

10. FULL APPLICATION – THE USE OF THE LAND FOR A SIX WEEK CONSECUTIVE PERIOD BETWEEN THE MONTHS OF JULY AND SEPTEMBER IN ANY YEAR IN ASSOCIATION WITH THE DERBY KIDS CAMP AT NEW HOUSE FARM, SCHOOL ROAD, WETTON. (NP/SM/0417/0415, P3705, 25/4/2017, 410737 / 355313/SC)

APPLICANT: MR P ELLSE

Site and Surroundings

The application site is located towards the south western edge of the village and adjacent to the eastern side of Well End Lane, which connects Carr Lane to the south with Leek Road to the north. Bordering the south eastern corner of the site is a small public car park and public toilet building. The application relates to around 4 acres of land which incorporates New House Farm. The field subject of this application lies to the south of the existing farmyard and is approximately 3.5 acres in size and enclosed as a single agricultural field. A further 0.3 acres of land abuts this field on its south eastern boundary, enclosing a 1½ storey stone barn.

Historically, the field has been used without the benefit of planning consent for camping, including the annual ‘Derby Kids Camp’, caravans and also for a mixture of hay-making and grazing livestock. The site and surrounding fields are mainly defined with limestone walls, with a few small trees sparingly found along the north, east and southern boundaries of the site. A public right of way runs in a north south direction to the east of the site, with the farm and associated land lying within the boundary of the Conservation Area.

Proposal

Planning permission is being sought to change the use of the land for a six week consecutive period, between the months of July and September in any year in association with the charitable organisation, Derby Kids Camp (DKC). In addition, a new field gate access is proposed along the south eastern boundary of the field (opposite an existing farm access at Carr Farm), to facilitate the proposed use of the field.

The application initially proposed the use for a four month period. However, this has been amended during the course of the application to six weeks.

RECOMMENDATION:

That the application be APPROVED subject to the following conditions:

- 1. Accord with submitted details**
- 2. 6 week time period between July and September for Derby Kids Club only**
- 3. Remove permitted development rights for siting of caravans and 28 day permitted development rights**
- 4. All camp fires extinguished by 11pm**
- 5. Surfacing to gate entrance to be agreed**
- 6. Field gates to open inwards only**

Key Issues

- The principle of the development.

- The landscape and visual impact of the proposal.
- The potential impact on the amenity of local residents.
- Highway and access matters.

Relevant History

2016 - Enforcement Case open - Land being used in excess of the 28 days as permitted under Part 4 Class B (*temporary use of land*) of the Town and Country Planning (General Permitted Development (England) Order 2015.

Consultations

Highway Authority - No objections, subject to conditions regarding the surfacing of the access and any proposed gates to open inwards into the site.

District Council – No response

Parish Council - Support the amended time period.

Representations

There have been 10 letters of objection and 4 letters of support, all of which have been summarised below. (Full accounts of all letters can be viewed on the Authority's Website Planning Pages). Members should be aware that the letters of objection (and support) were based on the original submission of a 4 month period of activity. Since the revised time period was re-advertised, there has been only one further comment made (apart from the Parish Council's).

Objections to the proposal

- Would support the time extension beyond the 28 day's to cover the school holiday period. However, extending to 4 months to accommodate Duke of Edinburgh participants, on an unsupervised site with facilities limited to the public toilets is not acceptable.
- There are a number of campsites within a few miles of Wetton, with good facilities that are geared up for campers and D of E groups.
- Concerns regarding excess noise have been expressed to DKC personnel on numerous occasions, without satisfactory resolution.
- This is not an appropriate location for a campsite with so many homes within earshot, and no screening to minimise effect on visual amenity.
- I fully believe in what the DKC do and the value that they bring to the children which they so kindly help. However, I cannot deny how much their arrival changes the nature of an otherwise peaceful community.
- This proposal will not be screened and will adversely affect the living conditions of many local residents through issues such as noise.
- The site is in the Conservation Area and is an inappropriate and visually intrusive use of the field on the edge of the village.
- The proposal does not offer any clarity on how waste is collected from the site, outside the DKC period.

- Expecting residents to tolerate 5 weeks of disruption to their lives is reasonable. Expecting them to tolerate 4 months of is not.
- All roads into the village are narrow single track with isolated passing points, so any traffic increase is not good.
- While DKC is a very admirable charity, it has significant visual and noise impact for 5 weeks a year on nearby residents in a small village in a conservation area. Maybe a field could be found away from the village that would more than suit their needs without affecting residents.
- The proposed new access which is directly opposite a neighbouring farm would create access problems, hindering the working routine of the farm.
- Concerns over waste disposal and the dumping of rubbish.
- DKC have now produced a guide for their volunteers regarding noise, mentioning a curfew on bonfires (midnight), which is too late but more importantly does not address the problem of smoke annoying neighbours.

Support for the proposal

- When DKC arrive they bring with them their large skip and toilets for the children and they do have the courtesy to give those that have cause to complain a contact.
- New House Farm has been the home of DKC for a very long time, due to the warmth of the community and the opportunity for many thousands of children to experience this outstanding environment in a safe and secluded area.
- The Charity and the people who give up their time to help disadvantage children from City Schools do exceptional work to help the children have a holiday in the countryside like they have done for the last 45yrs.
- Opportunity for children to experience this outstanding environment in a safe and secluded area.
- DKC have been extremely cautious to work with the village in a friendly manner and manage their volunteers accordingly.
- Well run and maintained site.

Main Policies

Relevant Core Strategy policies: GSP1,2,3, DS1, L1, L3, RT1, RT3

Relevant Local Plan policies: LC4, LC5, LR3, LT18

National Planning Policy Framework (NPPF)

Paragraph 28 states, that policy should support sustainable rural tourism that benefits businesses in rural areas, communities and visitors and which respect the character of the countryside, whilst Paragraph 115 says, that great weight should be given to conserving landscape and scenic beauty in National Parks, along with the conservation of wildlife and cultural heritage.

Core Strategy

GSP1, GSP2 and GSP3 jointly seek to secure national park legal purposes and duties through the conversion and enhancement of the National Park's landscape and its natural and heritage assets.

DS1 allows for leisure and tourism development in or on the edge of the National Park's named settlements.

RT1 says that the National park Authority will support facilities which will enable recreation, environmental education and interpretation which encourage understanding and enjoyment of the National Park and are appropriate to the National Park's valued characteristics.

RT3 states amongst other things, 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.

L1 says that development must conserve and enhance valued landscape character, as identified in the Landscape Character Assessment and other valued characteristics.

L3 is particularly relevant, as it deals with Cultural heritage Assets. It explains that development must conserve and where appropriate enhance or reveal the significance of historic assets and their setting.

Local Plan

LC4 considers design, layout and landscaping and points out that particular attention will be paid to scale, form, mass and orientation in relation to existing buildings.

LC5 states that applications for development in a Conservation Area, or for development that affects its setting or important views into or out of the area, should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced.

LR3 states amongst other things, that the development of a new touring camping and caravan site or small extension to an existing site will not be permitted, unless its scale, location, access, landscape setting and impact upon neighboring uses are acceptable and it does not dominate its surroundings.

LT18 states that safe access is a pre-requisite for any development within the National Park.

Assessment

Background information

Derby Kids Club (DKC) is a charity organisation, which provides a summer camping holiday for children from the Derby City district. Around 300 children each year attend over a 6 week period of the school holidays, with groups of around 60 children staying for a week and changing at the weekend. The camp is run by around 30 adult volunteers who also camp on site. The camp is entirely self-sufficient with tents and marquees erected each year on site to provide accommodation for cooking, eating, indoor activities, storage and sleeping. According to the applicants, the site has been the venue for the Kids Camp for over 35 years.

In 2016 it was brought to the attention of the Authority that the field was being used in excess of the 28 days permitted under planning regulations. This prompted the owner to apply for full planning permission. Initially this was for a period between the beginning of June and the end of September, effectively a four month period. This, according to the applicant, would allow time to set up the Kids Camp and then pack and clear away once the camp had finished (approx. 6 weeks). This would be in addition to offering the site to other charitable or non-profit organisations and also for groups taking part in the Duke of Edinburgh Award scheme, but with no intention to operate as a commercial camp site open to the general public.

However, it was considered that the visual and noise impact on nearby residential properties for a sustained period of time (4 summer months) was considered would have a harmful effect on the quiet enjoyment of their properties and the wider tranquillity of the locality. Consequently, Officers invited the applicant to apply for a reduced time period, hence the revised proposal now the subject of this application.

Principle of development

Policies within the NPPF are material considerations. In particular, paragraph 28 states that policy should support sustainable rural tourism that benefits businesses in rural areas, communities and visitors and which respect the character of the countryside. In this respect, the NPPF supports the proposed development in principle provided it would conserve the landscape character and other valued characteristics of National Park.

Within the Development Plan, DS1 allows for leisure and tourism development in or on the edge of the National Park's named settlements. RT1 says that the National Park Authority will support facilities which will enable recreation, environmental education and interpretation which encourage understanding and enjoyment of the National Park and are appropriate to the National Park's valued characteristics.

Landscape and visual impact

Policy L1 says that development must conserve and enhance valued landscape character, as identified in the Landscape Character Assessment and other valued characteristics. Policy LC4 considers design, layout and landscaping and points out that particular attention will be paid to scale, form, mass and orientation in relation to existing buildings. Policy LC5 states that applications should assess and clearly demonstrate how the existing character and appearance of the Conservation Area will be preserved and, where possible, enhanced.

It is considered the main issue when evaluating the landscape impact is the revised time period for which the camp would operate. In this case, it would be in operation for a 6 week period, which would include set up and clearing. Subsequently, the potential impact upon the landscape is for a much shorter period of time than initially proposed.

In this case, it is evident that the use of the field by the DKC would clearly have some landscape impact on the open character and nature of the site and consequently on the character and appearance of the Conservation Area. However, the main camping would set up along the south western boundary of the field, close to the roadside wall and would occupy less than a third of

field, with the remainder left open and used for recreational play and other activities. This places the main core of the camp close to the road and boundary walling, which would afford a perception of openness to the remaining field.

Moreover, it is acknowledged that the camp could operate under permitted development rights for a 28 day consecutive period each summer, without the need for planning permission. In this instance, the applicant would only require consent for a short extension to this period of which it could operate without permission. Outside of this proposed time period, the applicant has stated, that the field would be returned to agricultural use and would be worked by a local farmer for grazing livestock and hay-making, so for the greater part of the year the field would appear completely free, contributing to the open setting and character of the village, therefore helping to conserve the character and appearance of the Conservation Area. Consequently, for these reasons the proposal is considered to comply with policies L1, LC4 and LC5.

Potential impact on the amenity of local residents

GSP3 states, that development must respect, conserve and enhance all valued characteristics of the site with particular attention paid to, amongst other things, the form and intensity of proposed use or activity impact on living conditions of communities. Whilst LC4, amongst other things, states that particular attention will be paid to the amenity, privacy and security of the development and nearby properties.

It is recognised that pursuits associated with the camp (through a rise in site activity) would potentially see an escalation of noise and disturbance. However, the camp is being considered for a relatively short period of time during the summer and would be expected to operate with as little disruption as possible to neighbouring properties and the wider residents of the village. In this case, the nearest neighbouring properties are No. 31 Well End Lane to the north-west corner of the site (approx. 25m away), and New House Farm to the north of the site (around 55m away). The area of the field closest to the garden boundary of No. 31 would be used as informal car parking, with the main camp being erected at a distance of approx. 50m away. It is therefore considered that the site layout would help to control the impact on the amenity of the property. New House Farm is over 55m away from the main camping area.

Objections were raised by local residents over the late blackout of the camp in the past and in particular bonfires being lit until midnight. In response, a time limitation on the activities could be conditioned to mitigate these concerns. Other concerns were raised about waste disposal and litter. The applicant has stated that the camp uses portable toilets - the individual cubicles with a single toilet which are commonly seen at temporary events. These would be delivered to site by lorry during the camp set up in July and collected during the camp removal at the end of August/beginning of September. Similarly, litter is deposited in a skip on site, which is delivered prior to the camp starting and collected at the end of the camp period.

It is therefore considered that, whilst the Kids Camp use would result in some degree of noise and disturbance, this can be mitigated to an acceptable level by conditions to limit the time of the use to 6 weeks in any year and also to control the times of activities on the site. Subject to such conditions, the proposal is considered to accord with policies GSP3 and LC4.

New Access and potential impact on the local highway

Paragraph 32 of the NPPF states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. Whilst LT18 of the Core Strategy states, that safe access is a pre-requisite for any development within the National Park.

The current access to the application field is through the existing farmyard at New House Farm. However, the applicant wishes to develop this site and as part of that scheme would require closing off the current field access. A new access is therefore proposed into the camping field directly off the highway (Well End Lane) and would be located directly opposite an existing farm entrance. According to the applicant, this would maximise the manoeuvring space available at the access, making turning into the site as easy as possible. The access would also serve to work the field when not in use by the DKC. The layout and design would be an agricultural style double gate, constructed in timber and set back from the roadside boundary.

Well End Lane is classified as a minor road and though it is fairly narrow, it is wide enough for two vehicles to pass. Visibility also appears satisfactory in both directions from the point of the proposed access. The applicant has stated that traffic movements would be minimal, with volunteers spending 2-3 days on site erecting tents and setting up the site and a similar time at the end of the Camp clearing the site. Once the camp is in operation, there would be 20-30 volunteers on site, with the children being transported to the campsite on one coach and two minibuses which arrive on site at midday Sundays. The coach and one of the minibuses drop off the children and leave, whilst the other minibus remains on site during the week. The children are then collected the following Saturday morning in the same manner. During the week, there are two planned visits, one to Chatsworth Farm Park and a second to a local swimming baths. On the other days during the week, the children either stay on site or walk and so no other vehicular movements are required.

In this case, the Highway Authority has raised no objections to the scheme, subject to the access being surfaced in an appropriate hard material for a minimum distance of 5m back from the carriageway edge and that any gates shall only open inwards away from the highway. In this case, the highway recommendations should be conditioned in the interests of highway safety. For this reason the proposal is considered to accord with Policy LT18 in particular.

Conclusion

The proposed development would be sited within an open field on the edge of the village, where it would be visible from nearby and surrounding vantage points. However, it is considered the use of the land for a six week period is not considered to have such a detrimental impact upon local resident's amenity that would warrant refusal of the application. Furthermore, given the limited time period for the proposed use it is considered that there would be no significant harm to the character and appearance of the village Conservation Area or the wider landscape setting to warrant refusal.

In this case, Officers have assessed the proposal against the National Planning Policy Framework, Development Plan policies and all other material considerations and concluded that it represents a form of time-limited consent that is capable of being implemented without unacceptable landscape and amenity harm.

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