

1.

Deadline	14th September 2010		
Application Number:	S/2010/1058		
Site Address:	STONEHENGE CARAVAN AND CAMPING SITE BERWICK ST. JAMES SALISBURY SP3 4TQ		
Proposal:	RETROSPECTIVE APPLICATION TO RETAIN OPERATIONAL DEVELOPMENT ASSOCIATED WITH USE OF LAND AS A CARAVAN CLUB SITE AND TENTING/RALLY AREA		
Applicant/ Agent:	MR TONY ALLEN		
Parish:	WINTERBOURNE STOKE - TILL/WYLYEVALLEY		
Grid Reference:	407430.6	140420.5	
Type of Application:	FULL		
Conservation Area:	WINTERBOURNE STOKE	LB Grade:	
Case Officer:	CHARLIE BRUCE-WHITE	Contact Number:	01722 434682

Reason for application being considered by committee:

The Southern Area Committee resolved that future applications at this site should be determined by the Committee due to the level of local interest

1. Purpose of Report

To consider the above application and the recommendation of the Case Officer that planning permission be REFUSED.

Members should note that this application was deferred at the 16th September committee meeting due to the receipt of "significant late items". The late item related to the receipt of information from the Caravan Club that it did not intend to renew the applicant's Certified Location license from 01/01/11. The result was that Officers required further time to consider the planning implications of this decision, and make amended recommendations on application S/2010/0797 and S/2010/1058 accordingly.

Neighbourhood Responses

24 letters of objection/concern were received.

Parish/Town/City Council response

Winterbourne Stoke Parish Council - Object

Berwick St. James Parish Council - Object

2. Main Issues

- Principle of development;

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- Justification for development within the countryside;
- Highways safety;
- Amenities of the occupiers of nearby property and other recreation users;
- Sewerage & waste water disposal;
- Nature Conservation;
- Archaeology.

3. Site Description

The site relates to 0.3ha of land situated adjacent to the former Wisma Poultry Farm buildings, off Berwick Road, to the south-west of Winterbourne Stoke. The site comprises the eastern end of a former larger field of agricultural pasture, as well as an access track running along the field's northern side. The field gently slopes down from the Berwick Road towards the River Till, and is currently divided into three distinct parts comprising an upper paddock and middle paddock, both of which are outside of the application site, and a levelled lower section closest to the river, part of which comprises the application site.

The application site is currently used as a Certified Location (CL) for Caravan Club members. CLs do not require planning permission and enable up to 5 caravans to be stationed on the land. In this location 5 hard surfaced standings have been formed, designed to be used as pitches for the CL, and various associated facilities have also been provided as detailed within Section 5 below. The hard standings and associated facilities, including access alterations, are currently unauthorised.

The lower part of the field formerly contained a variety of modest agricultural buildings, believed to have been used as pig houses, which have now been substantially demolished. There is direct access from the lower part of the field onto a public footpath which leads into the village of Winterbourne Stoke, some 200 metres to the east. The village includes a modest range of local services including a public house, petrol station and bus stop. The 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. The River Till is designated as a Site of Special Scientific Interest and a Special Area of Conservation.

The upper paddocks are separated from the lower section by post and rail fencing and are mostly put to grazing for the applicant's horses. The upper paddock, which does not form part of the application site, is referred to by the applicant as the 'rally field' and can be lawfully used for temporary touring and camping events, subject to various limitations. These include, for instance, 5 day meetings held by 'exempted organisations' such as the Caravan Club or the use of land for not more than 28 days in a year for tented camping (as permitted under The Town and Country Planning (General Permitted Development) Order 1995 and the Caravan Sites & Control of Development Act 1960).

The site falls within the Special Landscape Area and is adjacent to the Winterbourne Stoke Conservation Area.

4. Planning History

<i>App. No.</i>	<i>Proposal</i>	<i>Decision</i>	<i>Date</i>
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
10/0007	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.	R Appeal	11.05.10 Pending

The most recent application was refused for the following reasons:

The site is situated within a prominent part of the landscape, which is designated as a Special Landscape Area, and lies against the backdrop of the Winterbourne Stoke Conservation Area. The development of the site as a touring caravan and camping site would have a significant and unacceptable visual impact upon the landscape qualities of the area, including the setting of the Conservation Area, and it is not considered that this harm would be outweighed by economic benefits or could be satisfactorily addressed through new landscaping. The development would therefore be contrary to the aims and objectives of the adopted Salisbury District Local Plan, including saved policies G1, G2, C2, C6, CN11 and T9, and the guidance contained within PPS4, PPS5, PPS7 and the Good Practice Guide for Planning & Tourism.

5. The Proposal

The applicant describes the proposal as follows:

“Retrospective application to retain operational development associated with use of land as a caravan club site and tenting/rally area”.

A more accurate description in Officers’ opinion would be:

“Retrospective application to retain operational development associated with use of land as a Caravan Club Certified Location and temporary tenting/rally area as permitted under the GPDO”.

In Officers’ opinion the operational development within the application site covers the following:

- Alterations to the field access and access track (including widening, resurfacing and landscaping);
- The formation of the earth bund and fencing to the left (north) of the access;

[It should be noted, however, that the applicant has offered to lower this bund and fencing so that they fall within permitted development]

- 5 hard standings for use as caravan pitches;
- 3 electric hook-up points;
- WC/shower block and attached lean-to dish wash up area with associated hardstanding;

- Chemical toilet disposal area;
- Cess pit.

The application differs from the previous application (S/2010/0007) in that no change of use is proposed to enable additional caravan/camping activities beyond that which can be carried out as permitted development. Therefore this application is only considering the affects of the physical works undertaken (i.e. the operation development), rather than the affects of caravans and tents which could be sited here in any instance (subject to the appropriate limitations).

6. Planning Policy

The following development plan policies and national planning guidance are considered relevant to this proposal:

- Local Plan policies G1, G2, G5, CN11, CN22, C2, C6, C18, C19, T9
- PPS1, PPS4, PPS5, PPS7, PPS9, PPG13

Other material guidance includes:

- Good Practice Guide on Planning for Tourism
- Planning Circular 03/99 (Non-Mains Sewerage in New Development)
- Salisbury District Landscape Character Assessment
- South Wiltshire Tourism Strategy

Emerging policy:

- South Wiltshire Core Strategy

7. Consultations

Highways Officer

No objection in highway safety terms. Recommend that the first 5.0 metres of the access is surfaced in a consolidated surface and that the edge of the highway is defined by in-dropped kerbs or granite sets.

Highways Agency

No objection to affect upon the A303 trunk road.

Wessex Water

The site is not within a Wessex Water sewered area.

Environment Agency

Advise that guidance within Circular 03/99 is adhered to.

Landscape Officer

Indicates that, as the sole purpose for this application is to obtain approval for infrastructure to operate a Caravan Club Certified Site, should the applicant lose his certified status, the land should be returned to its original landscape condition.

Ecologist

Has previously concluded that the proposal is unlikely to have a significant effect on the River Avon SAC, subject to controls on the number of pitches, the appropriate disposal of waste water and sewerage, and controls on external lighting.

Archaeologist

Note that site is close to the remains of the medieval settlement of Winterbourne Stoke. An archaeological watching brief should have been undertaken during those works which resulted in ground disturbance. Any further works must involve archaeological monitoring or investigation in line with an agreed written scheme of investigation.

Conservation Officer

The site borders the western edge of the Winterbourne Stoke Conservation Area, however the boundary is heavily wooded and the proposal would appear to have little impact on its character or setting, and I therefore raise no objection.

Tourism Officer

Has previously commented that there is a need for additional capacity for touring vans during the main summer season, and especially during the school holidays.

Winterbourne Stoke Parish Council

Object on the following grounds: proposed works are excessive for a Certified Location; the means of sewerage disposal presents problems; archaeological damage has occurred; harmful landscape impact.

Berwick St. James Parish Council

Object on the following grounds: impact upon SSSI and Conservation Area; pollution; traffic; harmful landscape impact; proposed works are excessive for a Certified Location.

8. Publicity

The application was advertised by neighbour notification and site notice.

24 letters of objection/concern were received, raising the following:

- Does not address previous reasons for refusal;
- Harmful impact upon AONB landscape;

- Landscaping and bunding are inappropriate;
- Facilities are excessive for a CL;
- Potential impact upon nature conservation and river system;
- Use of site generates disturbance, light pollution and traffic;
- The retrospective works are unlawful;
- The applicant does not abide by the rules of CLs and temporary tenting/rallies;
- Approval of the application would be a precursor to further harmful expansion of the site.

9. Planning Considerations

9.1 Principle of development

Policy C2 sets out the general criteria for development within the countryside, and states that development will be strictly limited and will not be permitted unless it would benefit the local economy and maintain or enhance the environment.

Policy C6 concerns the protection of Special Landscape Areas, and the supporting text explains that only development which is essential to the rural economy or desirable for the enjoyment of its amenities will be permitted.

9.2 Justification for development within the countryside

The applicant's justification for the proposed development is to support the caravan and camping activities which can be permitted under the GPDO. The applicant has attempted to quantify the economic benefit of these activities within the submitted Economic Benefit Report and, whilst the figures included are only estimates and have not been independently verified, it is suffice to say that the provision of tourist accommodation will result in some benefits to the local economy. In this respect, subject to there being no significant adverse impacts upon the rural character of the area, the proposal could accord with the general criteria for development in the countryside since it would help facilitate a rural based business and benefit the local economy (policy C2).

It is of significance, however, that the applicant's ability to take advantage of the GPDO provisions, which permit the site's use for limited camping and caravanning activities, are in serious doubt. The operation of CL sites is dependent upon exempted organisations granting land owners a license, and the Caravan Club are the exempted organisation that currently provide the applicant with this. However, the Caravan Club have notified the Council that they do not intend to renew the applicant's license from 01/01/11, due to transgressions in terms of operating the site. It is understood that the applicant is seeking to obtain a new license from another exempted organisation, of which there are about 15 with the power to issue one, which will allow for a CL site to continue to operate in the New Year and beyond.

The concern of Officers is that, until such a time as a new license is issued, there is no guarantee that a CL could operate from the site, and therefore that much of the proposed operational development could be superfluous to requirement, representing unjustified development within the countryside. Whilst Offices have previously considered most parts of the proposed operational development to be acceptable in visual terms, these conclusions had been formed having regard to the development promoting an existing rural business which contributes to the local economy.

With regards to the temporary tenting/rally activities, given that these are only temporary

events, it is not considered that they justify permanent facilities of the extent proposed. Furthermore, the other area of doubt in terms of being able to operate camping and caravan activities relates to the Council's recent resolution to examine the possibility of making an Article 4 Direction on the site which, if confirmed, could remove the permitted development rights altogether. Although it cannot be known at this time whether an Article 4 Direction will be confirmed, it nevertheless adds to the considerable doubt as to the future of the site in terms of operating camping and caravanning activities under permitted development rights.

9.3 Highways safety

It is noted that concern has been expressed over the highways implications of the development, including the safety of using the access onto the Berwick Road, the safety of its junction with the A303, and the potential for increased traffic and congestion. However, the professional advice given by the Council Highways Officers and the Highways Agency is that the development would not have an adverse affect upon highways safety on either the Berwick Road or the A303. This is subject to the consolidation of the surface to the first 5 metres of the access, which could be secured by condition. Consequently it is not considered that this planning authority could substantiate a reasonable objection on highways safety grounds.

9.4 Amenities of the occupiers of nearby property and other recreation users

Previous objections on residential amenity grounds have predominantly related to the implications of the proposed use of the site as a caravan and camping site. However, as already stated within this report, the caravan use does not require planning permission, at least for the present time, and it is only the operational development that can be considered. The neighbouring dwellings are considered to be a satisfactory distance from the proposals, with intervening landscaping, so as not to be significantly affected.

9.5 Sewerage & waste water disposal

Wessex Water have confirmed that the site is not within a sewered area, and the applicant's assertion that connection to the mains is not practical is accepted by Officers. A cesspit has been provided on the site to collect sewerage and grey water from the WC/toilet block, attached dish wash up area, and chemical toilet disposal area into a sealed 7000 litre unit. Advice within Circular 03/99 is therefore applicable to the development, which provides guidance on the use of non-mains sewerage systems. On the use of cesspits, this guidance states:

Whilst this Circular primarily deals with septic tank drainage systems, the attention of developers and local planning authorities is drawn to the implications of the use of cesspools. In principle, a properly constructed and maintained cesspool, being essentially a holding tank with no discharges, should not lead to environmental, amenity or public health problems. However, in practice, it is known that such problems occur as a result of frequent overflows due to poor maintenance, irregular emptying, lack of suitable vehicular access for emptying and even through inadequate capacity. These problems can be exacerbated by unsuitable conditions, such as some of those listed in paragraph 6 above. When considering a scheme proposing the use of cesspools, therefore, the local planning authority may wish to adopt the same process of considering the possibility of significant problems arising as described in paragraph 6 above, and whether these problems can be overcome by the attachment of suitable conditions to a planning permission.

It is not considered that the site is subject to unsuitable conditions, such as flooding, which

could result in problems from using such a system. However, the risks of overflow events is acknowledged, which could be particularly harmful given the topography and proximity of the site to the River Till. The applicant confirms that a contract has been entered into which will ensure the regular emptying of the cesspit. The proposed arrangements are considered acceptable, subject to the installation of an alarm to provide adequate warning against overflow.

9.6 Nature Conservation

The site itself is of limited potential for wildlife habitat, being well kept grassland/pasture. The adjacent riverside habitat, outside of the application site, is of more significance, particularly the River Till SSSI and SAC. The proposed development would not encroach directly upon this, and suitable controls on the disposal of potential sewerage and grey water run-off can be appropriately secured, as detailed above.

At the scale of development proposed the Council's Ecologist is satisfied that there will be no significant affects upon the River Till SSSI or SAC, and appropriate consideration has been given to the Habitats Regulations. New planting undertaken and proposed by the applicant also has the opportunity to enhance wildlife habitat within the site. Lighting within the site could potentially be controlled through conditions to minimise harmful light spill in the interests of wildlife associated with the nearby riverside habitat.

9.7 Archaeology

The site is outside of the World Heritage Site but within an area designated for its high archaeological potential. The Council Archaeologist notes that an archaeological watching brief should have been undertaken for the retrospective operational development which resulted in ground disturbance. Since such investigation cannot be undertaken retrospectively, and no additional works are proposed within the application, there is little that the Council can do to rectify this matter. However, the applicant has been informed of the requirement for archaeological investigations for any future such works, and has provided a scheme of investigation that would be followed in such an event.

10. Conclusion

It is a general principle of planning policy that development within the countryside should be strictly controlled and only permitted where it can be demonstrated that there is a reasonable need for the development and where the character of the countryside would be maintained. With the pending withdrawal of the Caravan Club CL license, and in the absence of any other lawful permanent camping and caravan activities occurring at the site, it is considered that the proposal would fail to provide a clear overriding need or justification that outweighs the national and local planning policy presumption against development in the countryside, resulting in an incongruous form of development that would fail to preserve the character and appearance of the rural area.

RECOMMENDATION

It is recommended that planning permission is REFUSED for the following reasons:

The application proposes various operational development to facilitate the operation of an existing Caravan Club Certified Location (CL) and the holding of temporary tenting/rally events, as may be permitted under the General Permitted Development Order. However, there

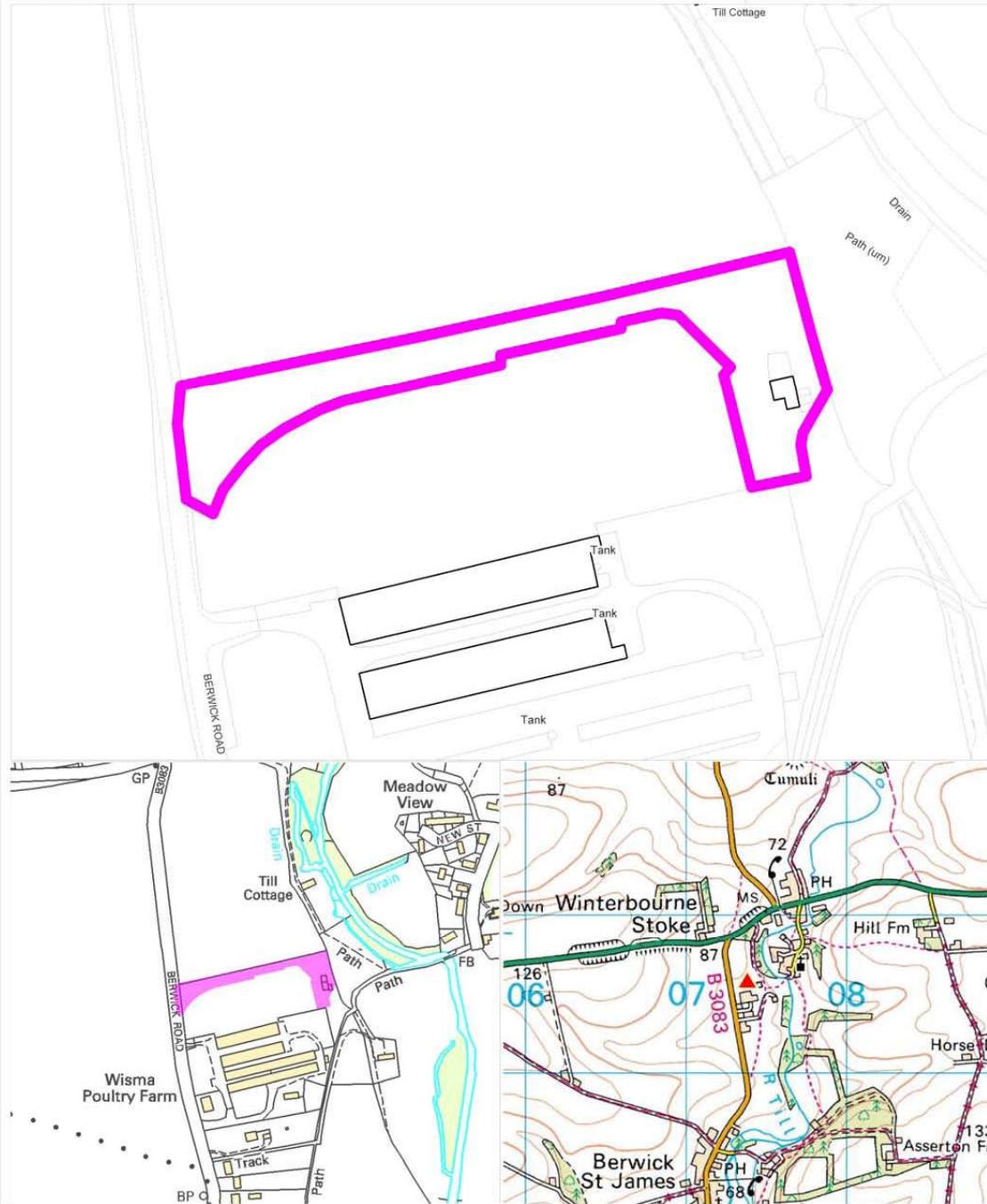
is considerable doubt over the future prospects of the site to operate as a CL due to the impending withdrawal of the applicant's CL license. Furthermore, without the operation of a CL site, it is not considered that the range of permanent facilities proposed, which include structures, hardstandings and other paraphernalia, can be adequately justified for tenting/rally events which are only permitted to be carried out on a temporary basis. Consequently, in the absence of a long term permanent need for the camping/caravan related proposals, the development would represent an unjustified intrusion into the countryside which planning policy seeks to protect. The development would therefore be contrary to planning policies which seek to preserve the character and appearance of the countryside, including saved policies C2 and C6 of the adopted Salisbury District Local Plan, and national planning policy PPS7.

And that:

The Area Development Manager (South) be authorised to take any necessary enforcement action under delegated powers in respect of the unauthorised operational development at this site.

Site Visit:

S/2010/1058



Wiltshire Council
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STONEHENGE CARAVAN AND CAMPING SITE

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