

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

20 August 2020

Application No:	SMD/2019/0318	
Location	Land west of Sutherland Road, Longsdon	
Proposal	Use of land for recreational camping including the erection of eight camping pods and an amenity building	
Applicants	Ian Salt	
Agent	Sammons Architectural Ltd	
Parish/Ward	Cheddleton	Date registered 21/05/2019.
If you have a question about this report please contact: Mr C Johnston christopher.johnston@staffsmoorlands.gov.uk		

REFERRAL

The application is brought before Planning Committee at the request of Cllr Bowen and Cllr Heath. The reasons for the call-in by Cllr Heath are because they consider that the site is in a prime tourist location which is sustainable and that concerns over potential flooding can be resolved.

SUMMARY OF RECOMMENDATION

Refuse.

1. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

1.1 The site lies within the open countryside a short distance to the south of Longsdon village and is within the Green Belt. It comprises an open field on the west side of Sutherland Road/Park Lane, where the site access lies and is a triangular piece of land of 0.55 hectares, enclosed by a disused rail line running along the north boundary, the Caldron Canal running along the south boundary and a tributary of Endon Brook marking the west boundary. The canal is within a Conservation Area. The site is within Flood Zone 3, the zone with the highest risk of flooding. The surrounding land is mostly open although there are some dwellings a short distance to the east and south-east of the site. Within the site there are trees close to the west boundary next to the brook. There is woodland to the other side of the canal to the south.

1.2 Despite the address given as Longsdon on the forms, the site is wholly within the Parish of Cheddleton. The Parish boundary between Cheddleton and Longsdon lies a short distance to the north of the site and this is also the Ward boundary between Cheddleton and Horton.

2. DESCRIPTION OF THE PROPOSAL

2.1 This is a full planning application for the use of the field as a camp-site involving the erection/installation of eight "camping pods" along the southern edge of

the site and the erection of a timber clad amenities building with fibre-cement pitched roof close to the north-west corner. This would comprise toilets, sinks and showers. This would be connected to a “sealed packaged treatment plant having non return valve fitted to ensure rising flood water can't enter plant.” It would be below ground and the treated/controlled discharge would enter the brook along the northern edge of the site. A Heritage Statement, which assesses the impact on the canal Conservation Area was received on 30th January 2020. There would be two 4-bed pods with a T-shape footprint with max dimensions of approx 6 x 5 metres. The other six pods would be 2-bed pods with a rectangular footprint with dimensions of 3.2 x 4.7 metres. All pods would have a timber clad finish. A crushed stone access track would lead from the site entrance to the pods which would have their individual parking spaces. Walkways are also shown connecting some of the pods. The pods are raised off the ground due to the site being in a flood plain. Drainage outfall details and a Flood Risk Assessment were also submitted with the original application along with a Planning, Design and Access Statement.

2.2 Amended plans received in September 2019 show the first part of the access with a hard-surfaced and not crushed stone material and other improvements to the access which also includes the removal of vegetation immediately to the north of the access in order to improve driver visibility along the road for users of the access.

2.3 The application put forwards an alternative “camp-site” scheme to one refused permission on 26th October 2018 (SMD/2018/0549) which was for an amenity building for a proposed caravan site. In some circumstances, the change of use of land to a small caravan site (up to five caravans) does not require planning permission but associated facilities may require it and in this case, an amenity building did require the submission of a planning application and this was refused for the following reasons:

1. Green Belt policy contained in paras 145 and 146 of the National Planning Policy Framework (NPPF) lists the forms of development which are not inappropriate in the Green Belt. Although appropriate facilities for outdoor recreation, are listed as not being inappropriate, the proposed amenities building is not considered to be an appropriate facility as not only is the caravan site not established and there is no certainty that it will be established, the proposed building would contain facilities already present within caravans and is not considered essential for the operation of an outdoor leisure/recreational use. The proposal is therefore deemed to be inappropriate development in the Green Belt which is harmful to its openness and there are considered to be no very special circumstances which would provide benefits considered to outweigh the harm to the Green Belt or the operation of Green Belt policy. The proposal does not comply with Section 13 of the NPPF and in this respect is also contrary to Policy SS6c 'Other Rural Areas Area Strategy' of the Council's adopted Core Strategy Development Plan Document which requires strict control over inappropriate development in the Green Belt.

2. The proposed building is within Flood Zone 3, considered to have the highest risk of flooding. There are other parts of the site considered to have a lower risk of flooding but no justification has been given for why the building is not located in these areas. The application also does not include a Flood Risk Assessment. The proposed development therefore is considered to potentially be at the risk of flooding and does not comply with Policy SD4 'Pollution and Flood Risk' of the Core Strategy or Section 14 of the NPPF.

3. The application does not include details of foul drainage. As the proposed development requires foul drainage and is close to watercourses, it cannot be

established if foul drainage is possible in this particular location without harming the immediate environment including the watercourses and protecting it from pollution and therefore the proposal does not comply with Policy SD4 'Pollution and Flood Risk' or Section 15 of the NPPF which aims to protect the natural environment.

2.4 The new application, the details and documents attached to it, the plans, any comments made by residents and the responses of consultees can be found on the Council's website at:-

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=129560>

3. RELEVANT PLANNING HISTORY

SMD/2018/0549: Amenities building for proposed camp-site. Refused under delegated powers.

4. PLANNING POLICIES RELEVANT TO THE DECISION

4.1 Core Strategy Development Plan Document (Adopted 2014)

SS1 - Development Principles
SS1a - Presumption in Favour of Sustainable Development
SS6c Other Rural Areas
SS7 – Churnet Valley
SD4 – Pollution and flood risk
E3 – Tourism and Cultural Development
DC1 – Design Considerations
DC2 – The Historic Environment
DC3 – Landscape and Settlement Setting
R1 – Rural Diversification

Emerging Staffordshire Moorlands Local Plan

On July 20th 2020, the Council published the Inspector's final report thereby drawing a close to the examination in public. The report concludes that with the recommended main modifications, the plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework (NPPF). As such, the main modifications which accompany the Inspector's report provide a clear indication of the final policy wording when read in conjunction with the Local Plan Submission Version (2018).

In this context, the Council's position on the weight to be given to the policies (as modified) in terms of the three criteria set out in Paragraph 48 of the NPPF is considered below:

- The stage of preparation – the Local Plan is now at the most advanced stage of preparation prior to adoption as the Inspector has concluded that the Local Plan is sound subject to the recommended modifications being made.
- The extent to which there are unresolved objections to relevant policies – the Inspector has now drawn his final conclusions and there are no further matters to resolve
- The degree of consistency of the relevant policies in the emerging plan to this Framework – the policies (as modified) have been found by the Inspector to be sound in the context of the 2012 NPPF under which the Local Plan has been

examined. One of the “tests of soundness” that the Local Plan has successfully been measured against is whether it is “consistent with national policy”. Because the Local Plan has been prepared and examined under the 2012 NPPF, it should be noted that in some limited cases, its policies do not directly reflect current national policy. However, planning law requires that applications be determined in accordance with the development plan, unless material considerations indicate otherwise. Current national policy is a material consideration and should be given weight accordingly. Given the above, all policies (as modified) should be given substantial weight.

SS1 - Development Principles
SS1a - Presumption in Favour of Sustainable Development
SS10 Other Rural Areas
SS11 – Churnet Valley
SD4 – Pollution and water quality
SD5 - Flood risk
E4 – Tourism and Cultural Development
DC1 – Design Considerations
DC2 – The Historic Environment
DC3 – Landscape and Settlement Setting

National Planning Policy Framework

Including sections;

- 2: Achieving sustainable development
- 6: Building a strong, competitive economy
- 12: Achieving well-designed places
- 13: Protecting Green Belt land
- 14: Meeting the challenge of climate change, flooding and coastal Change
- 16: Protecting and enhancing the historic environment

5. CONSULTATIONS CARRIED OUT

5.1 A Site notice has been displayed at the site entrance on 21st June 2019.

Site Notice

Consultation period expired: 12/07/2019

Press Notice

N/A

Neighbour Notification

Consultation period expired: 26/05/2019

Public Comments:

5.2 Forty-six letters of objection have been received. The main concerns relate to impact on the road network (roads are too narrow and the access is in an unsafe position), harm to users of the canal towpath, the Green Belt impact, harm to the rural character and appearance of the area, flooding, harm to wildlife and drainage problems causing pollution.

5.3 Three letters of support have been received. The points raised include that the proposal would boost trade and employment opportunities locally by attracting more tourists and also offer an affordable local holiday option.

Cheddleton Parish Council:

5.3 Object on the grounds that this is a conservation area so disruption to wildlife. Also, it is in a flood plain and would create additional traffic on an already dangerous narrow road.

Longsdon Parish Council:

Object to this application on the following grounds: Inappropriate development in the Green Belt, dangerous access onto Sutherland Road creating extra traffic at dangerous A53 junctions or via the narrow Park Lane, amenity building sited on flood plain, no employment opportunities or benefits to the village.

Local Highways Authority (SCC):

5.4 An objection was initially raised on the following grounds:

The proposed access junction off Sutherland Road is substandard in that dropped kerbs are not provided at the access, with vehicles driving over damaged former full height kerbs over part of the access and with no kerbs over part of the access, the access is loose surfaced and visibility to the north is restricted by overgrown vegetation. However, on receipt of amended plans which showed the re-design of the access and the removal of vegetation, the objection was removed subject to conditions.

Environmental Health (SMDC):

5.5 An objection was initially raised due to the lack of information regarding storm water and sewage drainage/disposal and more information was needed about the proposed package treatment plant linked to the toilet/shower amenity building. However on receipt of further information received on 5/12/19, regarding how the plant would operate and be protected from flooding, the objection was removed subject to conditions.

Environment Agency

5.6 Objection. The site is in Flood Zone 3b with the highest risk of flooding and the camping pods are in the “vulnerable” development category.

Conservation Officer (SMDC)

5.7 *“There is no heritage statement and the D & A fails to mention the proximity of the Caldon Canal Conservation Area. Consequently, there is no assessment of the contribution that the setting makes to the character and appearance of the Conservation Area (required by the NPPF). The proposed pods would be located in a very open position along the edge of the canal towpath and would be particularly obtrusive in this open landscape setting. The siting of the permanent pods, decking, associated tracks and parking would be harmful to landscape character & rural setting of the Conservation Area (latter still to be assessed).”*

5.8 On receipt of the Heritage Statement, the Conservation Officer assessed that the proposal would harm the character and appearance of the Cauldon Canal Conservation Area but considered the harm to be “less than substantial.”

Trees and Landscape Officer (SMDC)

5.9 No objection, as proposal not considered substantially harmful to landscape, but subject to more substantive new landscaping than indicated on application plans.

Waste Services (SMDC):

5.10 No waste issues.

6. OFFICER COMMENT AND PLANNING BALANCE

Policy Context

6.1 The Local Planning Authority is required to determine planning applications in accordance with the development plan, unless there are material circumstances which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations.

6.2 Paragraph 11 of the National Planning Policy Framework (February 2019) states that plans and decisions should apply a presumption in favour of sustainable development. For decision-takers this means: “(c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies, which are most important for determining the application are out-of-date, granting planning permission unless: (i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or (ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole”. NPPF para 8 identifies the three dimensions to sustainable development as economic, social and environmental. The National Planning Policy Framework is a material consideration in planning decisions.

6.3 Policy SS1 of The Staffordshire Moorlands Core Strategy identifies that development should contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands. Core Strategy policy SS1a establishes a ‘Presumption in Favour of Development’ in line with National Planning Policy.

Main Issues

6.4 The main planning considerations with the proposal include the principle of the development i.e. Whether or not the proposal amounts to inappropriate development in the Green Belt, the impact on the character and appearance of the adjacent Conservation Area and the rural area in general, the impact on residential amenity, the impact on highway safety, drainage and flood risk.

Principle of Development in the Green Belt Locality

6.5 Policy SS6c, the local strategy for the countryside, requires strict control over inappropriate development in the Green Belt. There is a presumption against

development in the Green Belt in order to protect its openness and the government planning guidance in the NPPF only allows development here under limited criteria outlined in paras 145 and 146 which lists forms of development which are not deemed to be “inappropriate” in the Green Belt. The change of use of land is listed as not being inappropriate, along with engineering operations, provided that they preserve openness and do not conflict with the purposes of including land within it. ‘Openness’ is generally regarded as ‘freedom from development’. The change of use of land to a tented campsite can be appropriate within the Green Belt, due to the limited and transient nature of tents. However, in this case, due to the permanence of the accommodation pods, their bulk and massing, the provision of the amenity block, the formation of the access road and parking areas, the proposal would adversely affect openness. It is not clear from the submitted information whether the proposed pods would fall within the definition of a caravan. If they are preassembled and capable of transportation by road then it is likely that they would. Notwithstanding this, although the pods may fall within the definition of a “caravan”, due to the impact on openness described above the change of use to a campsite would not be appropriate development.

6.6 Alternatively, if the pods are considered to fall under the definition of buildings, the NPPF makes clear that the erection of buildings within the Green Belt is inappropriate and should not be permitted unless they fall within one of a number of exceptions. Paras 145 and 146 include buildings for outdoor sport, and outdoor recreation; as long as the facilities preserve the openness of the Green Belt. In this case the pods are not considered to comprise “outdoor sport” or “outdoor recreation”, rather they are considered to be holiday lets / tourist accommodation. The previous application, in 2018, proposed a caravan site with amenity block rather than camping pods with amenity block. However, it was not considered the proposed amenity building amounted to an “appropriate facility” as the facilities within the building i.e. showers, sinks and toilets, would have already been present in caravans. Whilst it is noted that the accommodation pods now proposed do not include bathrooms, it is considered that the amenity block is not an “appropriate facility for outdoor sport and recreation” as the pods themselves, with which they are associated also do not fall within this definition. Furthermore the amenity building and the pods themselves also remain inappropriate development as the facilities would fail to preserve the openness of the Green Belt.

6.7 Overall, whether the current scheme is deemed to be a change of use or erection of buildings and whether those buildings are considered to be a tourist accommodation use or outdoor recreational use, the scheme put forward would be harmful to the openness of the Green Belt and therefore inappropriate development and should not be allowed unless very special circumstances are demonstrated that are considered to outweigh the harm to the Green Belt.

6.8 The proposal may provide some limited local economic benefits. Although the application form does not state that any staff would be employed, tourist accommodation uses can contribute to local businesses such as pubs, restaurants or shops/supermarkets. The provision of eight “camping pods” may help to boost trade to pubs (which do exist within walking distance of the site), particularly which serve food (the pods are not self-catering) but there are no shops locally other than those in Leek, such as supermarkets (which are not within a “reasonable” walking distance of the site and there are a number of hills in between the two which may discourage cycling). Furthermore, it could be said that any tourism development would provide these types of economic benefits and had Government intended that they should be an exemption to Green Belt policy, they would have included them within the exceptions in the NPPF. The scheme loosely complies with Policy E3 ‘Tourism and

Cultural Development', in this respect, in that facilities are public transport provision and a footpath to Leek are provided within walking distance of the site in the middle of Longsdon village. However, on balance, it is considered that any benefits to the local economy as a result of the scheme do not constitute "very special circumstances" and would not outweigh the harm to the Green Belt. In any case, despite the location, those economic benefits are undermined by further environmental harms caused by the likely amount of car travel generated by the guests to reach local supermarkets and eating places, despite the close proximity to the centre of Longsdon village.

6.9 As well as failing to comply with the NPPF, the proposal also conflicts with SMDC Core Strategy policy. Policy E3 - Tourism and Cultural Development of the Core Strategy, states that "*within the Green Belt, new accommodation, attractions and facilities should:*

- *be of a scale and design which can be easily assimilated into the local area in a sustainable manner;*
- *normally be limited to the conversion of existing buildings; or*
- *exceptionally, may be new build where it is required to support or complement existing accommodation, facilities or attractions and there is an identified need which cannot be met in other ways. Preference will be given to buildings which are non-permanent in nature.*

..... Small camping sites may be appropriate in the Green Belt provided they do not prejudice the 'openness', there is appropriate screening and any necessary facilities can be accommodated within existing buildings.....All development shall be of an appropriate quality, scale and character compatible with the local area, protect the residential amenity of the area, enhance the heritage, landscape and biodiversity of the area and shall not harm interests of acknowledged importance.

- *be of a scale and design which can be easily assimilated into the local area in a sustainable manner;*
- *normally be limited to the conversion of existing buildings; or*
- *exceptionally, may be new build where it is required to support or complement existing accommodation, facilities or attractions and there is an identified need which cannot be met in other ways. Preference will be given to buildings which are non-permanent in nature.*

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6.10 In this case, for the reasons set out above it is not considered that the proposal will be of a scale and design which can be easily assimilated into the local Area. It will not involve the of existing buildings; and as new build it will not support or complement existing accommodation, facilities or attractions and it has not been demonstrated that there is an identified need which cannot be met in other ways. It is considered that the buildings will be permanent in nature. As a camping site, as noted above it will prejudice 'openness', and the necessary facilities cannot be accommodated within existing buildings. Finally, for reasons, which are explored in more detail below, the proposal will not be compatible with the local area, particularly in respect of enhancing and not harming the heritage of the area.

The impact on the character and appearance of the area including Conservation Area

6.11 The site is next to the Caldon Canal Conservation Area and the eight pods would be placed alongside the canal. The comments of the Council Conservation Officer have been sought in response to the applicant's Heritage Statement and those comments will be reported at the meeting. However, the initial feedback suggest there is clear potential for the development to harm the character and appearance of the Conservation Area and not protect and enhance it, as required under Policy DC2 of the Core Strategy and Section 16 of the NPPF.

6.12 With regard to the impact on the general rural character and appearance of the area, although the site has an open nature being a rural field with no development, there are some buildings nearby on Sutherland Road and the site is not completely isolated from development and man-made features such as the canal, bridges and a railway line. Due to the level of tree screening along the edges of the site, the location of the site in a valley with upward slopes to the north and south and also the small low-key nature of the timber pods and building to be provided, there would not be significant overall harm to the rural landscape.

6.13 However, it is considered that the visual impact of the proposed pods would cause some harm to the character and appearance of the Conservation Area. The boundary is tightly drawn around the canal and towpaths and the application site and proposed development would not be inside it although the southern site boundary does abut the Conservation Area. The Conservation Officer made the following comments:

6.14 There is currently no screening alongside the canal so the raised pods, decking, parking and amenity building will all be clearly visible from the canal towpath, and when looking from Sutherland Road across the site to the canal. The pods, decking, walkways and parking will also impact in views out from the canal Conservation Area disrupting the open, undulating and extended rural vista. The site plan shows a hedge along the canal-side but there is no real opportunity to incorporate any substantial screening to filter views of the development. Whilst I accept that a setting to a Canal Conservation Area changes along its length, the significance of this setting is the open, rural landscape in which this part of the canal crosses. The linear row of pods, associated infrastructure and parking immediately alongside the canal towpath will be an unexpected and incongruous addition, the impact heightened further by the raised pods and decking, and interlinking walkways.

6.15 The proposal is considered to result in "less than substantial harm" to the Conservation Area. The NPPF states the following about such developments:

6.16 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 (para 193).

6.17 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use (para 196).

6.18 In considering the above guidance, the issue regarding viability is irrelevant in this case as the Heritage Asset is a canal rather than, for example, a listed building, which is under threat. In terms of public benefits, these would appear to be limited as the proposal would provide tourist accommodation and which does not make a significant contribution to the local community. It is therefore considered the harm to the Conservation Area is not outweighed by any public benefits. Although “less than substantial”, the proposal still would result in some form of harm to the Conservation Area and which is not outweighed by any benefits of the scheme. Therefore the application should be refused for this reason.

The impact on residential amenity

6.19 Due to the distance between the nearest dwellings to the site and the positions of the eight pods, the proposal would not lead to harm to residential amenity. There is no objection from the Environmental Health Section regarding noise creation affecting the nearest dwellings providing a condition is added that no amplified voice or music is allowed on the campsite.

Impact Highway Safety

6.20 Concerns were initially raised due to there being a kerb across the entrance site but improvements have been since proposed to the access including surfacing and also removal of scrubby vegetation to the north of the entrance to improve visibility for drivers leaving the site onto Sutherland Road. The access point itself is not deemed to be unsafe by the Local Highways Authority as although there is a bend in the road a short distance to the south of the access, the bend and the presence of two bridges immediately to the north and south and also the narrow nature of the road, helps to restrict vehicle speeds and the level of visibility at the access is generally good with the safeguard of the vegetation removal. The design of the improvements and surfacing at the access point, together with the acceptable parking and turning provision, to the required standards, would ensure that highway safety would not be significantly compromised as a result of the scheme.

Drainage and pollution risks

6.21 Concerns were raised by Environmental Health about the ability of the proposed package sewage treatment plant (for the amenity block) to withstand water caused by flooding occurrences, as the site is in a flood plain. However, on the basis of further details received on 5th December from a Building Control Engineer used by the applicant, Environmental Health removed its objection. The engineer commented as follows:

“I can confirm that providing the Tank is installed in accordance with the manufacturers instructions in addition to providing one way valves to foul drainage system to prevent any leakage occurring from the tank, in principle subject to the submission of a Building Regulation application, with subsequent site visits undertaken, a completion certificate will be issued for the installation of the Tank subject to satisfactory inspections being undertaken. Furthermore, in practice, if the site was to be flooded, with correct management the system would not be used as probably the flooded ground would make the site unusable for guests. In addition I can advise that the installation of a treatment tank would be necessary, in order to comply with the Building Regulations.”

6.22 As the package treatment plant involves planned discharge into the brook, the Environment Agency was consulted but raised no objection to this but continued to uphold the objections based on the overall flood risk to the development, detailed in the next paragraph.

Flood Risk

6.23 The site is in Flood Zone 3b which is classed as having a high risk of flooding. The applicant submitted a Flood Risk Assessment with the application and measures such as the raising of the pods and walkways above the ground are proposed, as the accommodation pods are deemed by the Environment Agency (EA) as being in a highly vulnerable category, not least because people will be using and staying overnight in them. On the basis of the Flood Risk Assessment, the EA upheld its objection to the proposal, commenting that the FRA related to a proposed caravan park (this was the previous proposal) and not camping pods and that those pods were located in a more vulnerable part of the site. There are less vulnerable parts of the site (in Flood Zone 3a rather than 3b) where the pods could be located and this could potentially remove the objection and a revised FRA on this basis would be needed in order to remove the EA objection. However, there were found to be several other shortcomings with the FRA submitted, such as no details of how people will be kept safe from the identified flood hazards and that details were of flood storage compensation, raised finished floor levels, resistance and resilience measures and safe access and egress routes were deemed to be inadequate.

6.24 A revised FRA has not been produced by the applicant and therefore the objection from EA is upheld. The application has not sufficiently demonstrated that the development would be adequately protected from flooding, in breach of Policy SD4 of the Core Strategy and Section 14 of the NPPF and therefore this amounts to one of the reasons for refusal of the application.

Conclusion and Planning Balance

6.25 The proposal amounts to inappropriate development in the Green Belt which is therefore harmful to its openness and there are no very special circumstances demonstrated for the proposal as required in order to outweigh the harm to the Green Belt. The proposal would provide some local economic benefits such as trade to local eating places and shops but this would not outweigh the harm to the Green Belt or other harms that have been identified, such as the site not being in a particularly sustainable location (despite being within walking distance of a couple of pubs and a bus route), the harm to the Conservation Area and the risks to development and its users from flood occurrences. Policy SS6c of the Core Strategy requires strict control over inappropriate development in the Green Belt. Also, the government planning guidance in the NPPF also states in para.11 that where the Local Development Plan is out of date (in this case the Core Strategy), permission should be granted unless “the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development.” Such assets and areas of particular importance include the Green Belt and heritage assets and the proposal is deemed to be harmful to its openness in direct conflict of Section 13 ‘Protecting Green Belt Land’ and harmful to the setting of the Conservation Area which is a designated heritage asset. Whilst there are some modest economic benefits of the scheme, these are not considered to be sufficient to constitute very special circumstances or public benefits to outweigh that harm.

6.26 There is also conflict with Policy E3 - Tourism and Cultural Development of the Core Strategy, as it is not considered that the proposal will be of a scale and design which can be easily assimilated into the local Area. It will not involve the of existing buildings; and as new build it will not support or complement existing accommodation, facilities or attractions and it has not been demonstrated that there is an identified need which cannot be met in other ways. It is considered that the buildings will be permanent in nature and it will prejudice 'openness', and the necessary facilities cannot be accommodated within existing buildings. Finally, for reasons, the proposal will not be compatible with the local area, particularly in respect of enhancing and not harming the heritage of the area.

6.27 The Environment Agency has objected to the application on the grounds that the FRA relates to the previous proposal, the pods are located within the part of the site which is most vulnerable to flooding and no details have been provided of how people will be kept safe from the identified flood hazards and that details were of flood storage compensation, raised finished floor levels, resistance and resilience measures and safe access and egress routes were deemed to be inadequate. The application has not sufficiently demonstrated that the development would be adequately protected from flooding, in breach of Policy SD4 of the Core Strategy and Section 14 of the NPPF and therefore this amounts to one of the reasons for refusal of the application.

6.28 The proposal does not comply with the Core Strategy, the forthcoming Local Plan or the government planning guidance contained within the NPPF. For the above reasons, the application is recommended for refusal on harm to Green Belt, harm to Conservation Area and on flood risk grounds.

7 OFFICER RECOMMENDATION

A. Planning Permission is refused for the following reasons:-

1. Green Belt policy contained in paras 145 and 146 of the National Planning Policy Framework (NPPF) lists the forms of development which are not inappropriate in the Green Belt. The proposed change of use and engineering operations would adversely affect the openness of the Green Belt. The associated buildings are not considered to be "appropriate" facilities for outdoor sport and recreation. The proposal is therefore deemed to be inappropriate development in the Green Belt which is harmful to its openness and there are considered to be no very special circumstances which would provide benefits considered to outweigh the harm to the Green Belt or the operation of Green Belt policy. The proposal does not comply with Section 13 of the NPPF and in this respect is also contrary to Policy E3 'Tourism and Cultural Development' Policy SS6c 'Other Rural Areas Area Strategy' of the Council's adopted Core Strategy Development Plan Document which requires strict control over inappropriate development in the Green Belt.

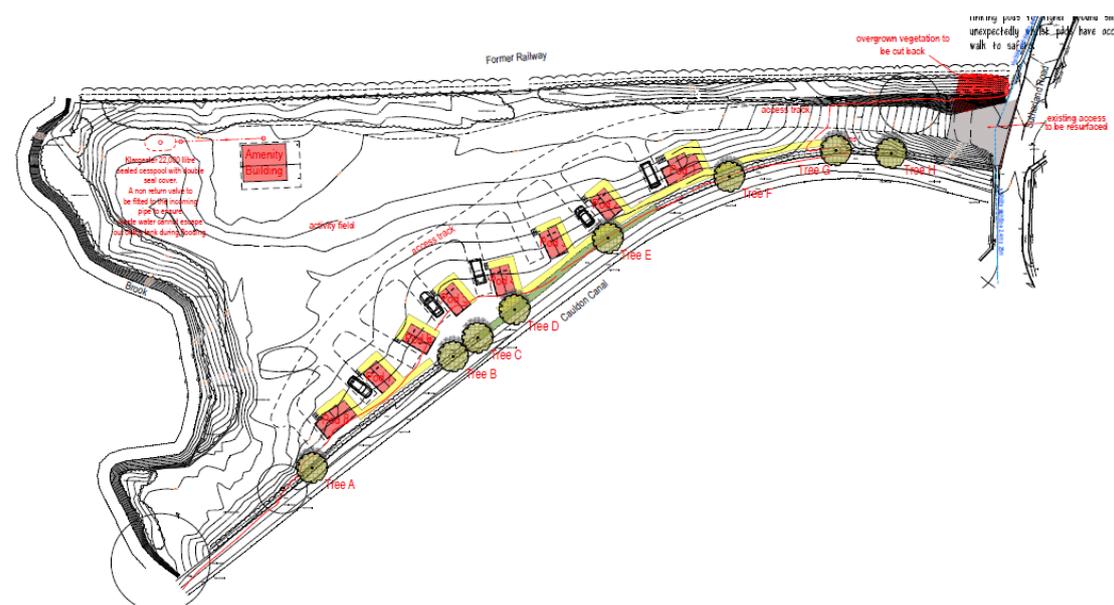
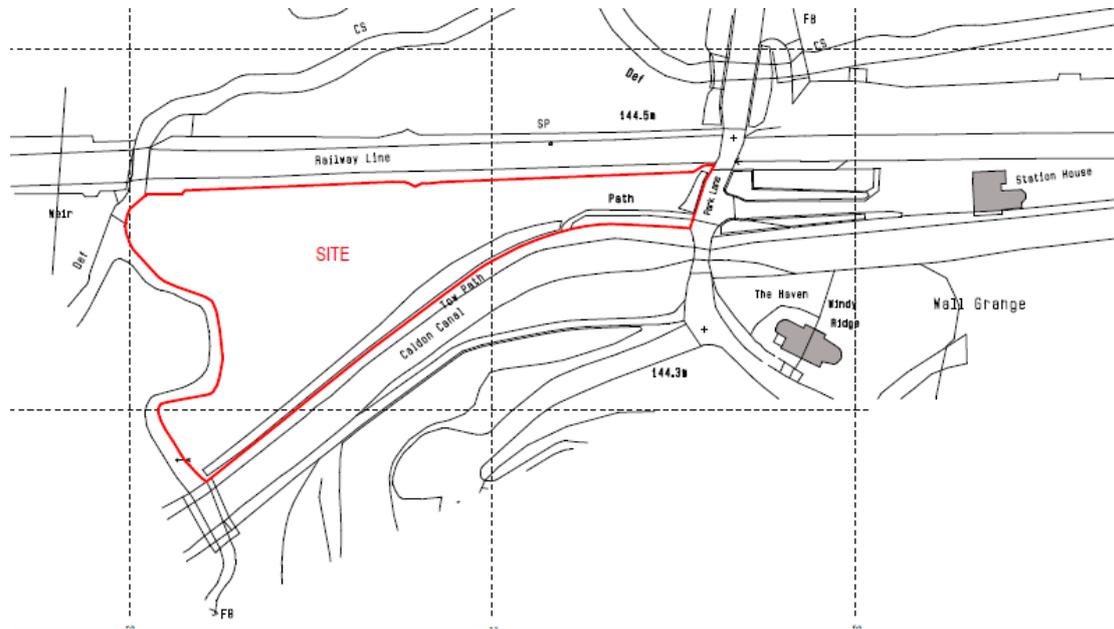
2. The proposed camping pods would be adjacent to the Cauldon Canal Conservation Area, a designated heritage asset and of significant historic importance. The pods would be highly visible from the Conservation Area and would also be considered to affect views of the Conservation Area. The harm caused to the significance of a designated heritage asset is considered to be "less than substantial". However, the NPPF states in Section 16 that this level of harm should be weighed against the public benefits of the proposal. It is not considered that the proposal would provide public benefits that are significant enough to outweigh the harm to the Conservation Area. The harm to the

Conservation Area, although less than substantial, is still significant and would be contrary to policy DC2 of the Core Strategy 'The Historic Environment' which seeks to protect and enhance heritage assets and also NPPF Section 16 'Protecting and Enhancing the Historic Environment'.

3. The proposed development is within Flood Zone 3b, considered to have the highest risk of flooding. There are other parts of the site considered to have a lower risk of flooding but no justification has been given for why the buildings cannot be located in these areas. The application also does not include a sufficient and up to date Flood Risk Assessment which relates to the particular proposal. The proposed development therefore is considered to potentially be at risk of flooding and therefore does not comply with Policy SD4 'Pollution and Flood Risk' of the Core Strategy or Section 14 of the NPPF.

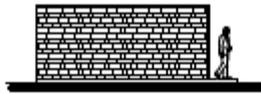
B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

Proposed Plans





Front Elevation



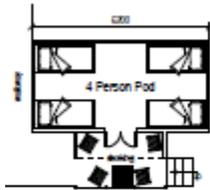
Rear Elevation



Side Elevation



Side Elevation



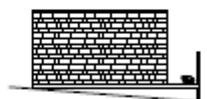
Plan
4 Person Camping Pod
(posts 1&8)



Front Elevation



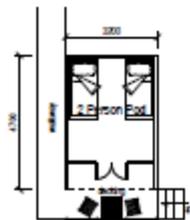
Rear Elevation



Side Elevation



Side Elevation



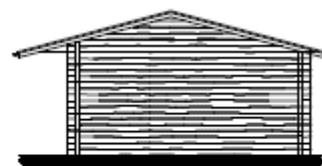
Rear Elevation



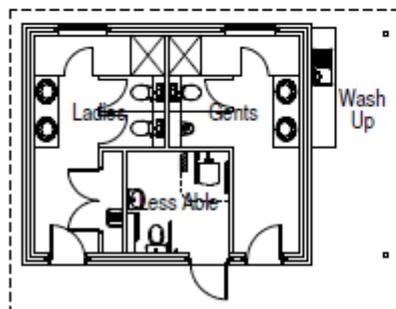
Side Elevation



Front Elevation



Side Elevation



Floor Plan