
12. FULL APPLICATION – USE OF LAND TO ACCOMMODATE UP TO 25 TENTS DURING THE MONTHS OF MAY AND SEPTEMBER AT BARN FARM, BARTON HILL, BIRCHOVER (NP/DDD/1216/1226, P4930, P1163, 15/12/2016, 424376/362275/ALN)

APPLICANT: MR M COOPER AND MR HEATHCOTE

Site and Surroundings

Barn Farm is situated on the eastern side of Birchover village, approximately 320m from the edge of the settlement and the Conservation Area and therefore in open countryside for planning Policy purposes. It is no longer a working farm and operates as a camping and caravan site. Most of the land in ownership that is not used for camping and caravanning is rented by a local farmer for grazing. Access to the site is gained off the eastern side of Barton Hill Road via a surfaced track. A public right of way (Birchover footpath no. 6) runs in a west east direction along the access track to the property before heading south across open fields. A further right of way (Birchover footpath no. 4) runs north south from Lees Road, through the application site. The land rises up to the north abutting Barton Hill and Lees Road. The edges of the land next to the road have been landscaped, with semi mature trees and shrubs. The site is open between Easter and 31 October each year.

The application site consists of a field to the north of the main group of buildings and is known as the 'Stanton Moor Field'. It covers approximately 8765 sqm.

Proposal

Planning consent is being sought to allow tented camping for up to 25 tents, (**not** restricted to Duke of Edinburgh Award (D of E) users) to be accommodated on the 'Stanton Moor' field (the application site) during the months of May and September. Permission is already in place to use the field in question for such a use during the months of June, July and August.

A submitted Planning Statement explains that the proposals would enable Barn Farm to remain the competitive whilst supporting the local rural economy and National Park purposes.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. 3 year implementation time limit**
- 2. Adopt submitted plans**
- 3. During June, July and August there shall be no more than 25 tents on Stanton Moor Field at any one time. Outside of these months, camping shall be restricted to persons undertaking or supervising the Duke of Edinburgh Award Scheme only.**
- 4. A log of campers (including names and addresses) using the application site shall be kept and made available to the Peak District National Park Authority on request. For those involved in the Duke of Edinburgh Award Scheme the log shall additionally include Duke of Edinburgh ID numbers and the name of the organisation co-coordinating the scheme.**
- 5. Written notification shall be given to the Peak District National Park Authority of implementation of this consent within one week of implementation.**

- 6. Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 2015 (or any order revoking amending or re-enacting that order) no camping other than that hereby approved shall take place within the site area edged red without the Peak District National Park Authority's prior written approval.**

Key Issues

1. Impact on the valued landscape character of the area.
2. Impact on the amenity, privacy or security of residential properties in Birchover.

History

June 1980 – consent granted for use of land as caravan site (25 vans) NP/WED/480/249).

March 1984 – consent granted for conversion of barn to camping barn (NP/WED/1283/530).

February 1985 – consent granted for erection of shower block and toilet.

August 1985 – consent granted for campsite (NP/WED/0585/206).

March 1992 – consent granted for field study centre and dormitory accommodation with toilets (NP/WED/0192/032).

November 2008 – application for lawful use certificate refused for use of land as a caravan park without compliance to condition 3 of WED/480/249 (No Caravan shall remain on site for a continuous period exceeding three weeks) (NP/DDD/0808/0734).

December 2008 – Application for lawful use certificate for use of land as a campsite refused (NP/DDD/0808/0733).

December 2008 – Application for lawful use certificate for use of land for the storage of touring caravans refused (NP/DDD/1008/0931).

March 2009 – lawful use certificate refused for use of land as a caravan park without compliance to condition 3 of WED/480/249 (No Caravan shall remain on site for a continuous period exceeding three weeks) (NP/DDD/0109/0040). Subsequent appeal withdrawn.

November 2009 – Lawful use certificate granted for storage of touring caravans (NP/DDD/0109/0042).

November 2009 – Application for Certificate of Existing Lawful Use for use of land as a campsite refused. (NP/DDD/0109/0041).

June 2011 – Permission granted for change of use to campsite shop (NP/DDD/0211/0070)

February 2012 – Letter written to agent following a site visit from the Authority's Monitoring and Enforcement Manager regarding concerns over the use of the site beyond the scope of the planning permissions.

August 2012 – Lawful development certificate application refused for use of building as camping barn (Sabine Barn) (NP/DDD/0612/0574).

September 2012 – application to accommodate additional camping pitches refused (NP/DDD/0614/0578).

September 2012 – applications for caravan storage, use of ancillary building, use of buildings for self-catering accommodation and use of land to accommodate additional touring caravan pitches approved.

November 2012 – application for use of Sabine Barn as a camping barn approved.

March 2013 – consent granted to extend the area of field OS2934 for the accommodation of tented camping (NP/DDD/0313/0198).

March 2013 – consent granted for use of land by school groups engaged in Duke of Edinburgh activities (NP/DDD/0313/0172).

October 2013 – section 73 applications approved to vary condition 6 of planning approval refs NP/DDD/0313/0172 and NP/DDD/0313/0198.

December 2013 – application approved for construction of hard standings and electric hook up points.

December 2014 – application refused to allow tented camping for up to 25 tents for use by the general public on 'Stanton Moor' field during the months on June, July and August (NP/DDD/1114/1130). Subsequent appeal allowed.

Consultations

Highway Authority - Whilst this current application is now for 5 months of the year instead of 3, there is still no evidence to suggest the proposals will have any detrimental effect to highway safety. Whilst the applicant has not submitted details of the existing and proposed car parking arrangements within the site, there seems to be ample space within the site to accommodate the level of parking 25 additional tents are likely to generate, especially as the application is restricted to months where ground conditions are likely to be relatively dry so parking can take place on grass fields within the site. Therefore, the Highway Authority has no objection to the application.

District Council – no response

Parish Council – no response

Representations

Seven letters of objection have been received raising the following issues:

- Proposals would increase levels of traffic on the road into and out of the village, causing congestion and noise.
- Impact on amenity of local residents including those at the part implemented development at Barton Hill.
- Concerns about the rate of expansion and number of applications made on the site in recent years.
- Anti-social behaviour of campers using facilities within the village
- The site is within Birchover village, not outside it.

- Proximity of the site to the boundary of the working quarry and the vulnerability of visitors to even low levels of noise from the quarry.

Main Policies

Relevant Core Strategy policies: GSP1, GSP2, GSP3, DS1, RT3, L1

Relevant Local Plan policies: LR3, LC4.

National Planning Policy Framework

It is considered that 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.

The core planning principles set out at paragraph 17 of the NPPF state that within the overarching roles that the planning system ought to play, a set of core land-use planning principles should underpin both plan-making and decision-taking. One of the 12 principles is that planning should: always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Development Plan

GSP3 states that development must respect, conserve and enhance all valued characteristics of the site and buildings that are subject to the development proposal. Particular attention will be paid to B. the scale of development appropriate to the character and appearance of the National Park, E. form and intensity of proposed use or activity, F. impact on living conditions of communities and G. impact on access and traffic levels. DS1 allows for recreation and tourism development in principle.

In subsection A, policy RT3 allows for small touring camping and caravan sites, 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. L1 requires that development conserves and enhances valued landscape characteristics as identified in the Landscape Strategy and Action Plan and other valued characteristics.

Saved Local Plan policy LR3 states that the development of a new touring camping and caravan sites or a 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.

Assessment

Background

Barn Farm operates as a camping and caravanning site following permission for 25 touring caravans in 1980, and a further 12 in 2012; for camping on Quarry Field for 25 tents in 1985; and for use of Quarry Field for camping by Duke of Edinburgh Awards (D of E) users in 2013. Permission is also in place for 5 camping barns, caravan storage ancillary to the caravan site and associated camping and caravanning facilities blocks.

In 2012 a planning application was submitted on the Quarry and Stanton Moor Fields (NP/DDD/0612/0578). A split decision was issued granting permission for a children's play area but refusing permission for an additional fifty tent pitches across the two fields (twenty five pitches on each field). The application was refused by Planning Committee on the grounds that

the additional camping use would harm the residential amenity of residents in Birchover village.

Subsequently planning application NP/DDD/0313/0172 was granted, which permitted the use of the 'Stanton Moor Field' for an unlimited number of camping pitches for groups engaged in Duke of Edinburgh award activities for the duration of the camping season (Easter to end of October) on the grounds that D of E users generally tend to walk to the site and are supervised and have not, in the past, generated the level of concern from local residents than general camping groups have, particularly at peak times and at weekends. Condition no.4 of that consent limited the use of the field to D of E users only and Condition no. 6 removed permitted development rights for any camping other than that approved.

In 2014 an application was refused to use the Stanton Moor Field for 25 pitches for members of the public (ie not restricted to D of E users) during June, July and August on the grounds that the proposed use of 'Stanton Moor Field' for camping use for the general public would harm the residential amenity of residents of Birchover village. A subsequent appeal was allowed.

Issue 1 - Impact on the valued landscape character of the area.

Supporting text in both the Local Plan and the Core Strategy says that the appropriate size of camping and caravanning sites will vary from case to case, but development or activity should in no circumstance dominate its surroundings. It goes on to suggest that sites of up to 30 pitches are capable of being more easily assimilated into the landscape, although this may be too large in many circumstances.

The application site lies within an area described as Gritstone Village Farmlands in the Authority's Landscape Strategy and Action Plan which is characterised by gritstone villages with outlying farms, pastoral farmland enclosed by hedges and stone walls and small to medium sized fields. Priorities are to protect the pattern of field boundaries and the distinctive historic nucleated settlement pattern. The development would not conflict with these objectives because the proposals would not impact on the overall settlement pattern of Birchover.

Long distance views of the site are not possible due to the topography of the area. Some medium distance views of the site may be possible from the site, for example from Clough Lane, but the existing buildings and tree cover would mean that the views would not be harmful. The main views of the proposed camping area are from the public footpaths within the site and from Lees Road to the north. From Lees Road the tents would be screened to some extent by an existing tree belt along the northern boundary of the site and given that the site does not open during the winter months, more exposed views when the trees are not in leaf would not be an issue.

There would be clear views of the proposed tents within Stanton Moor Field from public footpath 4 that runs through it. However these views would be set against the existing campsite use and modern agricultural buildings, and proposed supplementary planting along the eastern boundary of the camping area would help to screen the tents. Similarly there would be views of tents within Quarry Field from public footpath number 6 to the south but the tents would be seen alongside the approved campsite and with a backdrop of trees on three sides.

In conclusion the use of the field for 25 tents for general public use for an additional 2 months of the year instead of for camping of D of E users is unlikely to have any greater landscape impact. The camping use would, as at present, affect views from relatively short stretches of the public rights of way as they cross the site and, on balance, it is not considered that the proposals would adversely affect the overall landscape quality of the area in accordance with Core Strategy.

Issue 2 - Impact on the amenity, privacy or security of residential properties in Birchover.

The issue of the scale of the use of the site and its impact on the village has been a long standing issue with local residents, and concerns of that nature are again expressed by some local people with regard to the current application (although the Parish Council itself has not responded to the consultation).

The Authority has resisted the use of Stanton Moor field for 'general public' camping on two occasions, firstly in 2012 when 25 pitches were proposed and later in 2014 when it was proposed to use the field for 25 pitches for general public during June, July and August and for D of E users for the remainder of the operating season. On both occasions the reason for refusal was with regard to the impact on the amenity of the residents of Birchover village.

Subsequently however an appeal has been allowed for the use of the field for 25 tents in June, July and August. The decision letter addresses the specific issues with regard to impact on traffic and amenity as follows:

'In Birchover, I noted that residential dwellings line the main street, some properties sited in close proximity to the highway and that new dwellings are currently being constructed close to the site access. I have taken into consideration concerns about noise, disturbance and congestion relating to traffic associated with the use. The number of comings and goings to the camp site is likely to increase during the proposed three months, not only in terms of arrivals and departures but also through visits to facilities and attractions. However, in my judgement, an extra 25 tents is unlikely to generate a significant amount of additional traffic over a 24 hour period. Moreover there is no evidence to suggest that the highway network is inadequate to cope with such an increase or that the proposal would cause a danger to highway or pedestrian safety or a significant increase in pollution or noise. I also note that no objection to the proposal was raised by the Highway Authority.'

'There is a suggestion that campsite users will walk to the facilities, or will walk to the village for other reasons, resulting in a loss of privacy and noise and disturbance to residents. However, it seems to me that although some houses are sited close to the road, it is a public highway already available for use by members of the public. Levels of privacy at the front of such properties are inevitably more compromised than at the rear. Moreover, the increase in numbers of pedestrians from the additional tents is, in my judgement, unlikely to be significant and I am unconvinced that such an increase will result in undue harm to residents living conditions.'

'There is no convincing evidence that there is a significant problem with anti-social behaviour in the village or that such behaviour is directly attributable to campsite users. Furthermore, it was apparent at my site visit that the site is well managed, attracts families and educational groups and I am aware that it operates a curfew on noise in the evening. On the basis of the evidence before me, I am unconvinced that instances of anti-social behaviour causing demonstrable harm to living conditions of existing residents would significantly increase as a result of the additional tents.'

In the light of this clear decision from the Planning Inspectorate, which is an important material planning consideration, officers consider that the same reasoning can be extended to the current proposals in that by extending the 'general public' use of this part of the site for an additional two months each side of the original three, the overall intensity of use at any one time would not increase over and above a level that the Inspector deemed to be acceptable.

On that basis officers consider that the proposals would be unlikely to cause unacceptable levels of harm to residential amenity in accordance with police GSP3 and LC4 subject to conditions to limit the number of tents to 25 during the 5 month period; to remove permitted development rights for 28 day camping within the application site; requiring a log of campsite users to be kept and

requiring the notification of the commencement of the permission. These suggested conditions mirror those imposed by the Inspector on the appeal.

Conclusion

The proposals would not adversely affect the overall landscape quality of the area in accordance with Core Strategy policy L1. Whilst the concerns of local residents with regard to residential amenity are noted, it is also noted that there would be some limited economic benefits both at the campsite and to the public houses and business in the wider area. It is considered that the appeal decision should be given considerable weight in the current decision and on that basis officers conclude that the adverse impacts of the proposals would not demonstrably outweigh the benefits and the proposals would not, on balance, be contrary to the aims of policies RT3 and GSP3 and LR3 and LC4.

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