

7. BROSTERFIELD SITE, FOLOW – PROPOSED SUBMISSION OF REVISED PLANNING APPLICATION (P4484/CBM)

Purpose of the report

To seek Members' approval for the submission of a revised (third) planning application for the Brosterfield site following refusal of the last planning application in March 2017.

Key issues

- The site was purchased by the Authority in 2012 due to great concern of the possible impact of the development of a 20 unit static caravan park. The prospect of a static site was as the result of a planning permission error by the Authority. The purchase was approved by then Members in order to rectify the error and return the site to a touring caravan and camping site.
- In order to do this, as landowner, the Authority has applied on two previous occasions for planning permission to develop a touring caravan and camping site. On the first occasion, the application was withdrawn and on the second occasion the application was refused.
- Since the refusal of the last planning application in March 2017, a 'back to basics' appraisal of development opportunities for the site has been carried out by experienced Authority staff. At the end of this appraisal, only two acceptable alternatives remained – 'agricultural (and/or woodland) use or touring caravan and camping use.
- Development Management Service advice is that an application for a touring caravan and camping site submitted on the basis set out in this report would be within planning policy.
- The Authority's decision to acquire the site was based on a commitment of resources of between £200,000 and £500,000. It was agreed that such a 'net cost of intervention' would need to demonstrate that the action was a significant National Park issue and required this much greater call on resources to achieve National Park purposes, with the decision making and supporting valuation process important in countering value for money criticism.
- The estimated 'net cost of intervention' of the two remaining alternatives are as follows:

Touring caravan and camping use – £363,000
Agricultural / woodland use - £538,000-£558,000

It is therefore clear that returning the site from its existing planning status as a permanent residential caravan site to agricultural use will not meet the 'net cost of intervention' limits approved by the Authority.

- The recommendation below reflects the Authority's original intentions in 1998 and also the recommendation of the Resource Management Team (Minute No 14/18)

- The Authority has heard the concerns of the Foolow community about the proposal through consultation and at both Audit Resource and Performance and Planning Committees. It is acknowledged that the opinion of some of the community that the site should remain in 'green field' agricultural use will not change. It is also acknowledged that there are likely to be objections again to any planning application submitted by the Authority for the site.
- It is clearly not the purpose of the Audit Resources and Performance Committee to debate the planning issues involved in this case. Audit and resource issues need to be carefully considered in deciding on the recommendation.
- The future of this site has remained 'unresolved' for some time and needs bringing to a conclusion.

1. **Recommendations**

1. **To submit a full planning application for a revised proposal described in paragraph 4 below, together with an amenity block based on the floor space of the 2003 amenity block approval (which expired) with any required minor modifications/finessing undertaken as part of the planning process.**
2. **Following the outcome of the planning application, an analysis for future options for the site is then presented to Members at a meeting of the full Authority.**

How does this contribute to our policies and legal obligations?

2. The site was purchased in order to protect the intrinsic landscape value of the National Park due to great concern of the possible impact of the development of a 20-unit static caravan park. Whilst the permission would have allowed the siting of static caravans, planning legislation defines these very broadly and would allow the siting of "park homes" on the land. The potential development was considered detrimental to the quality of the landscape and therefore the Authority sought to protect the landscape and the local community from such inappropriate development.

3. **Background**

In accordance with Resolution 1 of item 12 of the Authority Meeting on 30th March 2012, the Authority purchased land which included the Brosterfield site to remove the possibility of park homes being developed on the site by Tingdene Ltd (Arunworth Ltd). The intention of the Authority was to remove the possibility of the development of the park homes and for the site to be used as a touring caravan and camping site as was the intention in 1998 planning permission, which was intended to permit touring caravans, but was subsequently interpreted by Planning Inspectors as allowing static caravans throughout the year.

At Audit Resources and Performance Committee on 25th January 2013 Members were presented with an options analysis paper for the development and disposal of the site. The paper presented 6 options for the development of the site and 2 for the disposal of the site. The committee resolved that officers should report back on the development of the options before a planning application was made.

At the May 2013 Audit Resources and Performance Committee it was resolved that Option 5 put to the meeting was pursued with any finessing required as part of the planning process.

Community consultation took place in November 2014 and a planning application was submitted in December 2014 comprising: 20 all year pitches to include 5 camping pods, 14 touring pitches and 1 warden's pitch plus 30 seasonal grass pitches for use from Easter to 31st October, an amenity block, new site access and services. As a significant amount of objections were received to that proposal it was decided that the application should be "paused" and subsequently withdrawn whilst further community consultation was undertaken.

Further consultation took place throughout 2015 between the Authority and a group of representatives from the Foolow community. A group comprising neighbours and a representative of Foolow Parish Meeting had meetings with Authority staff including the Chief Executive to listen to and discuss the proposal, the different elements of it and also their concerns with regard to value of the site.

The main objections highlighted by the community representatives were the impact on the landscape, impact on community, access, and "planning creep".

Following this public consultation and with further valuation advice from the District Valuer at the March 2016 Audit Resources and Performance Committee it was resolved that another planning application should be made reflecting these concerns. This planning application was submitted in October 2016 but was refused by the Authority's Planning Committee in March 2017.

Further appraisal of the site has been undertaken and a wide range of potential options for the site have been considered. The current recommendation is to reapply for a less intensive camping and caravan site.

4. **Proposal**

Approval is sought to submit a further revised proposal as follows:

- 20 year round caravan/tent pitches.
- An additional 10 caravans/tents Easter to end of October
- An additional 20 caravans/tents on Bank Holidays between Easter and October.

The maximum number of pitches at any one time on site would remain at 50. This would be at Bank Holidays. The Warden would occupy one of the permanent pitches.

The only new element to the proposal would be a new access which would keep the caravan and camping site independent of Brosterfield Farm (which was in the same ownership as the caravan site in 1998, but is now in separate ownership) and meet current highway safety standards.

5. **Financial:**

The potential value of the site if planning permission is granted is £50-75,000 lower than the site value based on the 2016 planning proposal. The 'cost of intervention' to the Authority would be around £363,000 which is still within the approved parameters. Please see the advice from the Authority's Chief Finance Officer view on decision-making parameters, value for money interpretation and audit implications. (Appendix 1)

6. **Risk Management:**

It is highly likely that the Foolow community and other interested parties will maintain their objections to the proposal.

7. **Sustainability:**

There are no issues

8. **Equality:**

The requirements of the Equality Act 2010 and in particular the public sector equality duty have been met in the consideration of the proposals for the site and the ongoing requirements to have regard to the duty.

9. **Background papers** (not previously published)

None

Appendices –

Appendix 1- Chief Finance Officer view on decision-making parameters, value for money interpretation and audit implications

Report Author, Job Title and Publication Date

Chris Manby, Corporate Property Officer, 30 August 2018