PPG)

7. Summary of consultation responses

Westwood Parish Council - The Parish objects to the proposal development and the change of use of the paddock on the grounds that they are "...contrary to the adopted Wiltshire Core Strategy (especially Core Policies 39 and 51) and the National Planning Policy Framework (especially Section 9 – Protecting Green Belt Land and Section 11 – Conserving and Enhancing the Natural Environment). The proposed development site is in the West Wiltshire Green Belt, it is designated an Area of Outstanding Beauty, of High Ecological Value and is directly adjacent to the Westwood Conservation Area. These protections must be respected. The proposed development site is highly visible throughout the Limpley Stoke Valley and the proposed development would represent an alien intrusion into a hitherto rural landscape. Highway access to the proposed site is severely restricted and wholly unsuitable for such a development. This proposed development and change of use will result in a severe loss of amenity for the neighbouring residential area and an irrevocable loss of, and a severe impact to, the character and appearance of the landscape.

Wiltshire Council Highway Officer - The Officer notes that the proposal relates to the erection of two camping pods, which would cater for two people with the provision of 1 car parking space per pod. It is recognised that the site is accessed via a rural road that is predominately of single width carriageway with no formal passing places; however, this section of Upper Westwood is not considered to be a 'through road' and therefore is largely used by residents, neighbours or customers of the Nursery. The Officer considers the camping pods to be a seasonal use and as such, there would be periods where the site does not attract many vehicular movements. Given the low level of traffic movements which would be generated by the proposal the Officer does not consider that a highway objection could be sustained in the light of NPPF (2018: now Para 109). In addition to the above, the revised access will slightly improve the access in terms of width and achievable visibility, and as this section of Upper Westwood is 'subject to/on the border of' a 20mph speed limit, the Officer would not expect traffic speeds to be significantly higher.

Wiltshire Council Environmental Health Officer - The Officer notes that the proposal for 2 camping pods is acceptable. However if the intention is to expand the site in the future there is the potential for loss of amenity to existing residential properties in which case a Noise Management Plan for the site would be requested.

Wiltshire Council Landscape Officer - The Officer advises that there is no landscape objection to the proposal for the 2 glamping pods. While the site is in a sensitive landscape location, within an AONB, Green Belt and near to the Conservation Area, the development is low key and not perceived to have an adverse impact in terms of landscape and visual effects. This is clearly demonstrated in the supporting landscape appraisal and the photos of the 'mock pod'. The Officer also confirms that she cannot find any conflict with NPPF Green Belt policy (no perceived coalescence) and the AONB Management Plan which is very supportive of low key camping sites such as this. Mitigation measures such as a natural colour for the

Pods, additional enhancement planting and reinforced grass track at grade all help to assimilate the development. The additional planting will strengthen the local landscape character and provide additional visual amenity to the site (CP51/NPPF) and a net gain for biodiversity (CP50/NPPF).

Wiltshire Council Ecologist - The Officer requested further information which was provided in the form of an Ecological Assessment. The assessment is discussed further below.

Wiltshire Council Tree Officer - No objections.

8. Publicity

The public notification exercise comprised advertisement by site notice and neighbour notifications. There were 76 respondents to the public notification and advertisement of the applications. 51 objection letters raised the following concerns:

- Inappropriate to change the use of this field to allow for camping & caravanning within the Green Belt & Area of Outstanding Natural Beauty and Conservation area.
- Narrow lane is unsuitable for extra vehicles and already dangerous for pedestrians
- Application focusses on the Pods not the change of use from agricultural to leisure and camping in particular.
- Area of High Ecological Value
- Impact on local property values
- Pictures taken from the other side of the valley clearly show the existing caravan marooning an otherwise beautiful hillside
- Previous objections not addressed
- Landscape Impact assessment doesn't properly assess the harm from the pods in a prominent locality in the AONB
- Visual impact of vehicles
- If impact is negligible there should be no need for mitigation planting
- Impact on wildlife
- Construction vehicles would create a problem on the narrow access road
- Number 94 bus service only runs Monday to Friday, no public transport to or from the village in the evenings or on weekends.
- Drivers unfamiliar with the area would create delays at the narrowest part of the village.
- There is no footpath for pedestrians and children along roadway
- Contrary to WCS Policies 39 & 51 & NPPF Policy on Green Belt and AONB
- Impact on views on countryside
- Harm to openness of the greenbelt
- Nuisance from noise, campfires etc..
- Potential precedent for a caravan park
- No onsite presence from the owners to address any issues that arise
- Granting leisure and tourism use will allow owners, either current, or in the future to increase the number of pods, chalets, caravans and tents
- No permanent physical boundary between the area which is subject to the proposed change of use and the rest of the site.
- Development is situated in a village and a residential area.
- Light pollution
- Attention must be paid to the Cotswold AONB Management Plan which states "It is a legal requirement for 'relevant authorities', including all public bodies, to have regard to the purpose of conserving and enhancing the natural beauty of the AONB
- Inappropriate in an area which is designated as a highly protected environment in both local and national policies.

Photographs taken from various points, including from across the valley, were submitted in support of the objection in relation to visual impact concerns.

25 respondents supported the application and made the following observations:

- This development would be good for the village to have extra accommodation for family and visitors and also to help the viability of local services shop pub etc. and it will also encourage tourism in the AONB
- Siting close to very popular walking and cycling routes and only a short distance from a local mainline train station
- Will also be able to cater for the less active with vehicle access.
- Limited impact of 4 extra people using the pods - proportionate and as minimal as guests using the facility of a nearby B&B.
- The size of the two pods not excessive in terms of the visual impact on others either in the village or beyond.
- Limit to 2 people groups with a maximum of 4 on site at any one time shows applicants are conscious of need to limit impact, In fact small local businesses will undoubtedly benefit from the extra passing trade.
- Scare mongering such as concern about large Hen/Stag parties is unfounded.
- Pods are positioned in an area that is not steep and are erected on ground screws, eliminating the need for any excavation.
- Good for Westwood and Wiltshire tourism.
- Have experienced similar facilities and a great would be a wonderful way to share the environment.
- The field is an oasis of beauty and peace and would offer respite to walkers and cyclists who want to enjoy the beautiful Wiltshire countryside.
- Fact that planning application is only for 2 pods means that that peace and tranquility can be maintained but shared.
- The property is maintained by its owners to a very high standard
- Previous objections and concerns have been addressed
- Small amount of extra traffic that the pods will create would not be an issue
- Totally in keeping with the environment.
- One supporter who use to live across the valley in Turleigh and asserts to know the views intimately expressed the opinion that the development would have no impact on the visual landscape.
- Two additional cars in this area would have no detrimental impacts.
- A planning application in Lower Westwood (14/01659/FUL) for two adjoining holiday lets was approved and is currently under construction. This comprised a much larger scheme and impacts.

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

9.1 Principle of Development

Adopted Core Strategy Core Policy 39 (Tourism) sets out the key considerations for assessing the proposed development enshrined under this application. The Policy supports camping and touring caravan sites (including extensions) where they can be accommodated without adverse impacts on the character and appearance of the landscape. Westwood is a "Large Village" in the WCS settlement hierarchy, and where the application site is in close proximity to the settlement boundary, the principle is accepted under CP39.

CP39 states, inter alia that: *“Outside the Principal Settlements and Market Towns, tourist and visitor facilities should be located in or close to Local Service Centres or Large and Small Villages [and that]*

“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 to v...”

The policy provides for exceptional cases, development may be supported away from the settlements in instances where it can be demonstrated that all of the following criteria are met:

i. There is evidence that the facilities are in conjunction with a particular countryside attraction; and.

ii. No suitable alternative existing buildings or sites exist which are available for reuse.

In this case example, the site would provide a camping facility in relative close proximity to the village development limits of Westwood. At circa 150m distant, the site and the pods would appear as contiguous local extension to the village and would not be seen as being an isolated form of development. It is therefore considered that the criterion listed under (i) and (ii) to CP39, which relate to application sites located ‘away from development limits’, do not apply in this instance – given the site’s close proximity to the defined large village of Westwood.

On the basis of the above, **Criteria (iii) to (v)** must be assessed.

Criterion (iii) of CP39 requires that *“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.*

The two proposed glamping pods would be small-scale and clad in timber which would be screened by the substantial existing boundary vegetation along the road. The accommodation in each would be limited to 2 people, making it highly unlikely that more than two vehicles would be present on site at any one time. No external lighting is proposed and this could be conditioned if necessary. It is acknowledged that a many of the objectors raise concern about the potential visual impacts. However, the application is supported by a Landscape Visual Assessment which concludes that the perceived and intrinsic effects on landscape character would be ‘negligible’. The Council’s Landscape officer (who would normally only be consulted on large scale applications) confirmed that the completed assessment was accepted and that landscape harm would not arise from the proposed development.

Criterion (iv) of CP39 relates to access and requires that sites be served by an adequate means of access and infrastructure. The highway officer was consulted on this application and is satisfied that the proposals would be acceptable in highway terms, given their very limited scale and likely traffic generation. The highway officer observed that the road primarily serves local residents and visitors to the nearby nursery and has a limited function as a through road. The existing field gate access measures 4.5m wide and lies within a 20 mph restricted zone. The access has sufficient exit visibility splays, and can be safely accessed by vehicles. The field access can be lawfully used by associated vehicles accessing the paddock and stabling and there is no evidence to substantiate concern relating to highway safety or inappropriate levels of traffic generation.

The site has mains electricity already installed and the application would make provision for foul and surface drainage disposal.

Criterion (v) of CP39 states that sites must have reasonable access to local services and a local employment base. The application site is in close proximity to the settlement of Westwood, which is a large village, which benefits from having very good access to the Avoncliff railway station some 650m distant; and, the Bradford on Avon railway station only 2.5km away. The site is located in an area with very good cycle routes and the canal tow path at Avoncliff provides additional transit route options for cyclists and walkers. In addition, there is a bus service providing connections to Bath and Trowbridge which serves Westwood.

With regard to National Policy, the July 2018 iteration of the NPPF within paragraph 83 requires:

“Planning policies and decisions should enable:

- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
- b) the development and diversification of agricultural and other land-based rural businesses;*
- c) sustainable rural tourism and leisure developments which respect the character of the countryside...”*

It is considered that the proposals meet the relevant criteria to CP39, as well as the aims of the NPPF with regard to supporting the rural economy.

In addition it is noteworthy to acknowledge that the “Cotswolds Area Of Outstanding Natural Beauty Management Plan 2018-2023” which was adopted on 20 September 2018, includes as one of its four key ambitions: The “*Promotion of the Cotswolds as the Walking and Exploring Capital of England*”.

Para. 3 to Policy Ue1 (Sustainable Tourism) of the Management Plan states that: “*Visitors should be provided with a range of type and priced accommodation options that are compatible with conserving and enhancing the natural beauty of the AONB*”. The supporting text to the Policy further states: “*The natural beauty of the Cotswolds AONB is the foundation on which the tourism industry in the Cotswolds is based. This natural beauty is an asset which needs to be managed and maintained. The tourism sector should, therefore, contribute to the conservation and enhancement of this natural beauty. New tourism products that increase the sustainable tourism offer should be encouraged*” and that “*Limited availability of low-cost accommodation, including camping, can exclude families and those on low incomes from staying in the area, reducing the diversity of visitors. Provision of such accommodation should be compatible with the purpose of conserving and enhancing natural beauty.*”

The Management Plan is a material consideration under the WCS, and the proposal is considered to support this ambition. (CP 51 States that “*Proposals for development within or affecting the Areas of Outstanding Natural Beauty (AONBs)... shall demonstrate that they have taken account of the objectives, policies and actions set out in the relevant Management Plans for these areas.*”). The site is situated in nearby proximity (in walking and hiking terms) to local visitor attractions, the canal network and the wider AONB pathway network.

9.2 Landscape: Green Belt, Cotswolds AONB and Conservation Area

The NPPF para. 144 requires that, when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt and ensure that inappropriate development is not approved except in special circumstances. Para. 145 identifies the exceptions to inappropriate development which include:

“b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and

allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it”.

NPPF para. 146 further notes that certain other forms of development, including material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds) are also not ‘inappropriate’ in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it.

It is considered that the proposal, in meeting an aspiration of the AONB Management Plan of providing a low key tourist facility meets the criterion of being a facility serving outdoor sport and recreation within the AONB Green Belt setting. The submitted LVA confirms that no harm would arise in terms of unacceptable impacts on the landscape, and Council’s landscape officer is also of the view that the small scale development would not be contrary to Local Plan or NPPF policy on the Green Belt or the AONB.

9.3 Highway Impacts

As noted by objectors, the access to the site is via the narrow Upper Westwood Road. The highway officer advises that pursuant to the very limited nature of the proposed development, it would not give rise to unacceptable highway issues or impacts. Vehicles would be parked on site, using an access and surface treatment appropriate to the setting of the field. It is also acknowledged that the pods could very well appeal to people seeking a short term base for walking and cycling holidays and trips. Even if the pods result in being used by visitors accessing them by motorised vehicles, the volume of traffic to be generated would be limited to an extent that would not justify refusal in terms of NPPF para. 109.

9.4 Neighbouring Amenity Impacts

Objections include the potential impact on neighbouring amenity arising from nuisance such as noise, fires, loss of privacy, visual impact and vehicular movement. In this regard, the pods would be fairly isolated from existing local residents and would be largely screened from the roadway. The nearest neighbouring dwelling with a direct sightline would be about 55m away to the east. The proposed pods would be small structures which, at the distance stated, would not give rise to loss of privacy or an unacceptable visual impact in planning terms. With respect to potential noise and smoke nuisance, the pods would cater for two people with a maximum of four and two vehicles being on site at any time, on a seasonal basis. The environmental health/public protection officer confirmed that, at this scale, substantive material nuisance is unlikely to arise, albeit, any future expansion plans would require a more detailed assessment and consideration given to the proximity to existing development. It is appropriate that the LPA only appraises the application duly presented on 2 pods being proposed; and on this basis, officers consider it necessary to condition any such approval to secure a site operation management plan prior to it being brought into use. No external lighting is proposed which can also be conditioned.

The occupation and use of the pods would unlikely be any more intrusive than camping on the field - which could occur under permitted development rights.

Objectors raise concern that if approved, a precedent could be set leading to a further expansion of the camping site facilities. The law however dictates that the application must be considered on its own merits and precedent is not be a material planning consideration. It is however considered reasonable (given permitted development rights) to condition any approval to restrict the development to the two pods, as proposed.

With regard to the site management, concerns have been raised about the absence of supervision by someone on the property. The agent has advised officers that the applicant lives nearby and that a site operation management plan would be written to be held on public record to ensure the proper running of the site.

In view of these factors, there are no neighbouring amenity reasons to justify a refusal of this application.

9.5 Ecology Impacts

Adopted WCS Core Policy 50 (titled 'biodiversity and geodiversity') requires that new proposals to protect features of nature conservation and geological value as part of the design rationale, and to make provision for appropriate mitigation and net biodiversity gain. The application is supported by an "Ecological Assessment" (dated January 2018) by Environmental Gain Ltd following a request made by the Council's ecologist. The assessment confirms that the pods would sit in an area of grassland of low ecological value. No light spill would occur onto the hedgerow to the south, and the use of "ground screw" foundations would avoid any significant ground disturbance. Ecological enhancements are proposed which extend to a "Planting Plan" as well as the provision of roosting boxes for owls and bats. The proposal includes re-alignment of the access gateway, some 6m to the east of its current position. This will locate it further away from the existing hedgerow.

The ecology assessment concludes that the proposed access realignment, the creation of a new access drive and the location of the pods would result in the loss of only a very small area of ruderal vegetation and a short section of defunct stone wall. No hedgerow, trees or shrubs (with the exception of an elder stump in the stone wall) would be removed.

Subject to appropriate precautionary working methods, the proposed development would not have any adverse effect on wildlife – with the working methods being adequately addressed by way of a condition. The ecology assessment confirms that: *"The applicant has agreed to provide ecological enhancements as part of the proposal, including erecting a barn owl box on a large tree on the southern boundary, and a bat roosting box on a tree on the western boundary. Given the rural location of these features, surrounded by good foraging habitat, both boxes are likely to be occupied and will provide a net enhancement for biodiversity. Wildlife and the natural landscape are one of the selling points of the camping pods, and there is therefore good incentive on the part of the applicant to maintain the wildlife value of the site into the future, as an integral part of the project."*

10. Conclusion (The Planning Balance)

In view of the above, it is considered that the proposed development accords with relevant policies on tourism, the AONB, greenbelt, heritage and highway safety. Planning permission is therefore recommended subject to the following planning conditions.

11. RECOMMENDATION - Approval subject to 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 JLTF - PR - 05 registered on 7 December 2017

Existing Site and Access JLTF - PR – 02 registered on 7 December 2017

Proposed Site Plan JLTF - PR – 03 registered on 7 December 2017

Site Plan JLTF - PR – 04 registered on 7 December 2017

Pods JLTF - PR - 01 registered on 7 December 2017

Planting Scheme 274_PP_01 received on 22 May 2018

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

3. The development hereby permitted shall take place in accordance with the methodology contained in the submitted "Ecological Assessment" (January 2018: Environmental Gain Ltd) and shall include the installation of the owl and bat boxes prior to the first occupation of the pods hereby permitted.

REASON: In the interests of nature conservation and the promotion of biodiversity.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the site shall be used solely for purposes of a camping site comprising a maximum of 2 camping pods accommodating a maximum of two persons per pod.

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposals to vary the accommodation provision.

5. The pods hereby permitted shall not be first brought into use until a Site Operational Plan Statement with respect to the site management has been submitted to and approved in writing by the Local Planning Authority. The statement shall include information relating to the responsible person(s) and their contact details.

REASON: In the interests of neighbouring amenity and the proper management of the site.

6. No external lighting shall be installed on the site or on the pods.

REASON: In the interests of the prevention of light pollution and to protect dark skies within the AONB

7. The development hereby permitted shall not be first brought into use until foul water drainage works have been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority

REASON: To ensure that the development is provided with a satisfactory means of drainage.