

**8. FULL PLANNING APPLICATION - RETROSPECTIVE CONSENT FOR LAND ADJACENT TO THE PARISH HALL. TO BE USED AS A CAMPSITE ON A NUMBER OF DAYS EACH YEAR AT BRANDSIDE VILLAGE HALL, BRANDSIDE (NP/HPK/1025/0985) SC**

**APPLICANT: HARTINGTON UPPER QUARTER PARISH COUNCIL**

**Summary**

1. Full planning permission is being sought to change the use of the land to a seasonal camping site.
2. In this case, due to the harmful impact of the proposed use on the character and appearance of the surrounding landscape, neighbour amenity and potential highway safety, the application is recommended to members for refusal.

**Site and Surroundings**

3. The development site is situated within a parcel of land (0.10 Hectares) predominately enclosed by drystone walling and adjoining the Parish Village Hall (former School) and attached residential dwelling (former School House).
4. The site lies in a prominent hillside location approximately 1km south of the A53 Buxton-Leek Road. It is visible at distance from the A53 and surrounding public footpaths. Access to the site is via a non-classified road from the junction with the A53, which also serves a number of other properties in and around Brandside.
5. The landscape surrounding the application site is characterised as 'Densely enclosed gritstone upland' in the Authority's core policy document 'Landscape Strategy'.
6. The key characteristics in this remote landscape are occasional rocky summits, with a significant number of dispersed small gritstone farmsteads and cottages. The landscape is generally of rough permanent pasture enclosed by gritstone walls, with little tree cover. The landscape surrounding the application site reflects these characteristics.

**Proposal**

7. Full planning consent is being sought to change the use of the land to a seasonal camping site.
8. It is not anticipated that any works will be required to enable this proposed use to happen, as the necessary facilities are already in situ (including full sanitation facilities within the Parish Hall).

**RECOMMENDATION:**

**That the application be REFUSED for the following reasons:**

- 1 The development would appear visually intrusive, having an unacceptable adverse visual impact on the character and appearance of the surrounding open landscape and the tranquil amenity of the area, harming the valued characteristics of the National Park. Contrary to Core Strategy policies GSP1, GSP3, L1 and RT3, Development Plan Policies DMC3, DMR1 & DMR2 and the National Planning Policy Framework.**

- 2 The development would materially harm the living conditions of occupants of neighbouring residential property contrary to Core Strategy Policy GSP3 and Development Management Policy DMC3.**
- 3 Insufficient information has been submitted to properly assess the impact of the development on highway safety, contrary to policies GSP3, DMC3 and DMT3.**

### **Key Issues**

- The principle of the development.
- The landscape and visual impact of the proposal.
- The potential impact on the amenity of neighbouring properties.
- The potential impact on the local highway.

### **Planning History**

9. No relevant planning matters on file.

### **Consultations**

10. Local Highway Authority (HA) - Concerns regarding highway safety (see Highway section of report below).
11. Parish Council (PC) - Support.

### **Representations**

12. Five letters of support, nine letters of objection and one letter of general comments have been received. Summarised below: (Letters in full can be read on the website).

### **Support**

- It would benefit the council to have full camping licence than the hassle of having to notify PDNPA how days are used under the sixty-day rule.
- The site supports Duke of Edinburgh's Award Expeditions for young people to explore the area.
- This is a small site so by its nature is self-limiting to the number of those camping.
- Campers have always been respectful leaving the site clean.
- Leave No Trace (LNT) is taken very seriously.

### **Object**

- No safe and suitable access and parking.
- Increased noise disturbance, given the site's location in a naturally quiet area.
- No provisions in place for anyone with additional needs or disabilities.
- Amenity impact on adjoining residential property.
- Impact on the local wildlife populations.
- Camping activity is visually intrusive in the landscape.
- The site is next to a war memorial which makes this location especially sensitive.
- The site lacks the infrastructure and space expected for organised camping.
- The area isn't served by any local transport and so is completely unsustainable to travel
- The camping of larger groups and public attendance would add further pressure to the waste disposal generated by camping.

- A limited, if any, community benefit from the camping, there is certainly no net economic benefit to the local area in terms of increasing in spending or employment.

#### General comment

- Brandside is a small community and does not have the infrastructure for a busy, commercial camp site. Should planning permission be granted, the level and type of use should be at an appropriate level to minimise disruption to the lives of local residents and to safeguard our precious landscape.

#### Statutory Framework

13. 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
14. 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.
15. In the National Park, the development plan comprises the Authority's Core Strategy and the new Development Management Policies (DMP). These Development Plan Policies provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. This application must be determined in accordance with the development plan unless material considerations indicate otherwise.

**Relevant Core Strategy policies:** GSP1, GSP2, GSP3, DS1, L1, RT1, RT3

**Relevant Development Management policies:** DMC3, DMR1, DMR2, DMT3

#### National Planning Policy Framework (NPPF)

16. The National Planning Policy Framework (NPPF) is a material consideration. Development plan policies relevant to this application are up-to-date and in accordance with the NPPF and therefore should be given full weight in the determination of this application.
17. Para: 189 states, 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.

#### Assessment

##### Main principles

18. Policy DS1 states that recreation and tourism development is acceptable in principle in open countryside.
19. Policy RT3 states 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.

20. DMR1 states 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 neighbouring uses are acceptable, and it does not dominate its surroundings.
21. The proposal is for a seasonal camping site and is acceptable in principle. The key issues for consideration are whether the scale, location, access and impacts of the development are acceptable in accordance with policies RT3 and DMR1 in particular.

### **Impact on the tranquillity of the National Park Landscape**

22. Policy L1 requires that all development conserves and enhances valued landscape character and sites. Policy DMC3 states that where developments are acceptable in principle, Policy requires that design is to high standards and where possible enhances the natural beauty, quality and visual amenity of the landscape.
23. Brandside Parish Hall, the School House and associated land are clearly visible from distance in the surrounding countryside which is a quiet and undisturbed landscape. Therefore, tranquillity is inherently linked to the special qualities of the character of the surrounding open countryside,
24. The use of the site for camping would have a significant visual and aural impact in this context. Activity on the site including tents, and related equipment would give rise to a significant degree of harm to landscape character and tranquillity, conflicting with landscape and conservation objectives, contrary to policies GSP1, GSP3, L1 and DMC3.

### **Impact on residential amenity**

25. Policy DMC3 states amongst other things, that where development is acceptable in principle, particular attention will be paid to the amenity, privacy and security of the development and other properties that the development affects.
26. Policy DMC14 states, that development that risks pollution or disturbance including noise, will not be permitted unless adequate control measures are put into place to bring the pollution within acceptable limits.
27. The School House is a residential property attached to the Parish Hall. As such, the dwelling and garden area is directly adjacent to the proposed campsite.
28. According to the occupier of the School House, the use of the site has caused significant harm to their enjoyment of the property and private garden space. Notably through noise and light disturbance, and as a shared party wall between the Village Hall and the School House, excessive levels of noise through the use of the facilities within the Village Hall.
29. In this case, the use as a campsite has the clear potential to generate noise, disturbance, light pollution due to the close proximity and the likely increase in traffic movements around the site, are considered to have an adverse impact on the enjoyment of the neighbouring residential property.
30. Given the nature of the use it is difficult to envisage how these impacts could be satisfactorily mitigated. The application does not include evidence on noise levels or proposed mitigation. The development therefore would have an unacceptable impact on amenity contrary to policies GSP3, DMC14 and DMC3.

### **Impact on highway safety**

31. Policy DMT3 states that where transport related infrastructure is developed, this should be to the highest environmental design and materials, and where safe access for people is achievable. Policies GSP3 and DMC3 require development to be served by safe access.
32. The applicant has stated, that there is no vehicular access to the camping site, therefore the HA have agreed to negate the need for provision of details of access points, visibility splays, swept paths and accessibility for refuse vehicles.
33. It is noted that the applicant states "*the vehicular gates from the highway at either end of the site are not owned by the Council and its rights to use them are unclear*". However, it is understood from the owner of the neighbouring property to the campsite, that the driveway located at the northern end is a shared vehicular access to the campsite.
34. Whilst the HA have noted this, there is still outstanding information required to properly assess the proposal, these include confirmation if the above is to be used as a vehicular access to the campsite and how pedestrians access the campsite?
35. In addition, details of the internal layout of the site with the number of pitches have not been provided. In this case, the HA would require the applicant to provide a plan showing the numbers and location of pitches. This would aid in the understanding of the maximum number of people visiting the campsite.
36. The applicant confirms in their application that there is no parking provision at the site, therefore parking along the local highway is a concern.
37. The application states that parking is minimal, with trip generation on average of 4 vehicles arriving (and 4 departing) per week. However, comments from local residents notes much higher levels of parking along the public highway, which results in restricting access along the access road to both the neighbouring applicants property and/or access for agricultural traffic.
38. Therefore, further clarity is required with regard to parking demand. Following a site visit undertaken by the HA Officer, they noted there was limited parking availability adjacent to the grass verge, which excessive parking demand can potentially result in blocking up the access road. As such parking along the local highway reduces the access road width, prohibiting vehicular movements along the access road for both private and agricultural traffic.
39. Furthermore, the access road leading to the Brandside Campsite from the A53 is also considered a concern due to it steep gradients, acute alignment and narrow widths along with lack of passing bay places. In particular, access to the campsite would be a matter of concern during night time and icy road conditions. The applicant has also informed the HA, that the campsite would be vehicle dependant for access to local amenities.
40. In addition to the above, details of refuse collection procedures and servicing should also be formalised.
41. Subsequently, for the Highway Authority to undertake a comprehensive assessment, they have requested that the applicant address the above matters and provide responses with measures to mitigate these issues. This could include provision of

passing bays, signage and a parking/refuse management plan for when patrons visit the campsite.

42. With regard to the above, it is clear that the applicant has provided insufficient information for the HA to accurately assess the impact of the development on highway safety at this stage. Given the more fundamental issues raised, Officers have not sought this information at this stage.

### **Other matters**

#### **Permitted Development fall-back position**

43. It is acknowledged that the land can be used as a recreational campsite for up to 60 days (limited to 50 pitches & any moveable structure reasonably necessary for the purposes of the permitted use), without needing planning permission under the provisions of Schedule 2, Part 4 of the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended.
44. The fall-back position is a material consideration and does weigh in favour of the application. However, the application proposes a development not permitted by the General Permitted Development Order. If permission were to be granted and all other matters considered above resolved, it would appear reasonable to impose conditions removing permitted development rights, limiting the site area and number of tents and specifying a time use restriction. The reasons for the conditions would allow the Authority to take effective control of the land in the interests of amenity and to prevent undue disturbance to existing residential property.

### **Conclusion**

45. The proposed development would be sited within an open countryside setting, where it would be visible from nearby and surrounding vantage points. In this location, it is considered the campsite and associated activities would have a harmful and negative impact upon the character and scenic beauty of the National Park.
46. In addition, the use as a campsite with the potential for noise, disturbance, light pollution and the likely increase in traffic movements, would have an adverse impact on the enjoyment of the neighbouring residential property.
47. Moreover, the applicant has provided insufficient information for the HA to accurately assess the impact of the development on highway safety at this juncture.
48. Consequently, the proposed development would conflict with Development Plan Policies GSP1, GSP3, DS1, L1, RT3, DMC3, DMC14, DMR1 in these respects.

### **Human Rights**

49. Any human rights issues have been considered and addressed in the preparation of this report.
50. List of Background Papers (not previously published)
51. Nil
52. Report Author: Steve Coombes, South Area Planning Team.