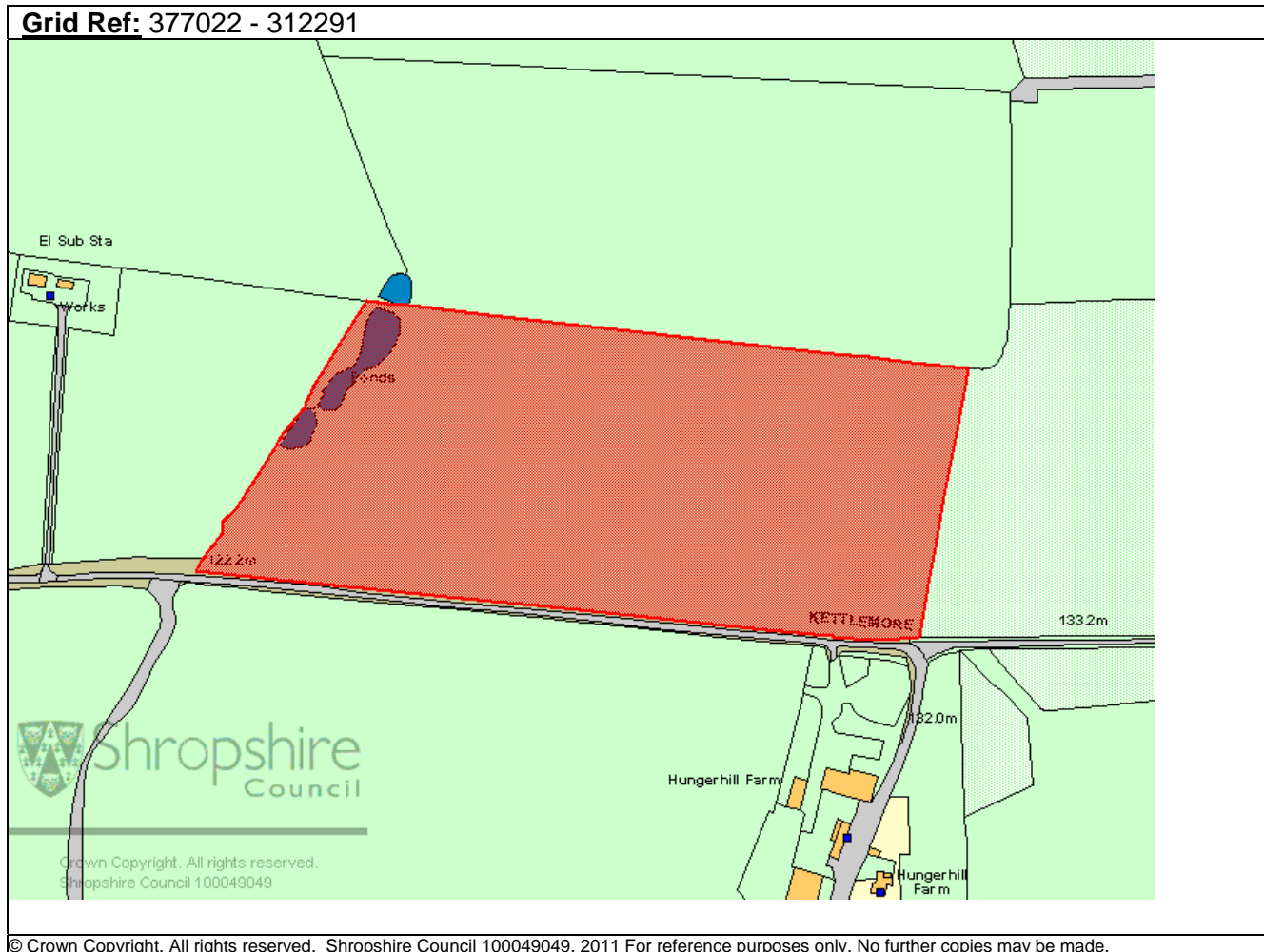
	Committee and date South Planning Committee 11 September 2012	Item/Paper <h1 style="font-size: 48px; margin: 0;">7</h1>
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### Development Management Report

Responsible Officer: Stuart Thomas  
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#### Summary of Application

<b>Application Number:</b> 12/01825/FUL	<b>Parish:</b>	Sheriffhales
<b>Proposal:</b> Use of land for stationing of caravans as a holiday camping and caravan site with associated ancillary facilities for 15 pitches		
<b>Site Address:</b> Hunger Hill Farm Sheriffhales Shifnal Shropshire TF11 8SA		
<b>Applicant:</b> Mr Ted Johnson		
<b>Case Officer:</b> Lynn Parker	<b>email:</b> <a href="mailto:planningdmc@shropshire.gov.uk">planningdmc@shropshire.gov.uk</a>	



**Recommendation:- Grant Permission subject to the conditions sets out in Appendix 1.**

Recommended Reason for Approval

1. The development will further diversify an existing rural farm business and potentially promote the retention of local services whilst enhancing the tourism offer within Shropshire on a well contained, appropriate site without adversely impacting on the surrounding environment.
2. In determining the application the Local Planning Authority gave consideration to the following policies:

Central Government Guidance:  
National Planning Policy Framework

West Midlands Regional Spatial Strategy Policies:  
RR1 – Rural Renaissance  
PA10 – Tourism And Culture  
PA15 – Agriculture and Farm Diversification  
QE6 – The Conservation, Enhancement and Restoration of the Region’s Landscape

LDF Core Strategy Policies:  
CS5 – Countryside And Greenbelt  
CS6 – Sustainable Design And Development Principles  
CS16 – Tourism, Culture And Leisure  
CS17 – Environmental Networks

## REPORT

### 1.0 THE PROPOSAL

1.1 This application is for the use of land at Hunger Hill Farm, Sheriffhales as a holiday camping and caravanning site with associated facilities for 15 pitches of 400m<sup>2</sup> each comprising 10 no. serviced caravan pitches including 3 camping pods (details and specifications for which are presented in Appendix A of the submitted Planning Statement), and 5 no. tent pitches. Ancillary facilities include the following:

- o Toilet Block – A light grey coated steel cladding unit with a flat roof and UPVC windows measuring 8.6m in length x 3.0m wide. The unit contains 3 no. female toilets with 1 no. shower room and 2 no. male toilets, 2 no. urinals and 1 no. shower room. The separate male/female doors are PPC coated brown steel with adjacent bulkhead wall lights.
- o Washing Up Stand – Constructed in timber post and cladding with bituminous roofing felt around a work surface containing a stainless steel sink with drainer. The floor is indicated to be of stone chippings.
- o Chemical Toilet Disposal – WC pan connected to the septic tank and screened behind timber fence panels. Stone chippings floor.
- o Refuse Store – 3 no. ‘Eurobin’ style wheelie bins on a 5m long concrete pad

screened by 1.8m high timber fencing. Wooden access gates for emptying the bins. Stone chipping surface to the front of the area.

These structures are positioned to either side of the main access gate at the south east corner of the site. No alterations are proposed to vehicular access, roads or rights of way. Foul sewage is indicated to be disposed of via septic tank and surface water to soakaway. Additional native hedgerow and tree planting is indicated on the plans to supplement the existing at the site.

- 1.2 A Flood Risk Assessment has been included with the submitted Design and Access Statement which concludes that the Environment Agency indicative flood map indicates that the site lies with Flood Zone 1 i.e. there is a less than 1 in 1000 annual risk of flooding from fluvial sources. The location of the site is consistent with guidance in National Policy which identifies this type of development as being highly vulnerable to flooding and recommends that it should be normally located in Flood Zone 1.
- 1.3 The site is currently certified under Paragraph 5 of the First Schedule of the Caravan Sites and Control of Development Act 1960 (Cert No. 127/159) for use as a camping and caravanning site for recreational purposes for members of the Camping and Caravanning Club. As the current Camping and Caravanning Club certificate restricts the use of the site to members, this proposal seeks to regularise the existing layout, provide additional, ancillary facilities and allow none club members use of the site as part of the further diversification of the enterprise at Hunger Hill Farm in addition to the existing, established farm shop. The Planning Statement submitted with the application provides a list of distances from the application site to visitor attractions (Appendix B) and the locations of other holiday and caravan sites within the area (Appendix C), the closest of these being at Brewood to the east and Newport to the north west.
- 1.4 During the course of the application and in relation to concerns raised by consultees, additional information and revised plans have been received, as follows:
- o An amended Location Plan which reduces the area enclosed within the red line to include only the proposed pitches and ancillary facilities.
  - o An amended Site Plan that shows the position of a new additional passing place to be created on Kettlemore Lane and which has the approval of Shropshire Council Highways and the provision of a 0.5m high post and rail fence to separate the area containing pitches from the remainder of the field.
  - o Confirmation that the applicant is willing to accept a planning condition limiting the number of camping pods to a maximum of 3, and that they will be positioned on pitches 8, 9 and 10.

## **2.0 SITE LOCATION/DESCRIPTION**

- 2.1 The site falls within open countryside approximately 0.5 km to the east of the settlement of Sheriffhales and is accessed via a minor road from the B4379. The site slopes downwards from east to west with the road running straight and adjacent to the southern boundary which is defined by mature native hedging. The farm and farm shop are directly across the road from the field access which forms

the entrance to the site and is positioned close to the south eastern corner. To the east of the site is a coniferous woodland and a public right of way runs between the two. To the south is a belt of trees beyond which there is agricultural land as there is to the north. There is currently 4 no. pitches across the site north to south, 6 no. pitches along the southern boundary and 5 no. tent pitches also on the southern boundary to the west of the caravan allocation. The toilet block and septic tank are also in situ.

### **3.0 REASON FOR COMMITTEE DETERMINATION OF APPLICATION**

3.1 The scheme does not comply with the delegation to officers as set out in Part 8 of the Shropshire Council Constitution as the application has been requested to be referred by the Local Member to the relevant Planning Committee within 21 days of electronic notification of the application and agreed by the Service Manager with responsibility for Development Management in consultation with the Committee Chairman or Vice Chairman to be based on material planning reasons.

### **4.0 Community Representations**

4.1 - Consultee Comments

4.1.1 Sheriffhales Parish Council - The above listed planning application has been circulated to 5 Parish Councillors in Sheriffhales, who have raised no objection to the development, however 2 have raised points that they would like to ensure that the access road has sufficient passing places.

4.1.2 SC Drainage – Further information is required to justify the proposal to connect the new toilet facilities to the existing septic tank system. Information of the sizing of the system and associated drainage field is required to ensure it is of sufficient capacity for the extra loading proposed.

4.1.3 SC Highways - The caravanning activity on this site appears to be well established but the proposal will clearly result in an increase in vehicle movements along Kettlemore Lane, many of these being by vehicles towing caravans or camping trailers. This lane is a no-through road serving residential properties up to the end of the 30mph zone and then only the STW site and Hungerhill Farm beyond. I assume the agricultural land to either side here is part of the farm.

From the end of the residential properties to the farm buildings, the carriageway is single track with some informal passing places but the only one of any size and incorporating some hard surfacing being by the STW works site. I consider that to accommodate the intensified vehicle movements arising from the proposal a formal passing place, surfaced in tarmac and to the Highway Authority's specification, needs to be constructed on Kettlemore Lane. I would recommend that this is positioned on the wide section of highway verge on the corner to the East of the termination point of the 30mph limit. I suggest that the agent is asked to provide a plan showing this, along with details of the specification for the works.

No highway objections raised in principle to permission being granted for this application. Recommend a condition is attached to any permission granted relating to the passing place being fully constructed prior to the permission being first put into effect.

- 4.1.4 SC Planning Ecology – The site does not require ecological surveys but informatives relating to nesting wild birds and Great Crested Newts are recommended.
- 4.1.5 Shropshire Fire and Rescue – Standard advice provided in relation to ‘Access for Emergency Fire Service Vehicles’ and ‘Water Supplies For Fire Fighting’.
- 4.2 - Public Comments
- 4.2.1 One letter of representation has been received from a member of the public, commenting as follows:
- o Kettlemore Lane serves four more properties as well as Hunger Hill Farm – Common Farm, Kingstreet Grange A, Kingstreet Grange B and Hungerhill Plantation 2.
  - o For this reason, the recommended position for the passing place is nonsense. It should be midway between the existing passing place at the entry of the Severn Trent property and the entry to the proposed caravan site.
  - o The construction of the passing place need not be major or expensive, a simple hardstone one is perfectly adequate.
- 4.2.2 In addition Cllr Tonkinson has submitted a letter outlining the reasons for his request that the application be determined at the Southern Area Planning Committee and that this correspondence be copied in full to members of the Committee. This document is also available to view in full online, but is precise as follows:
- o The site has been operating for over 12 months, when it is believed that over 20 power points were installed.
  - o It is clear by the number of power installed that it was not the intention to provide a 5 pitch short stay site.
  - o The site covers several acres for 15 caravans which could over the years escalate to become a major camping and caravan site.
  - o The road to the site is totally inadequate being a single carriageway. It is a dead end and over ½ mile from the B4379 in Sheriffhales.
  - o Kettlemore Lane is used by walkers to reach an excellent public footpath system and extra traffic will increase danger for pedestrians.
  - o Extra traffic will also pass through housing in the village the residents of which I believe have not been consulted.
  - o Such an important application should have been fully considered at a public meeting with all elected members of Sheriffhales Parish Council able to give their views and where members of the public could have made representation.
  - o It is most important that all possible ramifications on this application site are fully researched and considered particularly in relation to the definition of mobile homes and caravans, their differences, and the potential for this site to become a semi-permanent or permanent residential one in the open countryside with LPA control.

## **5.0 THE MAIN ISSUES**

- o Principle of development
- o Impact on the surrounding environment
- o Access
- o Drainage

## **6.0 OFFICER APPRAISAL**

### **6.1 Principle of development**

6.1.1 Support is provided in the Local Development Framework Core Strategy for development proposals on appropriate sites which maintain and enhance countryside vitality and character where the sustainability of rural communities is improved by bringing local economic and community benefits. This includes in Policy CS5 small scale new economic development which diversifies the rural economy (including farm diversification schemes) and sustainable rural tourism which requires a countryside location. Policy CS16 requires that such development protects the existing offer, promotes connections between visitors and Shropshire's natural, cultural and historic environment and is appropriate in terms of its location, scale and nature retaining and enhancing existing features where possible without harming Shropshire's tranquil nature. The requirements for development on an appropriate site, of suitable scale and of benefit to the local economy without damaging the local environment or character are reinforced in the National Planning Policy Framework and West Midlands Regional Spatial Strategy.

6.1.2 This site is considered appropriate as it is approximately 0.5km from Sheriffhales and its services including a shop/post office, church, and main bus route along the B4379 through the centre of the settlement whilst benefiting from an attractive countryside location. The change of use proposed is of a small scale (a total of 15 pitches) which diversifies the existing farm enterprise thus adding value to a rural business whilst at the same time providing additional custom for the farm shop already established at the site. Supporting information submitted with this application has demonstrated that there are no other such facilities within close proximity, the nearest being at Brewood and Newport, and that the site is well placed for easy access to a number of visitor attractions and the public right of way network with a footpath along the eastern boundary of the site. The access road is single track, but not unsuitable for the use proposed if an additional passing place is installed.

6.1.3 Therefore it is felt that in addition to supporting an existing rural business the proposed camping and caravanning site will help to promote the retention of local services. The restricted area now proposed which contains only the 15 pitches and ancillary buildings is of a scale that will not adversely affect the visual, ecological and recreational values and functions of the immediate rural surroundings is the site proposed to contain structures or functions that would impact detrimentally on the tranquil character of the landscape. The proposed use of the land does not prevent a future reversion back to agriculture if required.

### **6.2 Impact on the surrounding environment**

6.2.1 The proposed holiday camping and caravanning site is on a section of land adjacent to Hunger Hill Farm which has been clearly minimised and defined on the amended plans submitted and marked by low level wooden fencing where required

to separate the use from the larger portion of the remaining field. The site is therefore well contained. Ancillary buildings are adjacent to the access and across the road from the farmyard curtilage and therefore do not significantly extend the built environment. All the existing native landscaping, such as field boundary hedging, will be retained and additional native planting is indicated to screen the site from the east and around the ancillary buildings. The proposed site does not impact on the adjacent public footpath, but provides easy access to it. As discussed in paragraph 6.1.3, the proposed site is considered to be of an appropriate scale that will not harm Shropshire's tranquil nature nor result in a use that is not irreversible. For these reasons the use of the land indicated for holiday camping and caravanning is considered to protect and conserve the surrounding natural environment and is of an appropriate scale that can be successfully managed by conditions on the approval decision notice.

### **6.3 Access**

6.3.1 The submitted amended plans showing a proposed new passing place in the position suggested by SC Highways confirms the willingness of the applicant for this to take place and for the safety of this single track road to be improved. Whilst the road does serve a number of properties, it is not a through road and the distance from the B4379 to the site is under 1km, therefore the additional vehicular movements associated with the proposed 15 pitches, 5 of which are for tents and 3 of which will be camping pods, are not considered to impact on the highway safety of this stretch of access road.

### **6.4 Drainage**

6.4.1 In response to the comments submitted by SC Drainage, the agent has confirmed that the septic tank has a 4,500L capacity and was sized in association with the toilet block already constructed. The soakaway, also already in situ, is approximately 5m x 4.5m x 3m giving a capacity of around 70 cubic metres and positioned to between the southern boundary and the refuse store. The capacity of these systems specifically designed for purpose and already in use, is considered to be sufficient.

### **7.0 CONCLUSION**

7.1 It is considered that this proposal is not contrary to adopted policies as it will further diversify an existing rural farm business and potentially promote the retention of local services whilst enhancing the tourism offer within Shropshire on a well contained, appropriate site without adversely impacting on the surrounding environment.

### **8.0 Risk Assessment and Opportunities Appraisal**

#### **Risk Management**

There are two principal risks associated with this recommendation as follows: As with any planning decision the applicant has a right of appeal if they disagree with the decision and/or the imposition of conditions. Costs can be awarded irrespective of the mechanism for hearing the appeal - written representations, a hearing or inquiry.

The decision is challenged by way of a Judicial Review by a third party. The courts become involved when there is a misinterpretation or misapplication of policy or

some breach of the rules of procedure or the principles of natural justice. However their role is to review the way the authorities reach decisions, rather than to make a decision on the planning issues themselves, although they will interfere where the decision is so unreasonable as to be irrational or perverse. Therefore they are concerned with the legality of the decision, not its planning merits. A challenge by way of Judicial Review must be a) promptly and b) in any event not later than three months after the grounds to make the claim first arose.

Both of these risks need to be balanced against the risk of not proceeding to determine the application. In this scenario there is also a right of appeal against non-determination for application for which costs can also be awarded.

### **Human Rights**

Article 8 give the right to respect for private and family life and First Protocol Article 1 allows for the peaceful enjoyment of possessions. These have to be balanced against the rights and freedoms of others and the orderly development of the County in the interests of the Community.

First Protocol Article 1 requires that the desires of landowners must be balanced against the impact on residents.

This legislation has been taken into account in arriving at the above recommendation.

### **Equalities**

The concern of planning law is to regulate the use of land in the interests of the public at large, rather than those of any particular group. Equality will be one of a number of 'relevant considerations' that need to be weighed in planning committee members' minds under section 70(2) of the Town and Country Planning Act 1970.

## **9.0 Financial Implications**

There are likely financial implications of the decision and/or imposition of conditions is challenged by a planning appeal or judicial review. The costs of defending any decision will be met by the authority and will vary dependant on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining applications – in so far as they are material to the application. The weight to be given to this issue is a matter for the decision maker.

## **10. Background**

### Relevant Planning Policies

Central Government Guidance:  
National Planning Policy Framework

West Midlands Regional Spatial Strategy Policies:  
RR1 – Rural Renaissance



PA10 – Tourism And Culture  
PA15 – Agriculture and Farm Diversification  
QE6 – The Conservation, Enhancement and Restoration of the Region’s Landscape

Core Strategy and Saved Policies:  
CS5 – Countryside And Greenbelt  
CS6 – Sustainable Design And Development Principles  
CS16 – Tourism, Culture And Leisure  
CS17 – Environmental Networks

RELEVANT PLANNING HISTORY:

None relevant

**11. Additional Information**

<b>List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)</b> Design and Access Statement dated 27 <sup>th</sup> April 2012 Planning Statement by Green Planning Solutions dated April 2012
<b>Cabinet Member (Portfolio Holder)</b> Cllr M. Price
<b>Local Member</b> Cllr Gordon Tonkinson
<b>Appendices</b> APPENDIX 1 - Conditions

## APPENDIX 1

### Conditions

#### STANDARD CONDITIONS

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91(1) of the Town and Country Planning Act, 1990 (As amended).

2. The development shall be carried out strictly in accordance with the approved plans and drawings.

Reason: For the avoidance of doubt and to ensure that the development is carried out in accordance with the approved plans and details.

#### CONDITION THAT REQUIRES APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

3. Prior to the permission hereby granted being first put into effect, the passing place indicated on drawing no. 11\_481\_003 C shall be fully constructed in accordance with the details provided.

Reason: In the interests of highway safety.

#### CONDITIONS THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

4. The size, design and materials of the camping pods, shower / toilet building, washing up stand, chemical toilet disposal and refuse store hereby permitted shall be as stated in the submitted application and there shall be no variation.

Reason: To ensure that the size and design of these structures is appropriate to this rural location (and in accordance with Policies CS5 and CS6 of the Shropshire Core Strategy).

5. Only plots 8, 9 and 10 as shown on drawing no: 11\_481\_003 C hereby approved, shall be used for the purposes of siting camping pods as per the images and specifications within Appendix A of the submitted Planning Statement by Green Planning Solutions dated April 2012 and in association with the camping and caravanning business at Hunger Hill Farm, Sherifhales and not for any other use.

Reason: To maintain the character of the area.

6. No more than 10 touring caravans shall be located and occupied on the application site at any one time.

Reason: In the interests of the visual amenity of this rural area (and in accordance with Policies CS5 and CS6 of the Shropshire Core Strategy).

7. No touring caravan shall be occupied on the application site for a period in excess of 14 days, and a register or similar record of bookings shall be maintained at all times and made available for inspection by an officer of Shropshire Council on request.

Reason: In the interests of the visual amenity of this rural area (and in accordance with Policies CS5 and CS6 of the Shropshire Core Strategy).

8. a) No person, family or group of persons shall occupy the 3 camping pods hereby permitted for a period of more than 3 consecutive weeks;  
b) Not less than 12 weeks shall elapse between each period of occupation of the 3 camping pods by the same individual, family or group.  
c) A register or similar record of bookings shall be maintained at all times and made available for inspection by an officer of Shropshire Council on request.

Reason: Unrestricted residential occupation of the camping cabins in this rural location would be contrary to Policy CS5 of the Shropshire Core Strategy.

9. There shall be no storage of touring caravans in the open on the application site at any time.

Reason: In the interests of the visual amenity of this rural area (and in accordance with Policies CS5 and CS6 of the Shropshire Core Strategy).

10. The caravan site and camping facilities hereby permitted shall be supervised and managed from the existing adjacent dwelling at Hunger Hill Farm, Sheriffhales, and to this end the application site and the adjacent dwelling shall remain as one unit and shall not be sold one from another.

Reason: To ensure that adequate on-site supervision of the caravan site and camping facilities is provided, in the interests of sustainable tourism development (and in accordance with Policies CS5, CS6 and CS16 of the Shropshire Core Strategy).

11. Notwithstanding the provisions of Town and County Planning (General Permitted Development) Order 1995 (or any order revoking or re-enacting that order with or without modification) no floodlighting or public address system shall be installed at the site without the express planning permission first being obtained from the Local Planning Authority.

Reason: To safeguard the amenities of the locality.

### **Informatives**

1. Where there are pre commencement conditions that require the submission of information for approval prior to development commencing at least 21 days notice is required to enable proper consideration to be given.

2. Your attention is specifically drawn to the conditions above that require the Local Planning Authority's approval of materials, details, information, drawings etc. In accordance with Article 21 of the Town & Country Planning (Development Management Procedure) Order 2010 a fee is required to be paid to the Local Planning Authority for requests to discharge conditions. Requests are to be made on forms available from [www.planningportal.gov.uk](http://www.planningportal.gov.uk) or from the Local Planning Authority. The fee required is £85 per request, and £25 for existing residential properties.

Failure to discharge pre-start conditions will result in a contravention of the terms of this permission; any commencement may be unlawful and the Local Planning Authority may consequently take enforcement action.

3. THIS PERMISSION DOES NOT CONVEY A BUILDING REGULATIONS APPROVAL under the Building Regulations 2010. The works may also require Building Regulations approval. If you have not already done so, you should contact the Council's Building Control Section on 01743 252430 or 01743 252440.
4. If your application has been submitted electronically to the Council you can view the relevant plans online at [www.shropshire.gov.uk](http://www.shropshire.gov.uk). Paper copies can be provided, subject to copying charges, from Planning Services on 01743 252621.
5. The active nests of all wild birds are protected under the Wildlife & Countryside Act 1981 (As amended). An active nest is one being built, containing eggs or chicks, or on which fledged chicks are still dependent.

All clearance, conversion and demolition work in association with the approved scheme shall be carried out outside of the bird nesting season which runs from March to September inclusive

Note: If it is necessary for work to commence in the nesting season then a pre-commencement inspection of the vegetation and buildings for active bird nests should be carried out. If vegetation cannot be clearly seen to be clear of bird's nests then an experienced ecologist should be called in to carry out the check. Only if there are no active nests present should work be allowed to commence.

6. Great Crested Newts are protected under the European Council Directive of 12 May 1992 on the conservation of natural habitats and of wild fauna and flora (known as the Habitats Directive 1992), the Conservation of Habitats and Species Regulations 2010 and under the Wildlife & Countryside Act 1981 (as amended).

If a Great Crested Newt is discovered on the site at any time then all work must halt and Natural England should be contacted for advice.

7. The advice of Shropshire Fire And Rescue is attached for your information.