

12. FULL APPLICATION – SITING OF FOUR CAMPING PODS AND ASSOCIATED CHANGE OF USE OF LAND - GARDENERS COTTAGE, HADDON DRIVE, BAKEWELL NP/DDD/0418/0308, 422004/367806, P5681, 11/04/2018)

APPLICANT: MR PICK

1. Site and Surroundings

- 1.1. Gardeners Cottage is located towards the southern end of Bakewell. It is located to the southern side of the A6, and to the west of a large modern housing estate.
- 1.2. The property is a single storey dwellinghouse that also offers bed and breakfast accommodation. It dates from the 19th century and was originally built as the residence for the gardener of the nearby Burton Closes country house.
- 1.3. The site is accessed up a long driveway that runs north west from the end of the cul-de-sac of Haddon Drive, which is south east of the property.
- 1.4. This driveway rises steeply to the house, which is set in a private curtilage within a woodland clearing and in an elevated position from the nearby properties comprising the housing estate.
- 1.5. Parking is provided at the top of the driveway, including a double garage.
- 1.6. The nearest neighbouring properties are to the east, and the application site boundary abuts the end of the rear gardens of these. The land in the applicant's ownership adjacent to these properties is wooded hillside. In terms of domestic curtilage, the nearest point of the closest garden of any eastern neighbour to either the house, garden, or driveway of the applicant is over 15 metres, and all are at a lower elevation. There are further neighbouring properties to the south east along Haddon Drive, the closest being number 8, which is immediately adjacent to the site access.
- 1.7. The site is outside of any designated conservation area.

2. Proposal

- 2.1. The siting of four camping pods in the woodland to the north of the dwellinghouse for use as holiday accommodation, and associated change of use of land. This would include a new gravel access track from the property to the pods.

3. RECOMMENDATION

That the application be APPROVED subject to the following conditions:

- 1. 3 year time limit**
- 2. In accordance with submitted and revised plans**
- 3. Agree land area subject to change of use**
- 4. No additional pods, tents, caravans, or other structures providing holiday accommodation to sited at the property without prior permission of the Authority**
- 5. Holiday occupancy restriction**
- 6. Carried out in accordance with tree report**

7. Parking to be provided prior to occupation of camping pods

8. External lighting to be agreed

9. Foul drainage from site to be agreed

4. Key Issues

- Whether the provision of a camping pods in the proposed location is acceptable in principle
- Landscape impact of the development
- Impact of the development on highway safety and amenity
- Impact of the development on the amenity of nearby residential properties

5. Relevant Planning History

- 5.1. 1987 – Planning permission granted for alterations and extension to dwelling

6. Consultations

- 6.1. Derbyshire County Council - Highways – Responded to the application as originally submitted. No further comments have been received relating the revised plans, which increased levels of parking provision. In their comments the Highway Authority advises that they have no objections to the proposal. They comment that although the sites existing vehicular access is narrow, the traffic generation from 4 single bedroomed camping pods is unlikely to result in a significant demand for 2-way traffic and that even when traffic does meet head on, the occasional reversing out onto the end of a cul-de-sac does not pose any severe highway safety concern. Also advise that there is ample space within the application site to provide sufficient parking. Recommend a condition is imposed to ensure parking areas are agreed prior to the pods being taken in to use.

- 6.2. Derbyshire Dales District Council – No response at time of writing.

- 6.3. PDNPA Tree Conservation Officer – No objections subject to the development proceeding in accordance with the recommendations of the submitted Arboricultural consultancy report.

- 6.4. Bakewell Town Council – Object to the proposal on the following grounds:

- The site is outside the Bakewell development boundary
- The proposal does not comply with national and local planning policy (no further details provided)
- The design and appearance of the development is not appropriate to a residential setting
- Planning history of the site (no further details provided)
- Light pollution
- Highway issues: traffic generation, vehicle access, road safety; through an increase of visitors and service vehicles
- Car parking provision is insufficient and would result in a loss of privacy for neighbours
- Capacity of public drainage system
- Noise and disturbance resulting from use; the neither proposed hours of operation or the operating calendar of the site have been stated.
- The proposal gives no details of how it would ensure equal access for people with disabilities.

7. Representations

7.1. 17 letters of representation have been received, all objecting to the proposal. The material grounds for objection are:

- Deterioration of the roadway, additional traffic and more parking on nearby roads, reducing highway safety, causing disturbance to nearby residents and obstructing access to driveways
- Increased waste water from the site cannot be accommodated
- Noise from the occupation of the pods will cause disturbance to nearby residents
- Insufficient parking is proposed
- Concerns over potential future expansion of the development
- Overlooking and loss of privacy of nearby properties
- The development is contrary to the Authority's recreation and tourism planning policies
- Waste collection has not been addressed
- Damage to trees
- Business use is incompatible with the primarily residential use of the area

8. Policies

8.1. National Park designation is the highest level of landscape designation in the UK. The Environment Act 1995 sets out two statutory purposes for national parks in England and Wales:

- Conserve and enhance the natural beauty, wildlife and cultural heritage
- Promote opportunities for the understanding and enjoyment of the special qualities of national parks by the public

When national parks carry out these purposes they also have the duty to seek to foster the economic and social well-being of local communities within the national parks.

National Planning Policy Framework

- 8.2. The National Planning Policy Framework (NPPF) was published on 27 March 2012 and replaced a significant proportion of central government planning policy with immediate effect. The Government's intention is that the document should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. 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.
- 8.3. Paragraph 28 in the Framework says that planning policies should support economic growth in rural areas and should take a positive approach to sustainable new development. Planning 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. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres.
- 8.4. Paragraph 115 of the NPPF states that *'great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations*

in all these areas, and should be given great weight in National Parks and the Broads.'

Development Plan policies

- 8.5. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GSP1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.
- 8.6. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
- 8.7. Policy L1 identifies that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
- 8.8. Policy RT3 is particularly important in determining the acceptability of the proposed development. RT3 says that proposals for caravan and camping sites must conform to the following principles:
- A. 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.
 - B. Static caravans, chalets or lodges will not be permitted.
 - C. Provision of improved facilities on existing caravan and camping sites, including shops and recreation opportunities, must be of a scale appropriate to the site itself.
 - D. Development that would improve the quality of existing sites, including improvements to upgrade facilities, access, landscaping, or the appearance of existing static caravans, will be encouraged.
- 8.9. Policy LC4 states that where development is acceptable in principle it will be permitted provided that its detailed treatment is of a high standard that respects, conserves and where possible enhances the landscape, built environment and other valued characteristics of the area.
- 8.10. Policy LT11 requires that the design and number of parking spaces associated with a development respects the valued characteristics of the area.
- 8.11. Policy LT22 states that where development is likely to be used by a large number of people its design and layout must not create relative disadvantage for those with a mobility difficulty, provided that the valued characteristics and amenity of the area are not harmed.
- 8.12. Policy LT18 states that the provision of safe access arrangements will be a prerequisite of any development.
- 8.13. Policy LB1 relates to the Bakewell development boundary. It states that the future development of Bakewell will be contained within the Development Boundary.

- 8.14. The Authority's adopted design guidance documents 'Design Guide' and 'Building Design Guide' are further material considerations.
- 8.15. Emerging Development Management policy DMR1 predominantly addresses touring camping and caravan sites but does refer to camping pods directly, stating that the development of structures may be permitted where these are small, simple, wooden pod structures in woodland locations with minimal landscape impact. The supporting text to this policy explains that wooden pod structures can provide a sensitive, low key form of accommodation in woodland settings where the scope for landscape harm is negligible or nil and that such solutions can help to support the local economy by extending the tourism season. This policy is not yet adopted but, given the advanced stage of the emerging policy document, it can be given some weight.
- 8.16. The Bakewell Neighbourhood Plan has recently undergone pre-submission consultation and is currently undergoing revision to reflect the outcomes of this. As currently drafted the plan proposes some changes to the Bakewell Development Boundary currently specified by policy LB1, but these would not affect the application site area. As noted however, the plan is currently undergoing revision and must still go through a further public consultation, and as a result it can be given only limited weight at this time.
- 8.17. Overall, policies relevant to this proposal are in accordance with the more recently published NPPF which supports sustainable recreation development which conserves the National Park.

Relevant Core Strategy (CS) policies: GSP1, GSP2, GSP3, L1, RT3

Relevant Local Plan (LP) policies: LB1, LC4, LT11, LT18, LT22

9. Assessment

Principle of providing camping pod holiday accommodation in this location, and landscape impact

- 9.1. The site is outside of the Bakewell development boundary. However, the proposed development comprises visitor accommodation comparable to chalets/lodges (discussed further below). As such, the proposed development is not considered to be part of the development of Bakewell, but the development of holiday accommodation outside of the settlement. This type of development is permitted by planning policy in principle outside of designated settlements.
- 9.2. The proposed camping pods are permanent timber structures which would be placed on the ground within an area of woodland adjacent to the property's curtilage. The character and potential impacts of the proposed pods would therefore be more comparable to siting chalets or lodges on the land rather than either touring caravans or conventional tents.
- 9.3. Policy RT3 (B) specifically states that static caravans, chalets or lodges will not be permitted. The supporting text says that, exceptionally, static caravans, chalets or lodges may be acceptable in locations where they are not intrusive in the landscape. RT3 therefore makes a general presumption against this type of development unless it is proposed in locations where it would not be intrusive in the landscape.
- 9.4. Emerging policy provides further guidance, permitting camping pods in principle where they are located in woodland settings and have acceptable landscape impacts.
- 9.5. Consequently, the key issue is whether the proposed four pods would be well screened (in accordance with RT3 (A)), or whether or not the proposed development would be intrusive in the landscape.

- 9.6. The site is within a secluded area of woodland and would only be visible from the host property and in broken views from a public footpath running past the site to the north west, approximately 50m away. The site rises to the south west of the proposed position of the pods, screening them from any views in this direction and they are set sufficiently far in to the woodland so that they would have very limited prominence and visibility in other views even when the trees are not in leaf.
- 9.7. On this basis, the proposed development of four camping pods at this site can be considered to be small scale and that the development would be well screened and not intrusive in the landscape. The development is therefore acceptable in principle. This is subject to ensuring that the further development of the site to provide any further holiday accommodation, such as more pods, tents, or caravans remained in the Authority's control. If permission is granted a condition could be imposed to secure this.

Design

- 9.8. The pods would measure approximately 5.8m long, 3.1m wide, and 3m tall, and would be completely clad with dark stained timber, other than door and window openings. This would reflect the timber in the surrounding woodland and would ensure that the pods remain recessive in their setting. The design of the pods is therefore acceptable.

Highway impacts

- 9.9. There is currently a lack of clarity over the lawful use of the property. The applicant advises that the property has eight bedrooms, and that four of these are currently let out as bed and breakfast accommodation. It is a matter of fact and degree as to whether or not this represents a change of use of the property from a single dwellinghouse to a mixed use. Planning permission has not previously been granted for any change of use of the property from a single dwellinghouse, and the Authority's Monitoring and Enforcement team are currently liaising with the applicant to establish whether a change of use has taken place.
- 9.10. If the current use of the property as a four bed dwelling with a further four bed and breakfast letting rooms is lawful then this would represent a more intensive use of the site from a highways point of view than a single dwellinghouse would. Therefore, for the purposes of considering parking and access arrangements in relation to this application only, Officers have based their assessment on the current residential and bed and breakfast use, as this allows for the assessment to be based on the maximum possible traffic movements and parking demand. This is in no way to be interpreted as a judgement or opinion on that matter in a wider context; that assessment is being taken forward independently by the Authority's monitoring and enforcement team
- 9.11. Use of the property as a four bed dwelling with four further bed and breakfast letting rooms requires seven parking spaces within the site. The camping pods would require a further four, totalling 11. As originally submitted the proposed parking layout did not provide this many spaces. A revised parking plan has since been submitted, which provides sufficient parking spaces by including additional spaces along the side of the driveway.
- 9.12. The submitted plan does not demonstrate turning circles or places within the site and it is anticipated that when all of the spaces are occupied it would be difficult for larger vehicles to turn within the site. However, the highway authority advise in their comments that the additional traffic generation from four single bedroomed camping pods is unlikely to result in a significant demand for two-way traffic and that even when traffic does meet head on, the occasional reversing out onto the end of a cul-de-sac does not pose any severe highway safety concern.
- 9.13. Whilst the site access is narrow at its entrance relative to the adjoining highway, the low levels of traffic that the development would generate means that this does not raise any

highway safety concerns, and it is not anticipated that there would be any discernible impact on the condition of the highway or driveway itself.

- 9.14. It is therefore concluded that the development would have an acceptable impact on highway safety and amenity.

Amenity impacts

- 9.15. The proposed development is limited to four, two person camping pods. They would be positioned in woodland over 40m away from the nearest neighbours and significantly elevated above them. As a result there would be no overlooking or disturbance to neighbours directly associated with the occupation of the pods. It is therefore not considered necessary to restrict the hours of operation of the business for this reason.
- 9.16. There is some visibility from a small patio area (currently not in use as undergoing repair) adjacent to the dwellinghouse towards neighbours to the east. Whilst the property is elevated significantly above these properties, it is at a distance of over 20m away. Further, it is not considered that the occupation of four camping pods in the adjacent woodland, each of which could accommodate a maximum of two people, would significantly increase the frequency of use – or change the type of use – of this area.
- 9.17. The application site area includes the whole of the property and the application description refers to a change of use of land to 'holiday recreational use'. Whilst it is not understood to be the applicant's intention, the effect of approving this would be that this entire area would become part of a campsite associated with the camping pods. This would include the partly-wooded slope that currently forms a buffer between the current curtilage and proposed camping pod location and the neighbouring dwellings to the east. Whilst use of this land in association with the pods is unlikely due to its steep slope and uneven surface, such use has the potential to overlook neighbouring gardens from a short distance away. It is therefore recommended that the change of use of land is restricted to the pods, the woodland at the top of the slope (a simple post and wire fence within the woodland could secure this), the access track through the woodland to them, and to the property's existing garden area. This could be secured by planning conditions if permission was to be granted.
- 9.18. There would also be some development adjacent to the existing driveway through the provision of additional parking spaces here. These would be at least 20m from the nearest neighbours to the east, at a higher elevation, and the intervening distance is broken by woodland planting. There would therefore be no significant loss of privacy to these dwellings arising from the provision of additional spaces.
- 9.19. The driveway does look down over the neighbouring property at the bottom of the drive of Gardeners Cottage, with some views in to its conservatory. This is an existing situation however and the driveway is already used informally for parking at times. Further parking on the top half of the driveway associated with the proposed development would be limited to comings and goings associated with the four pods, and would therefore be a low intensity use with a limited opportunity for, or likelihood of, additional overlooking. This would not result in any significant additional harm to the amenity of this neighbouring property.
- 9.20. Access to the site is through a residential cul-de-sac and closely passes a number of houses. However, the volume of traffic associated with the occupation of four camping pods would be very low and spread out, and would not harm the amenity of local residents. It is therefore not considered necessary to restrict the hours of operation of the business for this reason.

Tree impacts

- 9.21. The proposed pods would be outside of the area of tree planting that is protected by a tree preservation order, and so would not have adverse impacts on these.
- 9.22. It is within an area of mature woodland however, and so Officers requested that an assessment of impact on the trees be carried out. This has been provided and includes a methodology for the proposed works and making recommendations to ensure trees are adequately protected by the development. The Authority's Tree Officer has reviewed this report and considers that providing that the works are carried out in accordance with its recommendations the development would conserve the woodland.
- 9.23. It is therefore concluded that the development would conserve trees within the woodland.

Archaeology

- 9.24. The Derbyshire Historic Environment Record records an undated possible enclosure relating to this woodland, that has been identified from an aerial photograph. The precise location is unknown. Given that the area is wooded already the addition of the four pods will not have any significant impact on the interpretation or experience of this feature. Further, any excavation associated with the development would be very minor. It is therefore concluded that the development would not have any significant adverse impacts on the archaeology of the site.

Other matters

- 9.25. Whilst not specified on the submitted plans, the applicant has advised that foul drains from the pods would run along a pipe beneath the new access track and connect to the mains sewer at the rear of the house. The sewerage output from the four pods would be insignificant in terms of the capacity of the public drainage system. The means of drainage could be secured by condition if the application was to be approved. Such a condition would also need to agree means of construction, to ensure protection of trees and tree roots during works.
- 9.26. The installation of external lighting within the woodland does have the potential to harm its rural appearance if this was to be insensitively specified. It is therefore recommended that if permission is granted that this is reserved by condition.
- 9.27. The application does not indicate that any changes to refuse disposal are proposed. It is anticipated that the amount of additional waste generated by the four pods could be reasonably accommodated by the existing waste disposal provisions however.
- 9.28. Disabled access is addressed by policy LT22 in so far as it relates to developments that might attract large numbers of people. Whilst this is not such a development – being small in scale – it is acknowledged that the sites arrangement does not lend itself to easy access for those with mobility difficulties, including steep slopes and steps. This is not a situation created by the development however, it is a circumstance of the topography and existing development on the site. For this reason it is not considered that this represents a justification for refusing planning permission for the development.

10. Conclusion

- 10.1. The proposed camping pods would be sited in very well screened positions within the site where they would not be prominent from either local vantage points or in the wider landscape. The proposed development is therefore considered to be in accordance with relevant policies in the Development Plan, including RT3 and emerging policy DMR1.
- 10.2. The proposed development would not have any adverse impact upon trees, highway safety or the amenity of any nearby neighbouring property or road users.

- 10.3. Therefore, in the absence of any further material considerations it is considered that the proposed development is in accordance with the Development Plan. Accordingly the proposal is recommended for approval subject to the conditions outlined in this report.

11. Human Rights

- 11.1. None arising.

12. List of Background Papers (not previously published)

None

Report Author and Job Title

Mark Nuttall, Senior Planner