

**SOUTHERN AREA PLANNING COMMITTEE 24TH MARCH 2011
SCHEDULE OF ADDITIONAL CORRESPONDENCE**

Agenda Item 7

Land known as Stonehenge Campsite and Summerfield House, Berwick Road, Berwick St James, Salisbury, Wiltshire. SP3 4TQ

Southern Area Planning Committee 10th February 2011

Local residents:

3 representations (2 letters and 1 e-mail) received supporting the Article 4 Direction.
9 e-mails received from local residents (2 from two occupiers of one property, 2 from occupiers of another), objecting to the Direction-no significant harm to the landscape; owner has made improvements and undertaken landscaping at own expense, campsite is a valuable local amenity, asset to the community and encourages tourism and lack of any threat; campsite not detrimental to its surroundings, no adverse effects or social problems, site is completely screened and additional planting will assimilate the site into the landscape, community should support local business, unreasonable intrusion on owner's family(summary).

Local businesses/people: 5 e-mails received objecting to the Direction- one business states they would lose in excess of £3,500 this year if the campsite should close, turnover that cannot afford to lose, knock on effects on the local economy, construction work at the site in excess of £40,000. Removal of permitted development rights would affect future business and adverse impact on small businesses locally, loss of income (summary).

Local architect: E-mail received objecting to making the Direction on grounds of lack of exceptional circumstances, the site and surroundings are not exceptional in landscape terms, the Order should not have been under delegated powers, the extent of the Order requires fuller explanation, due process should be followed (summary).

Previous customers: 2 e-mails received objecting to the Direction-well managed and well maintained site with excellent facilities improved with landscaping over previous run down appearance.

Owner: Letter received-Direction would be disproportionate and would mean camping by her children in the summer required planning permission; decision to make the Direction should not have been made under delegated powers but referred to Southern Area Planning Committee (summary-letter attached as appendix).

Owner's agent: Two letters received- only following receipt of officer report has it been possible to examine the Council's reasons for making the Direction. Most of the site comprises previously developed land with planning permission for redevelopment. Requests deferral to allow client to take detailed advice, including further advice from their own landscape consultant. The Council's landscape advice only deals with part of the site covered by the Direction. Committee should take into account the scale of likely compensation which could be

**ADDITIONAL CORRESPONDENCE
SOUTHERN AREA PLANNING COMMITTEE 24TH MARCH 2011**

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claimed if the Direction is confirmed and permission subsequently refused. (summary –letters attached as appendix).

Owner's landscape consultant: Letter received making the following points:

- The Till valley is considered to be of lesser landscape importance to some nearby landscape areas, having regard to the Landscape Character Assessment. Whilst rural, the site is close to the A303 which erodes tranquility.
- Council's landscape assessment does not take account of the fact that the uses are temporary;
- Lack of any permanent impact;
- Article 4 Direction takes no account of the differing impacts created by either different numbers of tents, or putting tents in different locations on the site;
- Landscape comments do not take account of planting undertaken;
- Report refers exclusively to campsite; unclear why the Direction is sought over the whole site;
- Making a direction now is not necessary as the forthcoming appeals will deal with all these issues.

(Summary –letter attached as appendix).

Enforcement Team Leader comments:

Response to owner's letter:

The Direction is focused on controlling use of the site as a temporary campsite for tents and caravans, as opposed to small-scale incidental use by the owner's family.

It is hard to be definitive in the absence of the full facts however the scenario identified by the owner would be dealt with proportionately in relation to its scale and duration, if such matters were even drawn to your Officer's attention and if such activity fell within the definition of development.

**SOUTHERN AREA PLANNING COMMITTEE 24TH MARCH 2011
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The Committee's resolution of 3rd June 2010 actually states:

"That all future applications in respect of this site are dealt with by the Committee and not under delegated powers."

As the decision to make the Direction was not being taken in respect of an application, Officers consider that their authority was not fettered by the above resolution.

Response to agent's letter:

Officers consider that the Committee have all the information to enable them to make a decision on this matter and can therefore reasonably take a decision whether to confirm the Order, subject to expiry of the consultation period.

Response to landscape consultant's letter (incorporating landscape officer's comments):

Response to points in bullets above:

- It is notable that the Till Valley has not been included the AONB – The boundary of the AONB is the Wylde Valley which separates Salisbury Plain and West Wiltshire Downs. The River Till is a river valley of Salisbury Plain.

It is understood that the AONBs produced a pre-designation 'statement of intent' which defined the boundaries of the AONBs. These largely followed the boundaries of the Areas of Great Landscape Value (AGLV) that had been defined in the County Development Plan (and later in the Structure & Local Plans becoming Special Landscape Areas where they were not AONBs).

This was discussed at great length leading up to the Westbury Bypass Inquiry and it was the opinion of colleagues in Strategic Planning Group (Wiltshire County Council) that while Salisbury Plain fulfils the criteria to become an AONB but it is likely that this would be unacceptable to the MOD. Salisbury Plain is protected through many other ecological designations and is a Special Landscape Area.

- Landscape Character Assessment does not seek to measure the importance of a landscape. Within the context of Salisbury District the Till Valley is described as having moderate visual sensitivity because views are contained within the valley. This does not mean it is of lower value than the downland it divides, which has high visual sensitivity because views are long and far reaching.
- While pitched tents and caravans etc. are temporary installations it is not unreasonable to request that the visual and landscape impacts be assessed and mitigated for as necessary especially as the site is in a Special Landscape Area.

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- The consultant's comments have focused largely on temporary camping. However the Direction also seeks to restrict permitted development under Parts 5 and 27 of the GPDO. Unlike Part 4, the duration of such activity is not limited to 28 days per calendar year.
- The Landscape Officer has acknowledged that in the medium to long term the visibility of the site will be reduced through the planting however the LVIA submitted with S/2010/1058 did not appraise the field used for tenting and rallies. It is considered that the LPA should fully understand the impacts of camping/caravans in this area before approval of this application.
- If confirmed, the Direction would allow the Council to regulate the number, location and duration of activities which would otherwise be outside of its control, by imposing planning conditions. Tents have at times, been placed across large parts of the most exposed parts of the site and other parts within the site as well at the owner's discretion. If the owner considers that the impact of any of the uses restricted by the Direction can be mitigated, it is open to him to submit a planning application for that form of development.
- The report deals with all of the owner's land, which is regarded as one site. See the comments above.
- The forthcoming appeals deal with development for which express planning permission is required. They do not deal with activities which would otherwise have been permitted under the GPDO.

**SOUTHERN AREA PLANNING COMMITTEE 24TH MARCH 2011
SCHEDULE OF ADDITIONAL CORRESPONDENCE**

Susan Grant

- Summerfield House Berwick St James, Salisbury Wiltshire SP3 4TQ

- Mr S Hawkins
- Team Leader (Enforcement)
- Development Services
- Wiltshire Council
- PO Box 2281
- Salisbury
- SP2 2HX

Dear Mr Hawkins

17 March 2011

Ref: Land known as Stonehenge Campsite, Berwick St James, Salisbury Wiltshire
and that under separate title known as Summerfield House, Berwick St James, Salisbury SP3 4TQ

I am in receipt of your letter 4 March and note the contents therein.

With reference to your paragraph four I am very surprised and somewhat perplexed that you can not answer my query and if indeed you can not, then **how am I to ensure that I comply with the law?** Although I have asked the same question on two separate occasions please, for the avoidance of doubt, take this as a third and formal request for information. **VERY SPECIFICALLY** – my 8 year old son and my 16 year old daughter **WILL** want to camp on our land with a few friends over the summer months. This is not a theoretical possibility **BUT AN ABSOLUTE FACT. Please confirm that if you are successful in applying your Article 4 Direction to our land I will have to apply to the SAPC for permission for this to happen.** (A quick and simple yes or no as a response would suffice, thank you).

If the above assumption is correct this means that I will need to consider such camping activity at least four or five weeks in advance. (Or perhaps longer as I am not sure how long applications need for proper consideration – **perhaps you would confirm**) Camping is weather dependant and so my children will no longer enjoy the opportunity to hold an impromptu camping party. – Unlike other landowner's children in the area. This appears to be prejudicial against my family.

With reference to your paragraph five I would maintain that the Planning Officers have gone beyond the instructions and power invested in them by the SAPC in their resolution in September 2010. Furthermore, the use of the Stonehenge campsite (including the land at Summerfield house) together with ancillary operations are due to be heard at a public Inquiry in May of this year when the issues raised by the article 4 Direction will be determined by the appointed inspector.

In addition part of the overall site is the subject of a unilateral agreement which prevents certain operations on the site beyond those permitted by the GPDO. There is clearly therefore no necessity to consider a serving of the Article 4 Direction until the Appeal decision is known.

With regards the final sentence of your fifth paragraph, the word "planning" was not in the so called "resolution" dated 3 June 2010. I fail to see how you can instigate an Article 4 Direction without taking instructions to do the same from the Committee - being unable to consider any of *our* applications under delegated powers without *referral* to the Committee. - It is not equitable nor is it adhering to the "resolution". If you are relying on amending the meaning of the minuted June "resolution" by inserting the word "Planning" to suit your own purposes then I would

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like to hereby formally complain about this course of action. I presume I should initially address my complaint to Mr Gibbons, Solicitor to the Council & Monitoring Officer? Please confirm.

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- For your information I am currently in communication with Mr Gibbons about the June "resolution" as there are a number of us at that meeting who did not witness a resolution but maintain that there was only comment made by one of The Committee members that was potentially incorrectly minuted and subsequently accepted by the Committee on 24 June.
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- I reserve the right to contact the Southern Area Planning Committee when I have received details of your response and have had the benefit of proper consideration of the report (seen for the first time this morning) which will be presented to them at the March meeting.
-
- Yours sincerely
- Mrs SR Grant
- Cc Councillor Fred Westmoreland
-
-



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Wiltshire Council
Development Services
PO BOX 2281
Salisbury
SP2 2HX

18th March 2011

By email: -developmentmanagementsouth@wiltshire.gov.uk

Dear Sirs

Town and Country Planning (General Permitted Development) Order 1995

Land at Stonehenge Campsite and Summerfield House, Berwick Road, Berwick St James – Planning Committee 24th March 2011

As you know we act for Mr & Mrs Grant in respect of this site and we refer to the Article 4 Direction made by the Council on 11 February 2011. The Direction purports to revoke permitted development rights under Classes 4, 5 and 27. We have already by letter of 3rd March objected to the confirmation of the Direction.

We are advised that this matter is to be discussed by the planning committee on 24 March and we received the detailed report in this regard on 17th March. It is only therefore at this time that we have been able to examine the reasons for making the direction and clearly we need time to consider our clients position in this regard. It is noted that the sole reason for the making of the Direction is the perceived impact that unrestricted caravanning and camping at this location would have upon the landscape. Indeed in paragraph 18 of the Report the Landscape Officer advises that the site is “highly sensitive to any development that would erode its strong rural character”.

The majority of the site, the subject of this Direction, constitutes previously developed land and also has planning permission for its redevelopment. We also note that in response to a previous planning application on part of the site (S/2010/0007) the Landscape Officer considered this area in terms of the Salisbury District Landscape Character Assessment (Feb 2009) which states:

“The site lies within Character Area A1 Till Narrow Chalk Valley and the overall condition is considered to be good. Some of the key highlights from the assessment include:



Landscape character sensitivity - moderate to high sensitivity.

*Visual sensitivity - moderate within the character area...."
(my emphasis)*

In light of the above my client will need to take detailed advice from their own Landscape Consultant to consider and potentially address the points raised in the Report. We have less than a week to do this and we consider that such a time period is a wholly inappropriate amount of time to consider such matters in the necessary detail.

I therefore request that this matter is deferred from 24 March planning committee meeting in order to allow my client to make detailed representations to the points raised in the report. I would be grateful for your early confirmation of the above.

Yours sincerely



Mr A.M Allen

Director



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Chartered Town Planners & Chartered Surveyors

Planning & Development • Property Strategy • Master Planning & Urban Design • Historic Environment • Consultation

Mr Stephen Hawkins

Wiltshire Council

By email

21st March 2011

Dear Mr Hawkins

Town and Country Planning (General Permitted Development) Order 1995

Land at Stonehenge Campsite and Summerfield House, Berwick Road, Berwick St James – Planning Committee 24th March 2011

Thank you for your letter dated 21 March 2011. I repeat the request in my letter of 18 March 2011 that this matter be deferred from the Committee meeting on 24 March 2011. It is plainly procedurally unfair to my client that the Council has failed to provide the reports dated October and November 2010 until 7 days before the Committee meeting. As you note, the Council has received my client's landscape consultant's letter. That letter notes in particular that he has had "limited time to comment" and reserves the right to comment when the information justifying the making of the Direction in respect of the Summerfield House parcel of land is provided. It is therefore necessary for this matter to be deferred. If the Direction is confirmed it will amount to a direct and substantial interference with my client's property and business and therefore he is clearly entitled to have adequate time to make full representation.

The Council will also note that their own landscape evidence is self-evidently inadequate as it deals with only half the site affected by the Direction. I do not see any proper basis upon which the confirmation of the Direction can be recommended in light of the absence of any evidence whatsoever regarding the parcel of land at Summerfield House. To confirm the Direction in such circumstances would be irrational.

Aside from repeating our request that the matter be deferred, the Committee will wish to take into account the sum by way of compensation which will be recoverable by my client should the Direction be confirmed and permission refused for the the relevant rights to be exercised under an express grant of planning permission. My client has not yet undertaken any formal valuation but as the campsite business is a going concern he is able to estimate that the capitalised value of the loss of income is likely to be in excess of £350,000. This is a relevant consideration for the Committee to consider.



Yours sincerely

James Cross

Mr A.M Allen *ff*

Director

~~Springer~~ (S)

366MG1180311
18th March 2011
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INDIGO 

Wiltshire Council
Development Services
PO BOX 2281
Salisbury
SP2 2HX



Dear Sirs

**Town and Country Planning (General Permitted Development) Order 1995
Land at Stonehenge Campsite and Summerfield House, Berwick Road,
Berwick St James – Planning Committee 24th March 2011**

We act for Mr & Mrs Grant in respect of this site and have been asked to comment on the Article 4 Direction made by the Council on 11th February 2011.

We are advised that this matter is to be discussed by the planning committee on 24th March 2011 and, having received the landscape officer's notes (dated October 2010) and the detailed report (dated 2nd November 2010) in this regard on 17th March 2011 have limited time in which to comment, particularly given other prior commitments. I will therefore briefly set out relevant issues below.

The sole reason for the making of the Direction is the perceived landscape and visual impacts that temporary camping at this location would have.

The Landscape Officer has concluded that continued "excessive" caravanning and camping at this location is harmful to the landscape and recommended that permitted development rights relating to the stationing of caravans and tents on this site should be withdrawn. The final in the officer's report (dated 14th March 2011) amends this to "should be CONFIRMED, with the modification that the Order shall NOT apply to temporary buildings and uses under Part 4B other than temporary camping".

My observations on these points are as follows:

1. Firstly I note that the Landscape officer refers to the Till Valley in this area as being "highly sensitive to any development that would erode its strong rural character" (my emphasis).

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REGISTERED OFFICE: 35 CHEQUERS COURT, BROWN STREET, SALISBURY, WILTSHIRE, SP1 2AS. REGISTERED IN ENGLAND COMPANY No. 3958191

In considering this matter it is important to consider how important the area is nationally. The landscape officer acknowledges that "the campsite is located in a Special Landscape Area, a local designation for the recognition and protection of attractive and vulnerable landscapes within Wiltshire that do not benefit from statutory designation". It is also acknowledged within the officer's report that the site is not in a National Park or an Area of Outstanding National Beauty. In fact the Cranbourne Chase and west Wiltshire Downs AONB lies just a few kilometres to the west and it is notable that the Till Valley has not been included within it.

On a local level, referring to the Salisbury District Landscape Character Assessment (undertaken by Chris Blandford Associates dated February 2008) the site lies within Character Area A1, Till Narrow Chalk River Valley. The overall condition is considered to be good, with moderate to high landscape character sensitivity and moderate visual sensitivity (my emphasis). Other similar character areas within the Landscape Character Assessment (also outside the AONB) have higher landscape character and visual sensitivity. For example the Lower Avon Narrow Chalk River Valley has high landscape character sensitivity and the Upper Avon Narrow Chalk River Valley; the Lower Avon Narrow Chalk River Valley and the Bourne Narrow Chalk River Valley all have moderate to high visual sensitivity throughout. In fact of the four areas classified as Narrow Chalk River Valleys, the Till Narrow Chalk River Valley has the lowest levels of sensitivity identified.

Furthermore, the site is located very close to the A303 on which there is almost constant traffic with its associated noise and disturbance. Whilst the area is clearly rural, the tranquillity associated with this is somewhat shattered by this road.

Overall it therefore appears that it is excessive to consider the landscape of this area as "highly sensitive". It is a landscape of regional, not national, relevance and given the presence of the AONB to the west, and the lesser landscape character sensitivity and visual sensitivity identified within the Salisbury District Landscape Character Assessment landscape, it is clear that regionally the Till Valley is considered to be of a lesser importance and sensitivity than other nearby areas.

2. It appears to me that the Landscape Officer has taken no account of the fact that Article 4 of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) limits the use of land to 28 days. Her report makes reference to the impacts of "excessive caravanning and camping" (my emphasis) but makes no reference to (and appears to take no account of) the fact that these are temporary.

Whilst it is not disputed that there will be some visual impacts associated with the presence of tents and caravans on the site, in the context of this Article 4 Direction these impacts are limited to 28 days in an entire calendar year. It is not clear that the Landscape Officer has properly considered the relevance of the 28 day restriction; indeed her reference to “excessive” camping suggests that she may be referring to something in excess of that 28 day limit.

3. Associated with this it is important to acknowledge that the impacts of tents are temporary. Once tents are removed from the site there are no permanent impacts. Having visited the site recently I can confirm that there is no sign of tents having been on the land last year (something I know to have been the case) and there is no sign of the portable toilets mentioned. In any case I do not see that the presence of portable toilets are a significant concern as they could easily be located in a position on site where they would barely be noticed.
4. The Article 4 Direction (and the revision proposed in the subsequent officers report dated 14th March 2011) aims to remove all temporary camping rights on the land. It takes no account of the differing impacts created by different numbers of tents on the land, or of the differing impacts created by tents in different locations on the site. I am currently in the process of preparing a Proof of Evidence (see below) and have recently carried out a visual appraisal of the impacts of tents and caravans on parts of the site and it is abundantly clear that the impact of one, ten or even 20 tents in one area of the site would be entirely different to the impacts of placing tents across the entire site. A blanket Direction that removes the right to place any tents on the land appears excessive.
5. Planting around the site has been undertaken in the past two years or so and further planting is proposed. In making her recommendations the landscape officer does not appear to have taken any account of the effect of time on any visual impacts. Whilst there are certainly visual impacts at day 1 these will reduce over time as the planting around the site becomes established and matures.
6. The landscape officer refers exclusively to the “Stonehenge Campsite”. The site affected by the Direction consists of two parcels of land, one forming the “Stonehenge Campsite” and the other containing Summerfield House and disused poultry sheds. It is clear from the landscape officer’s analysis that she has not considered the Summerfield House parcel of land at all in her assessment. Accordingly there is no evidence before the Committee of any harm in landscape terms from temporary uses of that parcel of land. I reserve the right to make further comments on the landscape impacts on this parcel of land if the Council’s officers produce any evidence of landscape harm on that part of the site.

As a final point I wish to note that I am currently in the process of preparing a Proof of Evidence for this site for an inquiry to be held between the 17th and 19th May 2011, of which the council is aware. This Inquiry will deal with all landscape issues associated with this site and (subject to the approval of the proposals), puts forward the control of caravan and camping on this land. It seems unnecessary, therefore, to issue an Article 4 Direction (with the potential for long term costs against the Council via a claim for compensation) at this stage given that the issues will all be considered at the inquiry.

Yours sincerely



Mark Gibbins
For and on behalf of
Indigo Landscape Architects Limited.

**SOUTHERN AREA PLANNING COMMITTEE 24TH MARCH 2011
SCHEDULE OF ADDITIONAL CORRESPONDENCE**

Agenda Item 8

Plans list Item 2 S/2010/1928 - Construction of two bay portal framed building to accommodate freestanding insulated chill rooms together with associated works for use in connection with farm enterprise. At Coles Farm, Hindon Road, Salisbury, Wiltshire. SP3 5EY

Letters from applicant

Appended overleaf in full

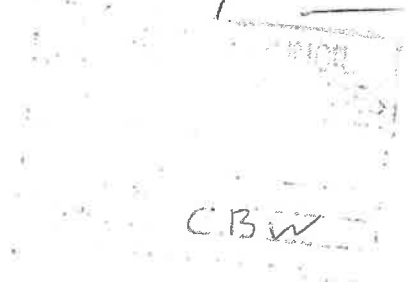


Ref: 090.10

8 March 2011

Wiltshire Council
Development Services
PO Box 2281
Salisbury
Wilts SP2 2HX

BY FAX & HAND.



Dear Sirs

Ref: S/2010/1928 - Agricultural Building - Coles Farm, Hindon Road, Dinton

We are aware of the response of Dinton Parish Council in connection with the above application and note that they consider that if your Council is prepared to grant approval, that a Condition is applied restricting retail sale from the new building and the habitation of the premises.

The applicant has indicated that there is no desire to establish retail sales from the building for which permission is now sought and there are no facilities for habitation of this building.

The facilities requested are purely for the advancement of the applicant's business.

It has also been an advantage to consider letters of objection raised on the proposals and we consider it is necessary to clarify a few issues.

As stated in the support documentation, the applicant also farms other parcels of land within the area where it is not practical to store equipment, therefore the Dinton site is the preferred storage location.

The proposal will not turn the location into a trading area, as the applicant has indicated that the establishment of a retail outlet is not desired.

The saving in travel time and expense from the applicant's abode to the present cold store and then returning to the Farm, is duplicating the travel time from the applicant's abode to the site.

We agree that hostleries do not stockpile meat, which is exactly the reason why chilled accommodation is required where customers will order from, as and when needed. As can be seen from the application plans the proposal is for one section to be a chill store.

Continued

2/

It is becoming popular that the actual processed meat is despatched from the original farm, therefore the applicant is moving with the clientele demand.

There is no indication that a catering butchery operation is planned for the premises. What is stated is that carcasses can be brought back to Dinton chill store.

With regard to the floor area of the building, it is accepted that in the Design and Access Statement, the area is incorrect, but we draw attention to the application form, Section 19, where the total internal floor space is, we believe, correct.

We trust the above clarification and comments will enable favourable consideration to be given to the proposals, with appropriate conditions.

Yours faithfully

DAMEN ASSOCIATES LIMITED

A handwritten signature in black ink, appearing to read 'C. M. J. Burrows', with a long horizontal stroke extending to the right.

C. M. J. Burrows, A.M.A.S.I. I.C.I.O.B.



Damen Associates Ltd
Architectural Designers & Surveyors

101 Wilton Road
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Ref: 090.10

Wiltshire Council
Development Services
PO Box 2281
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22 March 2011
DEVELOPMENT SERVICES
RJC 23-MAR-2011
Administrative
Copy to
Action CBW

Dear Sirs

Ref: Application No: S/2010/1928 - Coles Farm, Hindon Road, Dinton

We have now had the opportunity of perusing the Agenda Report in connection with the above application and would wish to make a few comments:

Item 8 - Publicity

Could the postal addresses and location where the objections were received from be clarified, in order to place the objections into context.

Any waste water from within the building will either be containerised inside the building for appropriate disposal or a cesspit arranged externally, and pumped out for appropriate disposal.

Any material waste will be bagged or contained and disposed of appropriately.


It is anticipated the Environmental Health Department of the Council will monitor the location.

It is not an uncommon occurrence nowadays to have chill storage facilities on a farm holding and it will be noted that access into the building is not from within the farmyard.

It should be noted that the Highway Authorities have made no adverse comment on the proposal and as this is purely for the benefit of the applicant, it is not envisaged any increase in traffic movements will occur.

Yours faithfully

DAMEN ASSOCIATES LIMITED



C. M. J. Burrows, A.M.A.S.I. I.C.I.O.B.

Copy to: Mr and Mrs S Cole, Coles Cottage, West Knoyle, Salisbury,
Wilts BA12 6AE

