

**7. RETROSPECTIVE CONSENT FOR CHANGE OF USE OF AGRICULTURAL LAND, FOR UP TO 5 TOURING CARAVANS AND TENTS, USED BETWEEN MARCH AND OCTOBER, AND ERECTION OF AMENITY BLOCK AT CLOUGH HEAD THE BRUND SHEEN (NP/SM/1218/1188 LB)**

**APPLICANT: MR MARK CRITCHLOW**

**Summary**

1. The site is not an appropriate location for a touring caravan and camping site because it is an open field that does not benefit from good screening and it is located in close proximity to residential dwellings. The development would therefore be harmful to the landscape character and special qualities of the National Park and would be harmful to the residential amenity of neighbouring residents. The application has also failed to demonstrate that the development would not be harmful to ecology. The application is recommended for refusal.

**Site and Surroundings**

2. The application site is a parcel of land located at Clough Head, on the northern edge of Brund, in open countryside. Adjacent to the Brund Conservation Area and in close proximity to the River Manifold, the site amounts to approximately 1548 square meters and is largely a flat open parcel of land. Gritstone walls bound the east and west boundaries of the site, whilst the north and south is open field divided by a wall separating the space into two parcels. Adjacent to the southern side of the wall are electric points for touring caravans. Mature trees are located adjacent to the western boundary of the site and a single mature tree is located adjacent to the southern boundary.
3. In the south west corner of the application site an amenity block is located which resembles a dark green shipping container bounded in part by timber rail fencing and decking area. A bin storage area is located adjacent to the southern elevation.
4. Clough Head itself is a large detached dwelling of some traditional merit, constructed from gritstone under a blue slate roof. Access to the dwelling and the retrospective site is off the main road which runs through Brund. Parking space is available within a yard area. A modern agricultural building is located approximately 13 metres to the south of the dwelling, and within the curtilage of Clough Head, a yard area with turning circle. To the rear of Clough Head is 'New House', a detached listed building, located approximately 30 metres from the eastern boundary of the application site.
5. Approximately 40 metres from the southern boundary of the site is Sheldon House, a detached dwelling alongside a group of stone buildings of traditional and vernacular merit, which in part form the boundary of the field which is part of the application site.
6. The majority of the application falls within Landscape Character 'Upper Valley Pastures' lying in the South West Peak. This is described as a settled pastoral valley landscape, with scattered trees along hedgerows around settlements and following streams. Fields of permanent pasture are divided by hedgerows and occasional drystone walls, with dispersed gritstone farms constructed under stone or clay tile roofs.
7. The eastern corner of the application site falls within the 'Upland Pastures' which has characteristics of undulating slopes with gentle summits and incised cloughs, permanent pasture enclosed by gritstone walls and some thorn hedges with scattered trees along cloughs and farmsteads.

## **Proposal**

8. Retrospective permission is being sought to change the use of the land to a caravan and camping site for up to 5 touring caravans and for tent pitches for use between the months of March and October. A maximum number of tent pitches has not been specified. The application also seeks to regularise the existing amenity block and proposes areas of new landscape screening.

## **RECOMMENDATION:**

9. That the application be **REFUSED** for the following reasons:
  1. **By virtue of the setting and layout of the proposed touring caravan pitches in this exposed field setting and with the potential of unrestricted number of tents, the proposed development would appear unduly intrusive, having an unacceptable adverse visual impact on the character and appearance of the surrounding open landscape and the general tranquil amenity of the area, harming the valued characteristics of the National Park. This would be contrary to Core Strategy policies GSP1, GSP3, L1 and RT3, saved Local Plan policies LC4 and LR3 and to policies in the National Planning Policy Framework.**
  2. **Owing to the use, and unrestricted number of tents and close proximity of the camping site to nearby residential properties, the proposed development would materially harm the amenity of the occupiers of these dwellings. As such, it would conflict with the Core Strategy Policy GSP3 and Local Plan Policy LC4, which seek to safeguard residential amenity.**
  3. **Insufficient evidence has been provided to allow the Authority to properly determine the likely impact on protected species and ecological interests, contrary to Core Strategy policy L2 and Local Plan policy LC17.**

## **Key Issues**

- Principle of the Development,
- The landscape and visual impact of the retrospective proposal, the impact on the amenity of neighbouring properties and the impact upon ecology and the local highways system.

## **History**

10. Planning enquiry 32414: Enquiry to determine how to apply for planning permission for 5 seasonal touring caravans and a small container on site which is to be used in conjunction with the caravans. PDNPA Enforcement Officer advised register with a caravan club to obtain a licence or submit an application to gain planning permission.
11. Enforcement case 16/0087 created: Operating Caravan Park possibly in excess of 28 days in addition of a siting of a steel container / toilet block.
12. Enforcement enquiry 266667: Enforcement enquiry regarding the possible use of an area as a camping and caravan site in excess of 28 days at Clough Head, The Brund, Sheen. (Enquiry transferred to enforcement case 16/0087)

## **Consultations**

13. Sheen Parish Council: Support and made the following comment;
14. *'We fully support this application as it has been a viable site for numerous years, without any problems. The applicant has, over time, improved on this, and we feel the amenity block is not too big and noticeable. Perhaps the inclusion of 'tents' and the number of these could be questioned'*
15. Staffordshire Moorlands District Council: No response to date.
16. Staffordshire County Surveyor: No objections on highways grounds to this proposal.
17. PDNPA Ecology: Object to the application for the following reasons;
18. *'Ecology object to the application on grounds of lack of information. No ecological assessment has been provided with the application to determine the impact on species and habitats associated within the site and surrounding area. Leek moorlands SSI and SPA is situated 1.5km to the south-west. An Ecological appraisal should consider potential impacts on Annex 1, Schedule 1 species and those associated with the SSSI that may also use the surrounding habitat. The appraisal should include options to mitigate against disturbance of the development.*

*The area to the west of the site is important for breeding waders and the field to the north has potential to support curlew and lapwing, although it is noted that the habitat is less suitable here. We also hold records of foraging barn owls in this area. The area where the tree planting is proposed supports unimproved BSP quality acid grassland.*

*An ecological assessment needs to be completed considering the constraints mentioned above along with providing any appropriate mitigation measures. The application cannot be positively determined until this information is provided'.*

19. PDNPA Landscape: Object to the application for the following reasons;
20. *'Specifically this is an undulating site of improved pasture enclosed by a mixture of drystone walls and hedges. A public footpath passes through the site and there are other numerous public footpaths in the area which are well used, including the Manifold Trail which runs close by. Although there are numerous individual trees around the site, the site can be seen from a variety of roads and footpaths in particular the surrounding higher ground to the north east.*

*It is clear that the caravans and tents will stand out in the landscape and have a negative impact on the character of the landscape. Within the Landscape Strategy there is a section on Issues of Change which covers tourism and recreation within the South West Peak.*

*This area receives less visitor pressure than many other areas of the National Park, and is much valued by residents for its variety of landscapes and tranquillity. Most of the recreation in the South West Peak is concentrated into a few honey-pot sites, with much of the remaining area receiving relatively few visitors...*

*The proposal will have a negative visual and character impact on the surrounding area and I recommend refusal*

## **Representations**

21. A total of 11 representations have been received at the time of writing; 8 letters of objection and 3 letters providing general comment. It is noted that two of the letters of objection set out that the current limited scale of the campsite raises no disturbance but there are concerns in regard to the scale of the proposals. Other concerns raised through the objection letters are detailed below;
- Insufficient information in regard to the scale of the proposal, i.e. numbers of tents and caravans, cars, detailing of proposed screening
  - Impact of the proposal on the surrounding highways
  - Landscape and visual impact of the proposal
  - Not compliant with policy
  - Noise and light pollution
  - Impact on the quiet enjoyment of the Peak District for residents and other recreational users, loss of tranquillity
  - Is the amenity block sufficient for the number of tents as the number of tents is unknown?
  - Where is the septic tank located and where does it discharge?
  - Impact upon Conservation Area
  - Expansion of site for commercial operation
  - Open and uncontrolled number of caravans and tents on the site
  - Loss of privacy
  - Additional object associated with camping and caravan such as BBQ cumulatively result in visual impact within the landscape
  - Impact upon the nearby listed buildings
  - Concerns regarding impact upon the surrounding ecology
22. Letters of comment have also been received. These request that the Authority are consistent in the assessment of the application with a previous application for similar development in the locality.

## **National Policy**

23. 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: Which are; to conserve and enhance the natural beauty, wildlife and cultural heritage and 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.
24. The National Planning Policy Framework (NPPF) has been revised (Published 19 February 2019). This replaces the previous document (2012) 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. Section 16 of the revised NPPF sets out guidance for conserving the historic environment.
25. Paragraph 172 asserts that '*great weight should be given to conserving and enhancing landscape and scenic beauty in National Parks, which have the highest status of protection in relation to these issues*'.

26. Paragraph 193 states, ‘that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance’.
27. 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. These Development Plan Policies provide a clear starting point consistent with the National Park’s statutory purposes for the determination of this application. In this case, it is considered there are no significant conflicts between prevailing policies in the Development Plan and government guidance in the NPPF.

### **Main Development Plan Policies**

28. Core Strategy
29. GSP1, GSP2, 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.
30. GSP3 requires that particular attention is paid to the impact on the character and setting of buildings and that the design is in accord with the Authority’s Design Guide and development is appropriate to the character and appearance of the National Park.
31. DS1 supports extensions to existing buildings in principle, subject to satisfactory scale, design and external appearance.
32. Saved Local Plan
33. LC4 states that development will not normally be permitted where it would not respect, would adversely affect, or would lead to undesirable changes in the landscape or any other valued characteristic of the area. Further stating that an appropriate scale, siting, landscaping, use of materials and a high standard of design will be required if consent is to be granted.
34. LC5 states that applications for development in a Conservation Area, or for development that affects it’s 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.
35. LR3 sets out 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.
36. LR5 states that where the development of a touring or caravan site is acceptable, its use will be restricted to holiday accommodation.
37. LT11 says that the design and number of parking spaces associated with residential development, including any communal residential parking, must respect the valued characteristics of the area, particularly in Conservation Areas.
38. Policies LC17, LC18 and LC19, jointly seek to ensure that no harm is caused to protected species as a result of development being carried out, and that where appropriate safeguarding measures are exercised.

39. LT18 states that safe access is a pre-requisite for any development within the National Park.
40. Emerging Development Management Policies
41. The Authority's emerging Development Management Policies Document is not yet adopted but is now at a very advanced stage. As such, the policies can be given significant weight as a material planning consideration in the assessment of the application.
42. DMR1 sets out that 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 neighboring uses are acceptable, and it does not dominate its surroundings.
43. DMR2 sets out that where the development of a touring camping or touring caravan site is acceptable, its use will be restricted to holiday accommodation.

#### Relevant Guidance

44. The Authority's Landscape Strategy offers relevant guidance on the application of landscape conservation policies in the Development Plan. In this case, the site is within the Upper Valley Pastures and Upland Pastures of the south west peak landscape character area.

#### **Assessment**

##### Principle of Development

45. Paragraph 83 of the NPPF states that policy should enable sustainable rural tourism and leisure developments which respect the character of the countryside and the sustainable growth and expansion of all types of business in rural areas.
46. Within the Development Plan, DS1 allows for leisure and tourism development in open countryside outside of the National Park's named settlements. RT3 relates to Caravans & Camping, setting out an approach which favours small touring camping and caravan sites, where the scale, location, access, landscape setting, impact upon neighbouring uses are acceptable and it does not dominate its surroundings. This requirement is also reflected in policy DMR1 of the emerging Development Management Policies Document. The landscape and visual impact is a therefore a key consideration and is set out below.

##### Landscape and Visual Impact

47. The caravan and camping site is part of a large open parcel of land located to the west of the main dwelling at Clough Head. The boundary of the site to the east is identified by a gritstone boundary wall, which also marks part of the entrance to the site. The western boundary is also partially bounded by a gritstone wall and post and wire fencing adjacent to a parcel of woodland, which includes mature trees. The north and south boundary to the site has no demarcation as it comprises sections of two individual fields, which are adjacent to one another and divided by a gritstone wall, which runs through the site. Electric hook up points are located against this wall.
48. The caravan site / camping field is accessed off the main road through Brund, approximately 30 metres from the site. Adjacent to the southern part of the site a wide gravelled track runs over the field to the southwest corner of the site and amenity block.

The site is located within open landscape and is clearly visible from the highway through Brund.

49. The camping and caravanning field is clearly visible from the immediate approach road from the north leading into Brund, as the site is located on the brow of a hill but also at distance from wider views from highways and footpaths to the north. The site for the caravans and tent pitches within the field would occupy a very exposed and sensitive location immediately adjacent to the boundary of the Brund Conservation Area. As a result, it is considered the caravans alongside additional tents are unduly intrusive within the open countryside resulting in a significant harmful visual impact. The intensification and impact of the site would further be increased through the inevitable introduction of additional ancillary development, such as barbeque cooking areas and outside seating, which is associated with this type of holiday accommodation.
50. At present there is some existing mature tree planting which bounds the western side of the site. Mature trees are also located along the access and the single-track approach road from the north. The application proposes some additional screening to the east and west of field but along the boundary and away from the site. As the application does not propose any physical demarcation to the site along the northern boundary and the site will remain clearly visible within the immediate and wider setting in this quiet area of the National Park. This is not a well screened site and is very open to views. These views are made more prominent by the contrast against the white of the caravans against the traditional stone buildings located to the south of the site, clearly identifying the mobile structures within the landscape and its setting. The additional proposed screening would take a significant amount of time to provide any meaningful additional screening, and in their own right would not be appropriate as they would not reflect the distribution of trees typical in this landscape character area, which identifies it as a settled pastoral valley landscape, with scattered trees along hedgerows around settlements and following streams.
51. The caravan and camping site use would result in significant harm to the landscape character and visual amenity of this part of the National Park.
52. Amenity Block
53. An amenity block is located within the southwest corner of the site, which is of rectangular form with a flat roof, painted dark green, measuring 4.9 metres long, and x 3 metres wide, 2.5 metres in height. A door is located in the east elevation and two small linear windows are located within the south elevation. A small timber bordered area is located outside of the door, which provides access to either side of the wall with the electric hook up points.
54. Even though the amenity block is located within the southwest corner of the site, away from the nearby traditional buildings, and has a backdrop of mature trees, the building is not of traditional design, constructed from metal with an obtrusive flat roof. Therefore, due to its utilitarian stark appearance it sits uncomfortably within the setting detracting from its site and surroundings resulting in unnecessary visual impact.
55. Because of the adverse visual impact, the development is contrary to Local Plan Policy LC4 and LH4, policy RT3 of the Core Strategy and emerging policy DMR1.

#### Economic benefits and tourism

56. It is acknowledged that the development may result in a small boost to the rural economy in this part of the National Park and would provide a facility that may assist in promotion of enjoyment of the National Park. However, where there is a conflict between

conservation and public enjoyment, then conservation interest should take priority (the Sandford Principle) as set out in policy GSP1. In this case, it is considered there is a conflict between those purposes; therefore, the Authority should attach greater weight to the first purpose of conserving and enhancing the natural beauty, wildlife and cultural heritage of the area, over the enjoyment of the National Park. The small scale economic benefits also do not outweigh the harm to the valued characteristics.

#### Impact upon amenity

57. The closest neighbouring dwelling is New House, a grade II listed building approximately 40 meters away from the eastern edge of the site and roughly 60 metres from where the caravans are situated. Due to the small distance between the nearest neighbouring dwelling camping and caravanning would result in a rise in site activity and an increase in noise and disturbance, creating a harmful impact on the quiet enjoyment and amenity of the neighbouring property. Therefore, the proposal conflicts with policies GSP3, LC4 and LR3.

#### Impact upon ecology

58. An ecological appraisal has not been submitted with the application. The site is in location where there may be important ecological interest. The impact of the proposal on protected species and wildlife habitats in the vicinity of the development cannot be properly understood or assessed due to the lack of information that has been submitted. As noted earlier on in the report, the Authority's ecologist has raised concerns and objects to the application on the grounds of lack of information to determine the impact on species and habitats associated within the site and the surrounding area and therefore cannot fully assess any impact the proposal may have. Because of this, the application is contrary to LC17, LC18 and LC19.

#### Impact upon the Highway

59. Concern has been raised through representation in regard to the increased traffic the proposal may have upon the current highway through Brund and the potential increased amount of parking on the site. However, the Highway Authority does not object to the proposal. We cannot conclude that the development will result in harm to highway safety and the proposal meets the requirements of policies LT11 and LT18.

#### Conclusion

60. The proposed development would be sited within open countryside, adjacent to the Brund Conservation Area and in close proximity to listed buildings where it would be clearly visible within immediate and wider vantage points. In this location, it is considered the 5 touring caravans and additional tent pitches alongside the potential increase in activity would have a harmful impact upon the character and scenic beauty of the National Park. Therefore, the retrospective proposal is contrary to the Development Plan policies and the guidance contained within the National Planning Policy Framework and is recommended for refusal.

#### **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

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