
9. FULL APPLICATION – RETROSPECTIVE APPLICATION FOR RETENTION OF FACILITIES BLOCK – LOSEHILL HALL, HOW LANE, CASTLETON (NP/HPK/0216/0102, P.6412, 15/02/2016, 415332 / 383831, MN)

APPLICANT: Mrs Hayley Stevens on behalf of the Youth Hostel Association (YHA)

Site and Surroundings

Losehill Hall is a Grade II listed former residence dating from 1882 with mid-20th century extensions dating from the early 1970's. The Hall is located in the open countryside and is set within extensive grounds to the front, with a long driveway leading up from Castleton Road outside of Castleton. The site is currently run as a youth hostel by the Youth Hostel Association (YHA).

To the north-east of the Hall is a field on which the YHA currently operate a campsite. The field slopes downhill from north to south, and is bounded by trees and hedgerows to all sides, with gated access off Squires Lane to the north. The site can also be accessed on foot from Losehill Hall by a path through the trees to the western boundary of the field. To the eastern side of the field is an old field barn that now has a lawful use as a camping barn. To the south of this lie a range of three individual toilet blocks sited adjacent to each other. These are currently unauthorised and are the subject of this application.

A Countryside Stewardship agreement was previously in place on the field, which sought to retain its ecological interest, but this expired in 2013.

Around 200m north of the field are the buildings of Fields Farm, which is the nearest neighbour to the development site. A number of other dwellings and farms are also located in the vicinity. The Hall and campsite lie outside of any Conservation Area.

Proposal

The application seeks retrospective permission for the construction of a facilities block comprising three individual prefabricated units which have been sited adjacent to each other on the field.

The units are constructed of green metal sheeting and have flat roofs. Each has a single door to the front and a small opaque glazed window to the rear. Each unit includes one each of toilet, sink, shower, boiler and heater. The units drain to an existing septic tank that serves the adjacent camping barn.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. Within one month all three units shall be painted dark green (Juniper Green – 12B29).**
- 2. Within one month a landscaping scheme to include planting to the north and south sides of the buildings shall be submitted to and agreed in writing by the Authority. It shall then be implemented as approved within the first planting season and permanently so maintained for the lifetime of the development.**

3. **The development shall be restricted to use by a “recreational organisation” as defined under Part 5 Class C of the General Permitted Development Order 2015 that is providing camping on the site under a Camping Exemption Certificate issued under the provisions of section 269 of the Public Health Act 1936.**
4. **At the time at which camping on the site under a Camping Exemption Certificate ceases, the building shall be demolished or otherwise removed from the site.**
5. **Details of drainage to be submitted and agreed within one month of permission being granted, and implemented within a further two months.**

Key Issues

1. Whether the development conserves or enhances the character and appearance of the landscape of the area.
2. Whether the development has any adverse environmental impacts.

Consultations

Derbyshire County Council – Highways – No objections

High Peak Borough Council – No response at time of writing

Castleton Parish Council – The Parish Council raise the following concerns over the development of camping facilities at Losehill Hall:

- Intensification of use of an access track and footpath serving the field and a number of neighbouring properties.
- The parking provision in the application refers to the existing facilities at the Hall. These do not provide vehicular access to the site and no reference to parking provision within the field is made by the applicant.
- There is no indication of the number of campers to be allowed or whether camper vans and caravans will be excluded.
- There is no assessment of the environmental impact of the proposal which the Parish consider converts a meadow into a camping ground.

The Parish Council also make reference to the construction of a hardstanding within the field that has commenced. The Authority's Monitoring and Enforcement team are currently investigating this matter, which is separate from the current application.

Representations

3 letters of representation have been received, all objecting to the proposal. The grounds for objection are:

- Access along Squires Lane is unsuitable as it is single track with limited passing places, and is also a well-used footpath
- The provision of toilet facilities encourages further camping in an area that cannot sustain further visitor pressure
- Noise from the use of the site for camping is having an adverse impact on nearby neighbours
- No restriction on the numbers camping and an increase in the facilities will lead to an increase in the usage of the field destroying the wild flower meadow.

- The applicant's current camping exemption certificate expires on the 20 May 2017. It is contested that the Authority is not able to issue planning permission for a facility that will require removal beyond May 2017.
- No assessment has been made of the impact of the development on the ecological interests of the field.
- A toilet and shower block, tents and cars in the field detract from the landscape
- Increased walkers from the site further erode local footpaths and increase littering
- The requirement for a permanent installation to support the restricted camping use is unfounded and represents overdevelopment.
- Approval would set a precedent for any future retrospective planning
- The location of the amenity units is within circa 5 metres of a field where livestock is routinely placed and the subsequent increase in noise will further disturb livestock

Main Policies

Core Strategy

GSP3: Policy GSP3 states amongst other things that development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposals.

RT3: Policy RT3 states that provision of improved facilities on existing camping sites must be of a scale appropriate to the site itself.

L1: Policy L1 requires that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan, and other valued characteristics. Valued characteristics specifically identified in the pre-amble to L1 include amongst other things – trees, woodlands, hedgerows, stone walls, field barns and other landscape features.

Local Plan

LC4: Policy LC4 states that where development is acceptable in principle it will be permitted provided it is of a high standard of design that respects and conserves the landscape, built environment and characteristics of the area.

LC21: Policy LC21 states that development that prevents a risk of pollution, including to groundwater resources amongst other things, will not be permitted unless adequate measures to control emissions within acceptable limits are put in place.

Adopted design guidance within the 'Design Guide', the recently adopted Climate Change and Sustainable Building Supplementary Planning Document (SPD) and the Authority's Landscape Strategy and Action Plan offer further guidance on the application of these policies. These policies and guidance are supported by a wider range of policies in the Development Plan listed below.

Wider Policy Context

Relevant Core Strategy (CS) policies: DS1, GSP1, GSP2, GSP4

Relevant Local Plan (LP) policies: LC18

National Planning Policy Framework

In the National Park the development plan comprises the Authority's Core Strategy 2011 and saved policies in the Peak District National Park Local Plan 2001. Policies in the Development Plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. It is considered that in this case there is no significant conflict between prevailing policies in the Development Plan and more recent Government guidance in the NPPF with regard to the issues that are raised.

Assessment

Use of the site for camping

Whilst this application is not seeking planning permission for the use of the field for camping, the impacts of this have been raised by the Parish Council and by members of the public in their representations. It is therefore appropriate to explain the current use of the site.

The Youth Hostel Association currently use the field for camping under a Camping Exemption Certificate issued by Natural England, under a provision of section 269 of the Public Health Act 1936. This permits the field to be used for camping by the YHA and its Members, subject to a number of restrictions. The most notable of these (in relation to the use of the land) is that the use should be restricted to no more than 60 days a year, of which no more than 42 should be consecutive. This arrangement, and compliance with it, does not form part of the planning system.

Planning permission for use of the land for camping by exempted organisations is granted by the Town and Country Planning (General Permitted Development) Order 2015. Part 5 Class C of the Order states that "The use of land by members of a recreational organisation for the purposes of recreation or instruction, and the erection or placing of tents on the land for the purpose of the use" constitutes permitted development. It goes on to clarify that a "recreational organisation" is one holding an exemption certificate under section 269 of the Public Health Act 1936.

Therefore the current use of the field for camping by the YHA is permitted development and any further restrictions of use, such as the number of days for which it can be used or the operating practices of the YHA whilst providing the camping, are controlled under a different consent regime.

Principle of facilities block

In planning terms, the site could be used all year round. However, the restrictions of the Camping Exemption Certificate restricts camping on the site to a maximum of 60 days per year, as currently drafted. This still represents a significant proportion of the camping season – especially if broken up throughout the summer months – and it is considered that some form of facility provision is therefore reasonable.

The proposed block would include three individual cubicles, each with a shower, sink, and toilet. The number of campers on the site at any one time is unrestricted, and so this appears to represent a modest provision that would be proportionate to the use of the site as required by policy RT3.

Landscape impact of the facilities block

The buildings have been sited along the eastern boundary of the field, which does help to reduce their prominence as they are partially screened and broken up by existing planting along this boundary, and do not appear isolated within the field.

Their colour – a vivid mid-green – does serve to increase their intrusion, as does their functional and modern design. This is most apparent when looking back across the site from the public rights of way to the north, although the existing field barn does obscure them in some views. Nevertheless, where visible they appear incongruous and detract from the otherwise traditional and largely undeveloped appearance of the field and wider landscape in this location.

It is considered that the landscape impact of the buildings could be mitigated by reducing their prominence and visibility through a combination of painting the units a darker colour and providing screening to the northern and southern sides of them. If permission is granted, it is therefore considered that these measures should be required by planning condition in order that the development will comply with policy L1 and LC4.

Environmental management

The drains from the facilities block flow to the existing septic tank serving the adjacent camping barn. In order to comply with national planning guidance and local planning policy – which requires pollution to be reduced to acceptable levels – it would usually be necessary for foul water to be disposed of to a package treatment plant where no access to the main sewer is available.

Due to the fact that they result in higher levels of ground water pollution than package treatment plants, national guidance stipulates that septic tanks should only be supported where connection to a mains sewer or a package treatment tank is not feasible. Whilst the septic tank is an existing facility, the additional 3 showers, sinks, and toilets, will increase the throughput of the tank considerably, contributing to further ground water pollution.

No evidence has been put forward as to why a package treatment plant could not be used instead, and as an electrical supply has already been made to the site (which is generally required by package treatment plants) it seems likely that such provision would be feasible.

If permission is granted it is therefore considered necessary for details of drainage to be reserved for agreement by condition in order to ensure that the least polluting option available is implemented.

Highways

The facilities block would not have any highway implications; it would be used by campers already using the site and would not generate any further traffic.

Objections have been received relating to an intensification of use of the access road to the site, but this is related to the use of the field for camping, rather than the provision of the facilities block. As a result such considerations are outside the scope of this application.

Amenity

It is not considered that the introduction of basic facilities on the site, particularly on such a modest scale, would increase usage of the site to such a degree that amenity impacts would be significantly different to if the field did not offer such facilities, or if it relied upon those at the Hall itself – which would seem to be a reasonable alternative given its proximity. The facilities block is considered to be sufficiently far from neighbouring properties that its use would not affect their amenity through noise, odour or visual intrusion.

Other matters

If permission for the facilities block was to be granted, it would be necessary to make clear by condition that it was restricted to use by a “recreational organisation” as defined above, which would include the YHA. Were any person or body other than an exempted organisation to seek to camp on the field in the future then this would make it clear that the Authority had not made any assessment of the merits of the use of the site for camping when approving the facilities block, and the Authority would therefore be unencumbered in making an assessment of the acceptability or otherwise of continued camping on the site.

Once the use of the site for camping by an exempted organisation ceases the building would no longer serve a purpose, and it is therefore considered that it should be demolished or removed from the site at that point in order that the landscape can be restored to its natural state.

The facilities block would occupy a small area of the field that is already in use for camping under a Camping Exemption Certificate. It is not considered that in this context the development would have a significant impact on the nature conservation interests of the site.

Conclusion

The principle of providing appropriate facilities in the field for use by those camping in it is acceptable in planning policy terms, and the landscape impacts of the development are considered capable of being mitigated by the imposition of planning conditions as detailed above.

The current drainage arrangements are not considered to be acceptable, but an acceptable alternative could be required to be provided if permission was granted.

The Authority does not have control over the current use of the site for camping by the YHA, as this is being carried out as permitted development by the YHA as an ‘Exempted Organisation’ as defined above. Officers consider that any permission, if granted, should make clear that the development is approved for use only in accordance with this permitted development provision and that permanent use of the land for camping is not granted or should not be inferred from the decision. A condition requiring the removal of the building when use of the site for camping by an ‘Exempted Organisation’ ceases would ensure this.

Given these considerations, and having taken account of all other material matters, the application is recommended for approval subject to conditions.

Human Rights

Any human rights issues have been considered and addressed in the preparation of this report.

List of Background Papers (not previously published)

Nil