

APPENDIX 1: ORIGINAL OFFICER REPORT

FULL APPLICATION – CHANGE OF USE TO FIELD NO.S 8485 AND 8877 TO A SEASONAL OVERFLOW CAMPING FIELD AT KNOTLOW FARM, FLAGG, (NP/DDD/0216/0085, P7457, 02/02/2015 /ALN)

APPLICANT: MRS M HOLLINRAKE

Site and Surroundings

Knotlow Farm is situated in open countryside approximately 750m to the south east of Flagg village. The property comprises a farmhouse, converted barns and a range of modern portal framed sheds. The applicant operates a beef cattle enterprise from the holding which extends to some 46 hectares. There is also a camping and caravanning site at Knotlow Farm, which is located primarily within a field parcel broadly to the north of the existing group of buildings. There is also an 'overspill' field used for tents to the south of the existing buildings.

The application site edged red comprises two field parcels abutting either side of the access track which leads southwards from the junction of two unclassified roads known as Mycock Lane and Moor Lane, towards the farmstead. These fields are to the immediate north west of the northern boundary of the main camping and caravanning area to the north of the existing building. A public right of way (the Limestone Way) runs along the south western boundary of the application site and part of the application site falls within the Environment Agency's Flood Risk zone 3, which are those areas most at risk of flooding (i.e. 1 in a 100 or greater chance of flooding each year).

The north eastern boundary of the application site also abuts the Peak District Dales Special Area of Conservation (SAC) which is a European designated site. The site is also notified at a national level as Upper Lathkill Site of Special Scientific Interest (SSSI) and is designated for its high geological interest and the fact that it supports a wide range of wildlife habitats, particularly woodland, scrub and grassland.

Proposal

This application seeks planning permission for the change of use of the agricultural land within the application site to a seasonal camp site. The application is retrospective insofar as it is suggested in the submitted application that this site has already been used for camping. However, the details of the maximum number of tents that would be accommodated on the site or how long this field has been in use for camping are not stated in the submitted application.

A supporting statement submitted with the application states that the business is 'struggling to operate within the constraints of the main camping area which is divided across two fields' and indicates that the application site would be used mainly by Duke of Edinburgh (D of E) groups who need to be physically separated from the general public during their stay. The supporting statement also suggests that the site would be used mainly at weekends and bank holidays.

RECOMMENDATION:

That the application be REFUSED for the following reasons:

- 1. The use of the application site for camping would, both individually and when taken cumulatively with the existing camping and caravanning use on the farmstead, be harmful to the established landscape character of the area and would prejudice the quiet enjoyment of the National Park contrary to Core Strategy policies GSP1, GSP2, GSP3, L1, RT1 and RT3.**

Key Issues

- The impact of the proposed use on the established landscape character of the area.
- Whether the benefits of the scheme outweigh any landscape harm identified.
- Flood risk issues.
- Impact on Residential Amenity.

History

Jan 2004 - Conversion of farm building into 2 affordable dwellings granted

June 2007 – Permission granted for change of use of existing building to riding school, construction of outdoor ménage and wildlife pond.

November 2013 – Pre-application advice given by officers with regard to various developments at Knotlow Farm. Advised that an application for use of current application site for camping would be unlikely to be supported by officers due to landscape impact.

Jan 2014 - Retrospective consent granted for the permanent change of use of an agricultural building to a use comprising a riding arena with ancillary agricultural use.

June 2014 – Retrospective consent granted for a camping enterprise (NP/DDD/0214/0213) This permission included provision of a campsite including 4 yurts in a field to the north of the access track, adjacent to the equestrian ménage; six timber ‘camping pods’ positioned on a hard surfaced area on the northern side of the modern agricultural buildings; a further area for camping in a field to the south of the farm group and the change of use of the western section of an agricultural building on the northern edge of the building group to a facilities block including showers, pot wash facilities, family room, boiler room and service room and storage and site management area. A condition on this permission removed permitted development rights for camping on the remaining land in ownership under the ‘28 day’ rule.

March 2015 - Retrospective consent granted for the erection of a detached building within the yard area to the south of house and barn conversions. (NP/DDD/0115/0047). The building is used as an office in association with the camping business.

January 2016 – section 73 application granted to vary conditions on planning decision notice NP/DDD/0214/0213 in order to allow for the siting of six touring caravans ranged along the southern boundary of the field to the north of the access track.

Consultations

Highway Authority – No objections

District Council – No response to date

Environment Agency – Despite part of field being within flood Zone 3 – no objections subject to

conditions requiring mitigation in the submitted Flood Risk Assessment to be carried out, specifically to restrict camping to areas of within flood zone 1 only. i.e. no camping to the south of Mycock Lane and to identify and provide safe routes into and out of the site to a safe haven. Any physical barrier erected adjacent to Mycock Lane, to deter people from camping in the areas identified as being at risk from surface water flooding, shall be constructed such that floodwater and waterborne debris can freely pass through the structure at existing ground level.

Flagg Parish Council – No objections

Monyash Parish Council – No objections

National Park Authority (Ecology) - Providing the proposed development is carried out in strict accordance with the details of the application, as submitted, it is not anticipated that there will be any adverse effect on the features for which the sites have been notified. A condition should be included to reflect this.

National Park Authority (Rights of Way) - The applicant has already noted the presence of a popular route (the Limestone Way) across one of the proposed fields the line of this path must not be obstructed at any time. Suggests that to avoid any potential for campers erecting tents on this route that some form of demarcation is considered - simple fencing of the route would prevent any future accidental trespass by seasonal campers.

Natural England – no objections with regard to impact on Peak District Dales SAC as there would be no likely significant effects on the conservation features of the site. With regard to the SSSI, subject to development being carried out in strict accordance with the details of the application, as submitted, proposals will not damage or destroy the interest features for which the site has been notified. No comment with regard to landscape impact. Refer to standing advice with regard to protected species. This application may provide opportunities to incorporate features into the design which are beneficial to wildlife, such as the incorporation of roosting opportunities for bats or the installation of bird nest boxes. The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application.

Representations

5 letters have been received in support of the proposals, 2 of which are from users groups, 2 from local business and one from a local resident. In summary, the authors of these letters support the proposals on the following grounds:

- Grounds and amenities at the site are perfect for young people and Duke of Edinburgh students.
- No problems have been caused in the village – no rowdy, noisy or anti-social behaviour experienced.
- Visitors to the Peak District need to be readily accommodated.
- The business compliments other businesses in the area e.g. local pubs and brings trade to the area.
- The camp site is well kept and well managed.
- The business needs to expand as it is always busy.

- The proposed site allows a level of independence for users but near enough to call for staff assistance.

1 letter of objection has been received from a local resident on the following grounds, which in summary, raises the following issues:

- The site has a history of non-compliance with planning. The site has operated since 2003 but retrospective consent was only granted in 2014.
- Impact of noise and disturbance often late at night. Site is in a narrow valley and so noise and smoke carries along it for long distances.
- Site is clearly visible from several points in area.
- Elevated areas used by large groups as they are away from families and quieter groups. D of E would be better located near main farm buildings where they can be better monitored and managed.
- Letters of support are commercial endorsements.
- Site has not been in agricultural use for a long time. Often this area is used when other parts of the site are empty.
- Parties and events take place in indoor arena building until late at night.
- Not clear definition of the terms 'overflow' and 'seasonal'.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, L2, L3, RT1, RT3, CC5, E2

Relevant Local Plan policies: LC4, LC17, LT18.

It is considered that Core Strategy policy RT3 provides a clear starting point consistent with the National Park's statutory purposes for the determination of this application. This is because RT3 states that small camping sites will be permitted, particularly in areas where there are few existing sites, provided that they are well screened, have appropriate access to the road network, and do not adversely affect living conditions. This policy is compliant with national planning policies in the National Planning Policy Framework ('the Framework'), which states that policies should support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside.

Taking into account the application proposes facilities for D of E groups; RT1 is relevant because it deals with proposals for recreation, environmental education and interpretation. Core Strategy policy RT1 states that these types of developments must not on their own, or cumulatively with other development and uses, prejudice or disadvantage peoples' enjoyment of other existing and appropriate recreation, environmental education or interpretation activities, including the informal quiet enjoyment of the National Park.

The approach taken by RT1 and RT3 is also consistent with policy in the emerging Development Plan Document and Saved Local Plan policy LR3, which say the development of a new touring camping or touring caravan site, or small extension to an existing site will not be permitted unless its scale, location, access, landscape setting and impact upon neighbouring uses are acceptable, and it does not dominate its surroundings.

Therefore, the main planning considerations that are key issues in the determination of the current application include landscape impact considerations as well as flood risk issues. In these respects, Paragraph 115 of the Framework states that great weight should be given to conserving landscape and scenic beauty in National Parks along with the conservation of wildlife and cultural heritage, which is consistent with the aims and objectives of policies GSP1, GSP2, GSP3 and L1 of the Core Strategy. GPS1 also makes it clear that where there is an irreconcilable conflict between the statutory purposes, the Sandford Principle will be applied and the conservation of the National Park will be given priority.

The Framework also states that inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk, but where development is necessary, making it safe without increasing flood risk elsewhere. This is consistent with Core Strategy policy CC5 which discourages development that would increase flood risk.

Issue 1: The impact of the proposed use on the established landscape character of the area.

Core Strategy policy RT3 states that small touring camping and caravan sites and backpack camping sites will be permitted, particularly in areas where there are few existing sites, provided that they are well screened, have appropriate access to the road network, and do not adversely affect living conditions. The supporting text to the policy explains that appropriate size will vary from site to site but for guidance, sites up to 30 pitches are more likely to be acceptable, although this may be too large in many circumstances.

In addition Core Strategy policy L1 states that development must conserve and enhance valued landscape character, as identified in the Landscape Strategy and Action Plan and other valued characteristics. In this case permission has already been granted for a significant level of camping and caravanning use at Knotlow Farm. This currently amounts to :

- camping use permitted on a 4,400 sqm (0.44h) field to the north west of the ménage building (the permission also includes permission for 6 touring caravans and 4 yurts on this field parcel)
- 6 camping pods in a former silage clamp to the north of the main portal framed farm buildings.
- Camping use permitted on a 10,200 sqm (1.0h) field parcel to the south of the building group.

Neither the current nor previous applications at the site provide details of overall camping pitch numbers (probably because these can vary depending on the nature of the users and the size of their tents). Nevertheless clearly the current application which covers a further 17,000 sqm (1.7h) land would allow for a significantly greater number of tents to be placed at Knotlow Farm in total than the 30 pitches suggested in the supporting text to the Core Strategy.

As a result the proposals, when taken cumulatively with the other camping and caravanning areas already permitted does not amount to a 'small' site as envisaged in policy RT3 and indeed would constitute a large and significant tourist facility in open countryside. In the light of this conflict in principle with RT3 it is necessary to consider landscape impact in order to assess whether the other elements of RT3 and indeed policy L1 are complied with and whether this would allow a positive recommendation to be made.

The application site falls within the limestone plateau pasture landscape character type within the Authority's Adopted Landscape Strategy which is a rolling upland plateau of pastoral farmland enclosed by limestone walls with a regular pattern of small to medium sized rectangular fields.

Priorities identified in the plan are to protect strongly nucleated settlement pattern of village and farms and to protect historic field patterns and drystone walls. No landscape and visual impact assessment has been submitted with the application although a brief written summary of the perceived impact has been submitted along with a photograph of views towards the site from Moor Lane.

The site itself is located within a shallow limestone valley and as such the natural topography means that views from the south and east are not possible. However the northernmost third of the area to the north of the access track is significantly elevated in relation to the rest of the application site. As a result tents on this area would be clearly visible from both Moor Lane to the north west and from Mycock Lane to the north. It is considered that the visual impact of tents in this area would be harmful to the pastoral farmland landscape of the area. The presence of tents would spread the visual impact of the development at Knotlow Farm contrary to one of the priorities in the Landscape Strategy which seeks to protect the nucleated settlement pattern of villages and farms.

There is an area of steeply sloping land within the application site that has been fenced off and this area could be planted to provide some screening. However this would take time to establish to a point that where it would adequately mitigate for the harm identified.

A 250m stretch of the Limestone Way runs directly through the application site. The Limestone Way is a popular long-distance public right of way running through the White Peak from Castleton to Rocester in Staffordshire. The tents and cars that would be sited on the application site and the general activity associated with a camping use would be clearly and directly visible at close quarters from the footpath. Given the recreational purpose of the National Park in policy GSP1 (to promote opportunities for the understanding and enjoyment of the special qualities of the National Parks for the public) the importance of the impact on walkers is significant and it is considered that a camping use of the field would cause harm to views from this stretch of the path contrary to RT3 and L1. Whilst the application refers to the site as an 'overflow' area, if permission were granted the level and frequency of use during the main season would be difficult to control by condition as such a condition would not be enforceable.

When consent was granted for the use of the field directly to the south of the main group buildings for camping in 2014 it was noted in the officer's delegated report that the limestone way ran diagonally directly through the field in question and as a result there would be harm to the pastoral character of the land. However subject to conditions requiring seasonal use only and the submission and agreement of a landscaping scheme it was considered that the harm was adequately mitigated. Whilst the supporting statement for the current application makes it clear that that particular field is now in use for camping a landscaping scheme has not been submitted and agreed, in breach of the condition. As a result the harm is not currently being adequately mitigated.

Core Strategy policy RT1 states that recreational development must not on its own, or cumulatively with other development and uses, prejudice or disadvantage peoples' enjoyment of other existing and appropriate recreation, environmental education or interpretation activities, including the informal quiet enjoyment of the National Park. The cumulative impact of a camping use over the fields approved in 2014 and the current site means that effectively a 0.6km stretch of the Limestone Way would be affected with views of tents and activities immediately adjacent to the footpath. It is considered that the impact on quiet users of the Limestone Way would be significantly more substantial when taken cumulatively and as a result the proposals are not compliant with RT1 or policies L1 and RT3. By virtue of the detrimental impact of the proposals on their landscape setting, the proposals are also contrary to policies GSP1, GSP2 and GSP3 of the Core Strategy.

Issue 2: Whether the benefits of the scheme outweigh any landscape harm identified

Core Strategy policy E2 does seek to support small scale business development in the countryside provided that it supports an existing agricultural or other primary business responsible for estate or land management. Saved Local Plan policy LC14 states that development for the purposes of farm diversification will not be permitted unless there is sufficient certainty of long-term benefits to the farm business as an agricultural operation.

The supporting statement submitted with the application does not mention any benefits to the existing beef cattle enterprise although clearly an additional revenue stream could help to support the farm business. The statement focuses on the fact that the tourist business is struggling to operate under the constraints of the existing permitted areas, however no evidence has been submitted that demonstrates that financially the business cannot operate successfully without approval of the current proposals. As there are two physically separate camping areas already approved, officers are not convinced that D of E users could not be accommodated suitably within either of those two areas.

The statement emphasises that during the closed season the site has and would be brought back into agricultural use and that the peace and tranquillity experienced in this location is already compromised by the farm drive and existing camping areas. Whilst it is acknowledged that the proposed use would be seasonal and that this could be controlled by condition, officers do not concur that the enjoyment of the users of the public right of way is currently compromised by the presence of the surfaced driveway and it is considered that the proposed camping use would have a more significant impact.

Whilst the proposals would provide some economic benefit to the applicant and would contribute to the Authority's second purpose to provide for and to promote opportunities for the understanding and enjoyment of the special qualities of the National Parks, this would conflict with the first purpose to conserve and enhance natural beauty, wildlife and cultural heritage. GPS1 makes it clear that where there is an irreconcilable conflict between the statutory purposes, the Sandford Principle will be applied and the conservation of the National Park will be given priority.

Issue 3: Flood Risk Issues

Core Strategy policy CC5 states that development proposals that would unacceptably increase flood risk will not normally be permitted. In this case the land on the south western boundary of the application site (i.e. land on the south west side of the access track) falls within the Environment Agency's Flood Risk Zone 3, which is land assessed, as having a 1% or greater annual probability of fluvial flooding. The proposed use is identified as a 'more vulnerable' use in the technical guidance attached to the Framework. There are no rivers within the vicinity of the application site so it appears that the area is designated as flood zone three because of the potential for surface water flooding. A flood risk assessment which was carried out in association with the proposals in 2014 has been re-submitted during the course of the application.

The Environment Agency has raised no objections to the proposals but recommends a condition to prevent camping on land to the south of the access road i.e. within flood zone 3. Given that the area affected does not comprise a significant proportion of the overall application site, this condition is considered to be necessary and reasonable along with a condition requiring the identification and provision of safe routes into and out of the site to a safe haven. It is considered that an open post and rail fence would be required to prevent campers from pitching in the affected area and this could be required by condition. Subject to these conditions the proposals would not unacceptably increase flood risk and would therefore be compliant with CC5.

Issue 4: Impact on Residential Amenity

Core Strategy policy GSP3 states that development must respect, conserve and enhance all valued characteristics of the site and building that are subject to the development proposals including impact on living conditions of communities. Saved Local Plan Policy LC4 expects a high standard of design with particular attention being paid to, amongst other things, amenity and privacy.

The application site is some 330m away from the nearest other residential property, Chestnut House to the north. The owner of this property has objected to the proposals for a number of reasons including impact on residential amenity due to noise and disturbance.

Whilst the objector has cited various incidences of noise and disturbance, especially at night, officers consider that due to the intervening distances the proposals should not, if operated under the provisions of an appropriate site licence, cause harm to amenity to such an extent that this should be a reason for refusal of the current proposals. This conclusion is also reached in the light of the fact that neither Monyash nor Flagg Parish Councils have raised objections which indicates that noise and disturbance is not seen to be a wider issue in the broader community.

A condition to limit use of the site to between Easter and the end of October in any calendar year would serve to mitigate any harm.

Other Material Considerations

Ecology

Core Strategy Policy L2 states the development must conserve and enhance any sites, features or species of biodiversity importance and where appropriate their setting. Other than in exceptional circumstances development will not be permitted where is likely to have an adverse impact on any site, features or species of biodiversity importance or their setting.

The Upper Lathkill SSSI and the Peak District Dales Special Area of Conservation (SAC) abut the application site. However Natural England and the Authority's ecologist have confirmed that provided the development is carried out in strict accordance with the submitted details, the special interests of these sites would not be harmed. As such it is considered that the proposals comply with the requirements of L2 in these respects.

Parking and Access

The application form does not provide any details of the number of existing and proposed parking spaces.

Nonetheless there is a large farmyard at the centre of the application site where officers consider that there is sufficient space to park cars in association with the level of use proposed (most campers tend to park their vehicles on the camping fields adjacent to their tents). Whilst there would be some intensification of use of the access as a result of the proposals, visibility at the end of the access track onto the public highway is good and the proposals are not therefore likely to result in a danger or inconvenience to highway users in accordance with Local Plan policy LT18.

Conclusion

In conclusion the proposed use of the application site for seasonal camping would, both individually and cumulatively when taken with the existing camping and caravanning use at the site, cause harm to the valued landscape character of the area as identified in the adopted

Landscape Strategy. It is not considered that the benefits of the scheme would outweigh the landscape harm identified and whilst flood risk issues can be addressed through conditions and impact on residential amenity would not on balance be so significant as to warrant refusal on those grounds, the proposals are nonetheless contrary to adopted development plan policies GSP1, GSP2, GSP3, L1, RT1 and RT3 and the application is therefore recommended for refusal.

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

List of Background Papers (not previously published)

Nil