

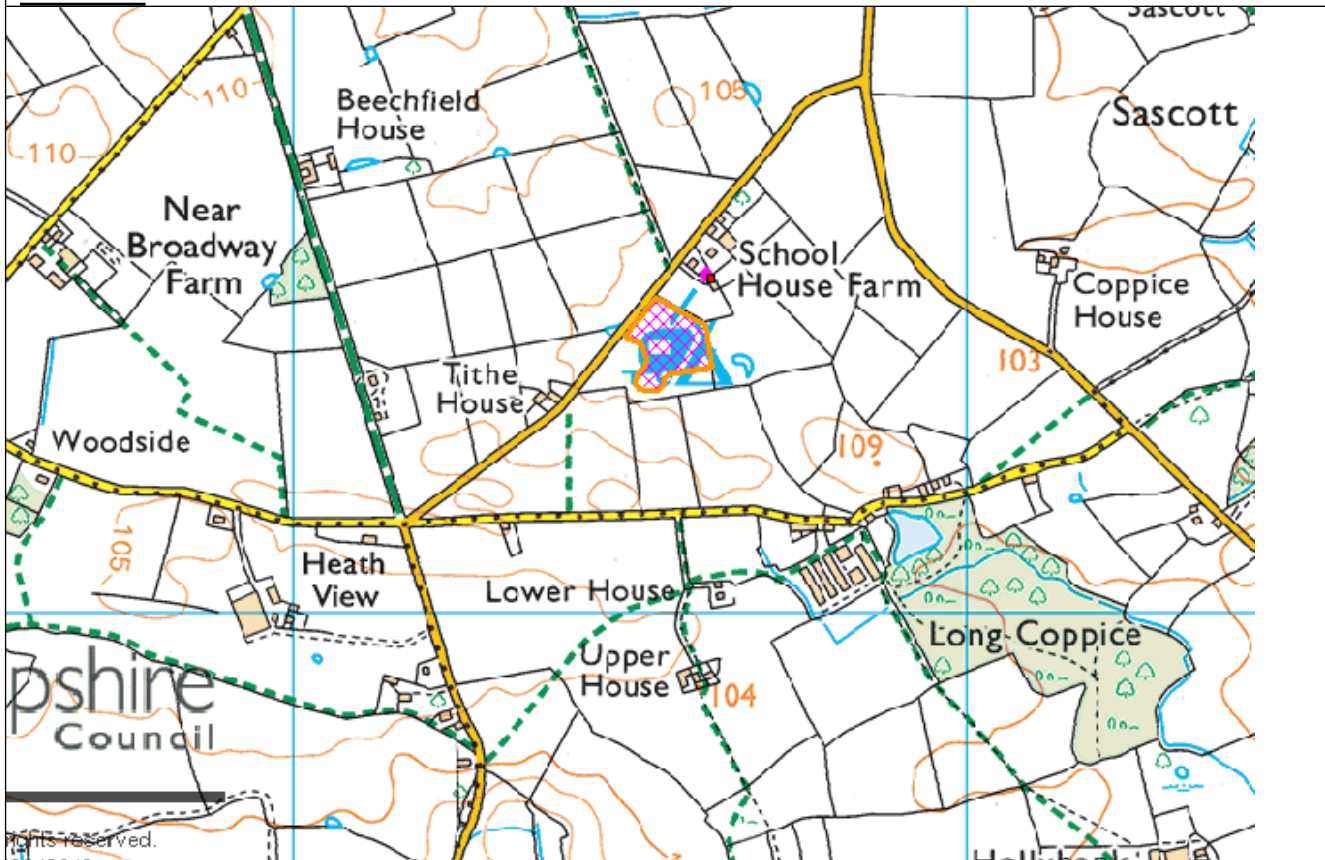
## Development Management Report

Responsible Officer: Tim Rogers  
Email: [tim.rogers@shropshire.gov.uk](mailto:tim.rogers@shropshire.gov.uk) Tel: 01743 258773 Fax: 01743 252619

### Summary of Application

<b>Application Number:</b> 17/00407/FUL	<b>Parish:</b>	Ford
<b>Proposal:</b> Change of use of land for 15no. static caravan pitches; formation of wildlife pond and associated landscaping works; installation of foul pumping unit (resubmission)		
<b>Site Address:</b> Cartref Camping And Caravan Site Cartref Ford Heath Shrewsbury Shropshire		
<b>Applicant:</b> Cartref Leisure Ltd		
<b>Case Officer:</b> Philip Mullineux		<b>email:</b> <a href="mailto:planningdmnw@shropshire.gov.uk">planningdmnw@shropshire.gov.uk</a>

**Grid Ref:** 341618 - 311498



**Recommendation: Delegated authority to the Head of Planning Services to grant planning permission subject to the conditions as set out in Appendix 1 and any modifications to these conditions if considered necessary by the Head of Planning Services**

**REPORT**

**1.0 THE PROPOSAL**

- 1.1 Application proposes change of use of land to 15 static caravan pitches, creation of a wildlife pond and associated landscaping works. at Cartref Caravan and Camping Site. (An extension to an amenity building was withdrawn during the application processing period).
- 1.2 The application is accompanied by a block plan, site location plan, proposed layout plans, existing and proposed elevations plan, design and access statement and planning statement, landscape and visual impact assessment and a biodiversity survey and report. During the application processing period an amended landscape and visual impact assessment was received in order to take account of concerns raised in the detail of the assessment by the Council's landscape specialist.
- 1.3 A screening Opinion dated 8<sup>th</sup> June 2017 carried out in accordance with The Town and Country Planning (Environmental Impact Assessment Regulations), 2017 and which come into force on 16<sup>th</sup> May 2017 has established that the application does not require an Environmental Statement to accompany it for planning consideration.
- 1.4 The Screening Opinion establishes that the proposed development does not fall into the remit of Schedule 1 or Schedule 2 of the EIA legislation.
- 1.5 The proposal was considered against the criteria of Schedule 2:12 (e) Permanent camp sites and caravan sites – Threshold is the area of the development exceeds 1 hectare.
- 1.6 Owing to cumulative impacts and the recent planning history of the wider site, (site adjoins an existing caravan park in the control of the applicants for which a recent planning application for variation of condition attached to a previous approval allowed use of the site for 12 months of the year instead of the restricted months as originally approved) as detailed on the Council's Screening Opinion, when accessed in accordance with Schedule 3 description of EIA Development, it is clear that the development does not need to be subject to an Environmental Statement. .

**2.0 SITE LOCATION/DESCRIPTION**

- 2.1 The application site is located in open countryside and extends to approximately 0.99 ha (application form), and is currently laid down to rough grassland with some areas used by people staying at the existing touring caravan site for dog walking. The site is fairly flat and bounded by native hedges and trees. There is a separate smaller field to the south of the site which includes a pond.

The surrounding area is mainly agricultural in nature with a mix of small to medium sized grassland fields with frequent boundary hedges and hedgerow trees. The site

2.2 for the proposed extension to the caravan siting area is to the southern side of the existing site at Cartref which consists of 35 touring caravan pitches in the family area, all with electric hook up with a mixture of grass and hard standing pitches. There a further 11 hard standing pitches all with electric hook up in a separate adults only area. There is also space for tents, a children's play area and dog walking. There is an amenity block with showers, toilets, private washbasins, wet room for disabled campers, a laundry room and washing up facilities. The existing access into the site is off the minor Council maintained highway which runs past Cartref.

Information submitted in support of the application indicates that the site can be accessed from the A458 at Ford to the north or the B4386 at Cruckton to the south.

2.3 The village of Ford is just over a mile to the north and Yockleton is around 1.5 miles to the south-west. There are a range of local services in these villages including shops, restaurants and public houses. If on foot, these can be reached by public footpaths and minor roads. The centre of Shrewsbury is around 5 miles to the north of the site.

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

3.1 The comments of the Parish Council are contrary to the recommendation from officers. The Council scheme of delegation therefore requires discussion with the local member, Chair and Vice Chair. Following these discussions it was concluded that the Parish Council's concerns about the development are material planning considerations and warrant consideration by the planning committee.

### 4.0 **Community Representations**

4.1 **Ford Parish Council** objects to this application indicating:

Ford PC has reviewed the amended plans. It is the PC's understanding that the amenity building is no longer being extended. The Parish Council does not feel that the revised plans address any of the other objections it raised so its previous objections stand, apart from the objection relating to the amenity building.

The earlier response indicated:

It is contrary to Policy CS5 (inappropriate development in open countryside for which there is no proven economic or community need) & CS6 (requires all development to contribute to the health and wellbeing of communities, including safeguarding residential amenity)

The Parish Council has the following further specific concerns:

- 1) The development is out of scale with the local environment and will lead to more commercialisation
- 2) Issues with drainage & flooding - implications for surrounding land. It is the PC's understanding that a ditch runs from the development into a pipe under the road which goes to the other side and discharges under the mains supply. It is the PC's understanding that the drainage system can therefore not be extended due to it being next to the mains supply. The ground around is clay and therefore drains poorly.

- 3) Loss of agricultural land
  - 4) Impact on open countryside
  - 5) Noise and light pollution
  - 6) Traffic
  - 7) The size of the restaurant building is out of scale with the number of pitches proposed
- In 2011, the Parish Council supported an application at the site but this was on the understanding that there would be no further expansion of the site. Please also refer to application 12/03558/OUT as the policy principles leading to refusal of this application are also applicable to this current application

#### 4.2 **Consultee Comments**

#### 4.3 **SC Highways** raises no objections. The response indicates:

No Objection – subject to the development being constructed in accordance with the approved details, and recommended conditions & informatives.

##### Observations/Comments:

The application has been amended to exclude the extension to the amenity building with all other details unchanged. The proposals are considered to be acceptable from a highways perspective subject to all conditions and informatives attached to previous highway comments dated 27th February 2017.

##### The earlier response indicated:

It is considered that the proposed development is unlikely to have any detrimental impact on the adjacent public highway as there is sufficient capacity within the existing network to accommodate the additional vehicle movements associated with this development.

Notwithstanding the above, the proposed access requires additional improvement, particularly in regard to the provision of visibility splays at this location. The site is located on a straight length of road with good forward visibility. This means that vehicular speeds passing the site entrance, will be higher than that, which the proposed access has been designed for (i.e. 30 mph).

#### 4.4 **SC Drainage** raises no objections the response indicating; The proposed drainage details, plan and calculations should be conditioned if planning permission were to be granted.

#### 4.5 **SC Public Protection** raises no objections. The response indicates the applicant looks at the following caravan site informative.

#### 4.6 **SC Conservation Manager** has responded to the application indicating: Further to our earlier comments it would appear that the existing amenity building will now remain in its current form and finish which is noted and this addresses that element of our earlier concerns. I would refer you to the remainder of our comments however which may still be relevant to the current scheme.

##### The earlier response indicated:

A Visual Assessment Report has now been prepared by the agent which is noted;

we had previously noted that developments of this type have the potential to have an adverse impact on the landscape character of an area, however, as this is not something which the Historic Environment Team can advise on, we would suggest that Development Management consider obtaining the opinion of an appropriately qualified Landscape professional to assess this report.

The Planning Statement submitted notes on page 12 that the setting of the local heritage assets will not be significantly affected by the proposed development however it is not clear that this has been fully explored and addressed by the report undertaken. The Planning Statement notes that views of the expanded caravan site can also be mitigated by additional landscape works are these proposed and indicated on the plans submitted again this is not fully clear and plans confirming these mitigating works should be provided. We previously noted that the extensions to the existing amenity building, particularly the increase in height (including balconies and flues) may cause this building to be unnecessarily visually prominent on the site, and which could have a wider visual impact on the character of the area. Consideration to keeping this building to its existing height should be considered.

Should the application be recommended for approval, conditions requiring approval of full details of external materials and finishes on all buildings, features and enclosures proposed within and around the site, as well as a landscape retention, mitigation and implementation scheme, should be imposed.

With regards to clarification on setting of listed buildings, the Conservation Manager comments:

As noted in our initial consultee comments dated November 7, 2016, there are both designated and non-designated heritage assets in proximity of the existing and proposed expanded caravan site.

To the south-west of the subject site on the opposite side of the highway is Tithe House, which is a former farmhouse which is Grade II listed and dates from 1755 according to a date stone on the building, and immediately adjacent to Tithe House is a traditional red brick barn fronting the highway which would be considered curtilage listed. The proposed expanded caravan site would be expanded closer towards Tithe House and its barn, however based on the most recent Block Plan which shows the proposed extended boundary and mitigating new and enhanced landscaping to be added to the site boundary, it is my view that there would be a very low to neutral impact on the setting and significance of these heritage assets.

As noted in our earlier comments there is also a small range of traditional agricultural buildings and a former school house comprising School House farmstead immediately north of/adjacent to the Cartref Caravan site. These buildings would be considered to be non-designated heritage assets based on historic mapping information. Based on the latest plans submitted with this application it is considered that the current proposal would likely have little to no impact on these non-designated heritage assets.

- 4.7 **SC Trees Manager** raises no objections to the proposed development indicating: No objections to this application. Recommends a condition requiring a landscape

planting scheme be attached to any grant of planning permission.

- 4.8 **SC Planning Ecologist** recommends conditions and informatives' be attached to any approval notice issued. The response indicates:

An Ecological Assessment was carried out on this site in October 2015 by Turnstone Ecology. This was followed by a great crested newt survey in May and June 2016.

#### Habitats

Habitats on the site consist of improved grassland, hedgerows and tall ruderals. There are more hedgerows and mature and semi-mature trees at the edges of the field, outside of the application boundary. 'A pond is located to the south-east of the proposed development site but within the same ownership as the caravan site'.

'The main construction works will all be within an existing area of grassland, which is botanically poor, and boundary hedgerows and trees will not be directly affected by works.'

The landscaping scheme should include the following elements:

- 'Scattered existing and planted trees, such as Oaks and Ash, should be allowed to develop into mature standards.'
- Trees should be planted 'around the field boundaries to fill-in existing gaps and improve connectivity'. Connectivity between the existing and new ponds are particularly recommended.
- Tree planting should consist of native species of local provenance.
- A buffer should be maintained between ground works and hedgerows and trees.
- The buffer should be 'be enhanced with a seed mix of native field margin flower and grass species.'
- 'The margins should be cut once per year with all cuttings removed and used as habitat piles around the northern, eastern and southern boundaries.'

The creation of the pond 'will provide a significant increase to biodiversity at the site'. The following elements should be included when creating the pond:

- 'Excavations for the pond will be carried out during the winter months with the pond allowed to fill naturally with rain water/run-off from the grass field.'
- 'The pond will be designed to have deeper central areas and gently sloping and/or stepped towards the outer edges to create shallower margins.'
- Should planting be required (to make the pond more aesthetically pleasing quicker than by natural colonisation alone) then this will use native species only. Invasive alien species must be avoided.
- Suitable plant species and information on pond design can be found in the Great Crested Newt Conservation Handbook (Froglife, 2001)
- 'No fish will be introduced to the pond.'
- Pond weed should be raked out during autumn/winter to prevent stagnation.

'A site Ecological Management Plan is to be produced for the whole of the caravan site and will include the proposed mitigation and enhancement ... and long term management of the site for the benefits of biodiversity.'

### Great crested newts

There is a pond approximately 35m to the east of the proposed development site and another approximately 60m to the west. The closer pond (which is part of the wider Cartref site) was calculated as having Excellent suitability to support great crested newts. The pond to the west was calculated as having Poor suitability.

A great crested newt survey was carried out on the on-site pond in May and June 2016. A small population of great crested newts and a small population of smooth newts were recorded in the pond.

‘The improved grassland affected by the proposals is unlikely to be used by Great Crested Newts due to the lack of cover. However, the hedgerows and tall herb vegetation along the road verge do provide suitable cover and opportunities for foraging, hibernating and dispersing Great Crested Newts.’

Section 4.3.6 of the report contains a Reasonable Avoidance Measures Method Statement (RAMMS) that must be followed in full during the works. The RAMMS contains the following elements:

- ‘The grassland will be maintained as a short sward pre and during construction.’
- ‘All ground works, including pond excavation, will be completed during the day and within the winter when Great Crested Newt are hibernating (normally November to February). In the event of a mild winter Great Crested Newt may remain active so works should only take place after the first frosts and during a period of weather where overnight temperatures are consistently below 5oC.’
- ‘All ground works will be carried out within the improved grassland field and shall not affect any part of the boundary hedgerows.’
- All site materials will be stored off the ground, e.g. on pallets, ‘or within areas of short/grass/temporary hard standing at the northern end of the site and at least 5m from boundary hedgerows.’
- Closing of excavations overnight or ensuring there is a means of escape available for any animals that fall in.

‘The proposed pond will provide optimal breeding habitat for Great Crested Newts and additional hedgerow planting around the site will provide improved connectivity and cover for foraging and hibernating. It is recommended that tall herbs and grasses (preferably from an appropriate seed mix) are allowed to become established along the southern boundary of the site to provide a connecting strip of suitable Great Crested Newt terrestrial habitat between the existing and newly created ponds. Additional planting of scrubby tree species (such as Hawthorn and Blackthorn) along the southern boundary would also increase and improve terrestrial habitat and connectivity.’

SC Ecology also recommends the creation of hibernacula and refugia around the new pond and the existing pond to increase the ecological value of the site for herptiles.

‘The planned Ecological Management Plan for the caravan site will fully detail pond creation and terrestrial habitat enhancement included as part of the extension proposals as well as appropriate enhancement for the existing pond and site-wide

management to ensure the Great Crested Newt population is protected and increased.'

#### Bats

'The majority of the scattered mature and semi-mature Oaks around the boundaries of the proposed development have features (splits, cracks and holes) that could be used by roosting bats. The boundary hedgerows and trees provide good foraging and commuting opportunities for bats.'

Should any works to the mature trees be required in the future (e.g. felling, lopping, crowning, trimming) then this should be preceded by a bat survey to determine whether any bat roosts are present and whether a Natural England European Protected Species Licence is required to lawfully carry out the works.

The tree and hedgerow planting will 'improve connectivity and foraging opportunities' for bats.

New lighting on the site should be sensitive to bats and follow the Bat Conservation Trust's guidance. In particular, lighting should avoid illuminating boundary vegetation.

'It is recommended bat boxes are erected on mature trees located within the boundaries of the proposed development site and bird boxes also provided on the same trees to deter birds from using the bat boxes. Additional bat boxes are also to be erected as part of site-wide ecological enhancements.' These should be detailed in the Ecological Management Plan.

#### Badgers

The site and the surrounding fields 'provide extensive optimal foraging habitat and opportunities for sett digging' although no setts were found 'within or immediately adjacent to the boundaries of the proposed development site.'

No evidence of foraging was observed on the site but 'Fresh Badger latrines and evidence of foraging' was observed in the grassland to the east of the pond.

Although there are currently no badger setts present, a pre-commencement check is recommended to ensure that badgers have not begun using the site in the intervening time.

To protect any badgers (and other wildlife) that may enter the site, 'any excavation works associated with construction works ... should either not be left uncovered overnight or ways of escape for Badgers provided (wooden planks or graded earth banks).'

The 'bat friendly' lighting scheme will ensure that badgers are not adversely affected by the development in the long term.

#### Dormice

The 'species-rich hedgerow along the northern boundary of the field provides cover and foodplants suitable for Dormouse. Connectivity is not ideal though as although



the hedgerow is connected to additional hedgerows to the south-west of site there is no connectivity to more extensive suitable Dormouse habitat, such as woodlands. Although there are sections of suitable cover around the other boundaries of the proposed development there are also regular large gaps and limited suitable foodplants.'

'All of this hedgerow will be retained as part of the proposals and Considering the lack of nearby historic records, no connectivity to more extensive suitable habitat and extent of hedgerow that is likely to be affected by the proposals, it is considered that there will be no negative impacts on Dormouse.'

#### Reptiles

'The improved grassland affected by the proposals is unlikely to be regularly used by reptiles due to the lack of cover. However, the hedgerows and tall herb vegetation along the road verge do provide suitable cover and opportunities for foraging, hibernating and dispersing reptiles.' The mitigation measures that will be followed to protect great crested newts will also protect any reptiles that might enter the site.

The landscaping scheme will improve the habitats available for reptiles.

Hibernacula and refugia should be created around the new and existing ponds to increase the ecological value of the site for herptiles.

#### Birds

The hedgerows and trees provide potential nesting opportunities for birds. 'Old and damaged owl and raptor nest boxes were noted in a number of the mature trees around the site boundaries.'

'The improved grassland is unlikely to be used by ground nesting birds due to human disturbance and regime of regular cutting and mowing.'

Any hedgerow or tree removal should take place between October and February to avoid harming nesting birds. If this is not possible then a pre-commencement check should be carried out and if any active nests are present, works cannot commence until the young birds have fledged.

The additional planting will increase the foraging and nesting opportunities available for birds in the long term.

'The provision of open and hole fronted bird boxes on some of the trees and repair and/or replacement of existing owl and raptor boxes, particularly along the southern boundary of the proposed development site, would greatly increase suitable nesting opportunities.' These should be detailed in the Ecological Management Plan.

#### 4.10 Public Comments

At the time of writing this report six letters of objections have been received from

members of the public. Key issues raised can be summarised as follows:

- Concerns with regards to the existing amenity block and whether it has planning permission.
- Scale and height of the amenity building is not in keeping with the surrounding area.
- Noise pollution impact
- Light pollution
- Dog fouling will increase.
- Impacts on adjacent public highways which it is considered cannot accommodate the extra traffic.
- Horse riders use the surrounding lanes.
- Loss of natural habitat.
- Impact on local drainage issues
- Detrimental impact on the rural character and nature of the area.
- Site is not served by public transport.

Also at the time of writing this report 4 letters of support have been received from the general public. The main theme of these letters is that the proposed development will have a positive impact on the local economy of Shropshire.

## 5.0 THE MAIN ISSUES

- Principle of development
- Environmental Impact Assessment.
- Siting, scale and design.
- Visual impact and landscaping
- Impacts on surrounding historic environment.
- Impacts on surrounding amenity.
- Ecology
- Drainage

## 6.0 OFFICER APPRAISAL

### 6.1 Principle of development

6.1.1 Under section 38(6) of the Planning and Compulsory Purchase Act 2004, all planning applications must be determined in accordance with the adopted development plan unless material considerations indicate otherwise. Since the adoption of the Councils Core Strategy the National Planning Policy Framework (NPPF) has been published and is a material consideration that needs to be given weight in the determination of planning applications. The NPPF advises that proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. The NPPF constitutes guidance for local planning authorities as a material consideration to be given significant weight in determining applications.

6.1.2 The NPPF sets out the presumption in favour of sustainable development as a golden thread running through plan-making and decision-taking (para. 14), so it

applies, as a material planning consideration, in any event. The NPPF in paragraph 28 on Supporting a prosperous rural economy indicates a positive approach to sustainable new development in order to promote a strong rural economy with support for the sustainable growth and expansion of all types of businesses and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings and promote the development and diversification of agriculture and other land based rural businesses with support for sustainable rural tourism and leisure developments that benefit businesses in rural areas.

- 6.1.3 In considering this planning application due regard to the following local and national policies, guidance and legislation is required in terms of historic environment matters: CS6 Sustainable Design and Development, CS16: Tourism, Culture and Leisure and CS17 Environmental Networks of the Shropshire Core Strategy, Policies MD2 and MD13 of the SAMDev component of the Local Plan, the National Planning Policy Framework (NPPF) and the Planning Practice Guidance. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act 1990 is also relevant as the Act identifies the need to pay special regard to the preservation of listed buildings and their settings, as in this case two detached dwellings located immediately to the south of the site which are Grade II listed.
- 6.1.4 Policy CS5 of the Core Strategy reflects the objectives of the NPPF by aiming to strictly control new development in countryside locations. Like the NPPF it does support the principle of development on appropriate sites that will maintain and enhance countryside vitality and character to improve their sustainability. In particular where they bring economic and community benefits; this includes small-scale economic development which specifically refers to small-scale new economic development diversifying the rural economy.
- 6.1.5 Policy CS5 goes on to state that applicants will be required to demonstrate “the need and benefit for the development”. There is only a limited supply of tourist accommodation locally. An increased provision of tourist accommodation it is considered will encourage more visitors to the area and help support the local economy with the spending power that tourist possess. The site is located within close proximity to the A458 at Ford. To the north or the B4386 at Cruckton to the south. The village of Ford is just over a mile to the north and Yockleton is around 1.5 miles to the south-east. There are a range of local services in these villages including shops, restaurants and public houses. If on foot, these can be reached by public footpaths and minor roads. The centre of the town of Shrewsbury is around 5 miles to the north-east of the site and this has a wide range of facilities and services.
- 6.1.6 Policy CS13 'Economic Development, Enterprise and Employment' in the Core Strategy concerns Shropshire Council, working with its partners, will plan positively to develop and diversify the Shropshire economy, supporting enterprise, and seeking to deliver sustainable economic growth and prosperous communities. In doing so, particular emphasis will be placed on promoting Shropshire as a business investment location and a place for a range of business types to start up, invest and grow, recognising the economic benefits of Shropshire's environment and quality of life as unique selling points which need to be valued, conserved and enhanced.

- 6.1.7 Policy CS16: Tourism, Culture and Leisure in the Core Strategy indicates support for new and extended tourism development promoting connections between visitors and Shropshire's natural, cultural and historic environment.
- 6.1.8 In addition SAMDev Policy MD4: Managing Employment Development builds on Policy CS13 stating that employment development will be managed in accordance with employment strategy CS13.
- 6.1.9 Policy MD11 in the SAMDev indicates support for tourism, leisure and recreational development proposals that require a countryside location where the proposal complements the character and qualities of the site's immediate surroundings and meets the requirements set out in Policies CS5, CS16, MD7b, MD12, MD13 and relevant local and national guidance. Policy MD11 further states that proposals for new and extended touring caravan and camping sites should have regard to the cumulative impact of visitor accommodation on the natural and historic assets of the area, road network, or over intensification of the site..
- 6.1.10 The proposal aims to help sustain an established rural business enterprise which is supported in Local Development Core Strategy Policies CS5, CS13 and MD11. . Policy CS5 permits development proposals on appropriate sites which maintain and enhance countryside vitality and character where they improve the sustainability of rural communities by bringing local economic and community benefits. This is reinforced in the NPPF where a positive approach to sustainable new development which supports economic growth in rural areas is advocated.
- 6.1.11 Officers consider that the proposal meets the relevant criteria within both CS5 and CS13 and MD11 in supporting enterprise and diversifying the Shropshire economy by potentially providing employment to the local and wider area.
- 6.1.12 In addition SAMDev Policy MD7b– General Management of Development in the Countryside states that in order to promote a sustainable approach to development, proposals which minimise the impacts of new development, appropriately conserve the existing historic and landscape resource, and/or provide environmental amelioration are encouraged.
- 6.1.13 It is considered that the principle of the development in support of this existing rural business enterprise is acceptable and accords with the relevant criteria within the NPPF, CS5, CS6, CS13, and CS17 of the Core Strategy and MD2, MD4, MD7b MD11, MD12 and MD13 of SAMDev.

## 6.2 **Environmental Impact Assessment.**

- 6.2.1 As indicated earlier in this report the proposed development has been considered in accordance with The Town and Country Planning (Environmental Impact Assessment), Regulations 2017 to which it was established that the proposed development does not fall into schedule 1 or 2 of the EIA legislation - Schedule 2 : 12 (e) Permanent camp sites and caravan sites – Threshold is the area of the development exceeds 1 hectare.

With consideration to the site's history in relation to the adjoining land, the Council

6.2.2 has carried out a Screening Opinion in accordance with EIA Regulations and this establishes that an Environmental Statement is not required to accompany any formal application for the proposed development, when considering the proposal against the criteria of Schedule 3 of the Regulations 2017.

### **Siting, scale and design.**

6.3

6.3.1 Policy CS5 'Countryside and Green Belt' and Policy CS6 'Sustainable Design and Development Principles' of the Shropshire Core Strategy encourages development that improves the sustainability of rural communities whilst requiring development to protect and conserve the built environment and be appropriate in scale, density, pattern and design taking into account the local context and character. The development should also safeguard residential and local amenity, ensure sustainable design and construction principles are incorporated within the new development. Policy 7 'Requiring Good Design' of the National Planning Policy Framework indicates that great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.

6.3.2 In addition SAMDev Policy MD2 Sustainable Design builds on Policy CS6 providing additional detail on how sustainable design will be achieved. To respond effectively to local character and distinctiveness, development should not have a detrimental impact on existing amenity value but respond appropriately to the context in which it is set.

6.3.3 Policy CS17 'Environmental Networks' states that development will identify, protect, enhance, expand and connect Shropshire's environmental assets and does not adversely affect the visual, heritage or recreational values and functions of these assets, their immediate surroundings or their connecting corridors.

6.3.4 In addition, SAMDev Policy MD12: The Natural Environment builds on Policy CS17 providing development which appropriately conserves, enhances, connects, restores or recreates natural assets.

6.3.5 Also, SAMDev Policy MD13: The Historic Environment states that in accordance with Policies CS6 and CS17 and through applying the guidance in the Historic Environment SPD, Shropshire's heritage assets will be protected, conserved, sympathetically enhanced and restored.

6.3.6 The proposal is for the siting of up to 15 static caravan pitches on land next to an existing caravan site. The site will also include dedicated wildlife areas, internal tracks and paths. Information in support of the application indicates that there is a small existing amenity building on the existing touring site which has a Premises Licence under the Licensing Act 2003.

6.3.7 Information in support of the application indicates the site is located adjacent to an existing site in the control of the applicants, which consists of 35 touring caravan pitches in a family recognised area, all with electric hook ups, with a mixture of grass and hardstanding pitches. There are 11 hard standing pitches all with electric hook up in a separate adults only area. There is also space for tents, a children's play area and dog walking. There is an amenity block with showers, toilets, private

washbasins, wet room for disabled campers, a laundry room and washing up facilities. The existing access is off the minor Council maintained road past Cartref.

6.3.8 The site is fairly flat and bounded by hedges and trees. There is a separate smaller field to the south-east of the site which includes a pond. The surrounding area is mainly agricultural in nature with a mix of small to medium sized grassland fields with frequent boundary hedges and hedgerow trees, and larger arable fields scattered with intermittent hedgerows.

6.3.9 The site is clearly well related to the existing touring site which is beneficial in terms of practical site management, (Owners of the site live in the dwelling connected to the site), connection to services and mitigating any potential visual impact. Although the static caravans will have their own private facilities, there may be occasions when they need the use of the communal amenity block which is situated in the touring field. The site is well contained within the field which is bounded by hedges.

6.3.10 It is not considered that development on site will generate sufficient vehicle movements likely to cause concern in relation to surrounding public highways and it is noted that the Council's Highways Manager raises no objections to the proposal, subject to the attachment to any approval notice issued a condition with regards to visibility splays as outlined in paragraph 4.3 of this report.

6.3.11 Caravans by their very nature do have an impact on the visual amenity of the landscape. With consideration to the scale of the development as proposed in relationship to cumulative impacts with the existing site, the surrounding landscape and topography and economic benefits as a result of the proposal, that with further landscape mitigation, the development as proposed can be successfully mitigated into the surrounding landscape and built environment to an acceptable manner. As such the proposal considered to comply with Policies CS5, CS6, CS17, MD2, MD12, MD13 and other relevant local plan policies and national guidance in relationship to siting, scale and design.

#### **Visual Impact and landscaping.**

6.4

6.4.1 Policy in relation to visual impact and landscaping is similar to those discussed in the proceeding section. The applicants have included in support of the application a Landscape and Visual Impact Assessment, (LVIA), and this has concluded that development on site will not have a significant impact on the surrounding landscape character. The visual impact assessment concludes that development on site will only have limited impacts from certain locations due to the surrounding land topography and existing native vegetation. The assessment acknowledges that there will be impacts when viewed from a public footpath to the south of the site and from the adjacent public highway which passes alongside the site. It concludes that further landscaping in the form of native plantings will mitigate these impacts to an acceptable level. The LVIA also concludes that there will be no significant detrimental impact on the historic setting as a result of the proposal.

The Council's Landscape Consultant has assessed the applicants LVIA and concluded that the assessment lacked sufficient detail with regards to potential

- 6.4.2 hedgerow removal, (to accommodate the proposed access off the adjacent public highway), insufficient information in relation to static caravan specification which is required in order to make a informed judgement on visual receptors and insufficient information in relation to landscape proposals which are required to assess their efficacy as a mitigation measure and transparency. Also absence of any information as to whether any effects are positive or negative.

In consideration of the concerns as outlined above the Council's Landscape consultant advised that the applicant be requested to:

- 6.4.3
- ☐ Confirm whether the application site boundary includes hedgerows and advise whether the construction of the access road and provision of required visibility splays involves hedgerow removal;
  - ☐ Amend the LVIA to take account of the issues raised in paragraph 9.
  - ☐ Provide detailed landscape proposals to support the application, and give consideration to include hedgerow tree planting to provide enhanced visual mitigation.

- 6.4.4 The applicants agent in response to concerns raised submitted an amended LVIA to take account of the issues as raised by the Council's Landscape Consultant. The further information included detail which confirmed that 10 metres of hedgerow will need to be removed to provide the required access, and that the landscaping proposals include for an additional 240 metres of hedgerow planting. The access will require a 14 metre gap in the hedgerow however there is already an existing entrance of about 4 metres. The amended LVIA also concluded on visual impact issues that the site is bounded by hedges and trees and the predominant boundary type in surrounding fields is hedges with numerous hedgerow trees. There are also high roadside hedges along the lanes. These provide good screening of the site and together with the surrounding topography limited views. The screening effect will be enhanced during the summer months when the vegetation is in leaf. The existing buildings at Cartref and the agricultural buildings at School House Farm also block views from the north-east. There are few views of the site from beyond 1km due to the intervening landscape features and the nature of the surrounding topography. The main public views of the site have been identified as from close proximity in particular from the road as you drive/walk past the site and the footpath crossing the field immediately to the south-west. There are high vantage points from the Breidden Hills to the north-west of Cartref which can be seen from some locations in the area, and also Pontesford Hill to the south. However Pontesford Hill is over 5km and the Breidden Hills over 10km away, and there is also significant woodland cover on the hills. There are no residential properties directly overlooking the site and it is considered that there would be limited views from first floor windows of a small number of dwellings during the winter when the trees are not in leaf. Many of the dwellings are not however facing the proposed site.

- 6.4.5 In conclusion in respect of landscape and visual impact the development as proposed is relatively small scale, (15 static caravans), and that cumulative impacts in relation to the existing site, (35 sites), is acceptable with consideration to the surrounding land topography, existing vegetation and further mitigation as proposed and with a condition attached to any approval notice issued in respect of further landscape mitigation as recommended by both the Council's Tree Manager and Planning Ecologist. There are also the economic benefits as a result of the

proposal which will also entail a more viable and sustainable site, the site being located alongside a public highway considered acceptable in relation to the proposal and the site located within reasonable distance of day to day service requirements and the nearby town of Shrewsbury and all its facilities. As such the conclusions reached in the amended LVIA are accepted and overall on landscape and visual impact issues, the proposal is considered to be in accordance with Policies CS5, CS6, CS13, CS16 and CS17 of the Core Strategy and Policies MD2, MD7b, MD11, MD12 and MD13 of the SAMDev and the overall aims and objectives of the NPPF.

## 6.5 Impacts on surrounding historic environment.

6.5.1 In accordance with the Planning (Listed Buildings and Conservation Area Act 1990, and paragraph 66, local planning authorities must in the exercising of its planning functions have special regard to the desirability of preserving listed buildings and their settings or any features of special architectural or historic interest which it possesses.

6.5.2 Section 66 of the Planning (Listed Buildings and Conservation Area) Act requires local authorities to have special regard to the desirability of preserving listed building or their settings or any features of special architectural or historic interest which it possesses. Section 72 of the Planning (Listed Building and Conservation Areas) Act 1990 places a duty on Local Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

6.5.3 Paragraph 131 of the NPPF indicates that when determining planning applications, local planning authorities should take account of the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation. Paragraph 134 of the NPPF indicates 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 securing its optimum viable use. Paragraph 135 of the NPPF refers to the effect of an application on a non-designated heritage asset which should be taken into account in determining the application and that a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

6.5.4 Whilst the site itself has no heritage assets, there are designated and non-designated heritage assets within the vicinity of the site. The closest of these is a structure known as the Tithe House which is grade two listed and located to the south west of the site. Bank House located to the south-west is also grade II listed. To the north of the site is a property known as School House and this is considered a non-designated heritage asset.

6.5.5 With consideration to the distance, setting and nature of the proposed development on balance it is considered that impacts on the surrounding historic environment is acceptable with consideration also to the public and economic benefits of the proposal as referred to in paragraph 134 of the NPPF As such it is considered that the development as proposed overall complies with relevant policies (CS17, MD13), in relationship to the historic environment as outlined above.



**Impacts on surrounding amenity.**

6.6

Policy CS6 of the Core Strategy alongside SAMDev policy MD7b and the NPPF refer to the need to safeguard residential and local amenity and recognise the importance of ensuring that developments do not have unacceptable consequences for neighbours and local amenity.

6.6.1

6.6.2

It is acknowledged that several letters of objections received from members of the public raise concerns in relation to residential amenity issues and in particular in relation to a proposed amenity building located to the rear of the applicants dwelling alongside the existing caravan site. The Local Parish Council also raised concerns with regards to the scale of the development as proposed as well as concerns in relation to the proposed amenity building. The applicants during the application processing have revised the application withdrawing the amenity building from the proposed development.

6.6.3

With consideration to withdrawal of the amenity building that originally formed part of the application, the small scale and location of the proposal and surrounding landscape and land topography, with no dwellings directly facing into the site and suitable access off an adjacent public highway considered suitable for vehicle movements in relation to the proposal, as well as consideration to cumulative impacts in relation to the existing caravan site in the control of the applicants. Whilst it is acknowledged that development on site will be heavily dependant on use of private transport, development of this nature is mostly heavily dependant on this form of transport mode and removal of the amenity building as part of the application strengthens the overall proposal in relation to transportation issues. As such impacts on surrounding residential amenity, privacy and the amenity of the surrounding area is acceptable and it is noted that the Council's Public Protection raises no objections to the proposal.

**Ecology.**

6.7

6.7.1

Policy CS17 'Environmental Networks' of the Shropshire Core Strategy indicates that development will identify, protect, expand and connect Shropshire's environmental assets to create a multifunctional network and natural and historic resources. This will be achieved by ensuring that all development protects and enhances the diversity, high quality and local character of the natural environment and does not adversely affect the ecological value of the assets, their immediate surroundings or their connecting corridors. This is reiterated in national planning guidance in policy 11 'Conserving and Enhancing the Natural Environment' of the National Planning Policy Framework. This indicates that the planning system should contribute to and enhance the natural and local environment by protecting and enhancing valued landscapes, minimising impacts on biodiversity and providing net gains where possible.

6.7.2

The application includes provision for a wildlife pond and associated landscape works, as it is acknowledged that caravans and their siting does have an impact on the quality of a rural landscape.

6.7.3 An Ecological Assessment submitted in support of the application was carried out on this site in October 2015 by Turnstone Ecology. This was followed by a great crested newt survey in May and June 2016. As commented upon by the Planning Ecologist in response to this application habitats on the site consist of improved grassland, hedgerows and tall ruderals. There are more hedgerows and mature and semi-mature trees at the edges of the field, outside of the application boundary. 'A pond is located to the south-east of the proposed development site but within the same ownership as the caravan site'. The main construction works will all be within an existing area of grassland, which is botanically poor, and boundary hedgerows and trees will not be directly affected by works.

6.7.4 Whilst it is disappointing that a section of existing native hedgerow, (10 metres as discussed in paragraph 6.4.4 above), needs removal in order to provide adequate visibility splays, with consideration to the landscaping proposals and mitigation as a whole, (including the provision of 240 metres of new native hedgerows), the proposed development is acceptable in relation to ecological issues and as part of the mitigation the proposed wildlife pond is acceptable. The Planning Ecologist raises no objections recommending conditions in relation to badger setts, (see paragraph 4.8 of this report), an ecological clerk of works overseeing development on site, landscaping plan implementation, lighting plan and habitats management plan. A condition in respect of further landscaping and mitigation measures was also recommended by the Council's Tree Manager and this matter has been considered as part of the ecology discussion above. As such on balance the development in accordance with Policies CS17 and MD12 and the overall aims and objectives of the NPPF in relation to biodiversity mitigation and enhancement.

### **Drainage.**

6.8 The Council's Drainage Team were consulted on the application and have raised no issues on drainage grounds, other than to recommend a condition in order to ensure a sustainable drainage scheme is installed.

6.8.1  
6.8.2 Objections received from members of the public refer to drainage issues, and this matter was brought to the attention of the Council's Drainage Team who have maintained that the development is acceptable on flooding and drainage issues. As such it is recommended that a condition in relation to a sustainable drainage scheme is attached to any approval notice issued and accordingly, the proposal is considered to satisfy Policy CS18 of the Core Strategy on drainage terms.

## **7.0 CONCLUSION**

7.1 The proposed development overall is acceptable in principle, and will enable on balance the sustainable expansion of an existing caravan park, in a scale considered acceptable in relation to the overall character of the surrounding landscape and the existing caravan park, with mitigation as discussed in this report, impacts on the surrounding historic environment considered acceptable. Development as proposed will not have a significant detrimental impact on the setting of the nearby Grade II listed buildings. Residential and surrounding amenity issues are addressed satisfactory. Impacts on drainage and biodiversity also acceptable, with appropriate conditions as referred to in this report attached to any

approval notice issued. Also a material consideration is the economic benefits and whilst it is acknowledged that these have to be weighed up against any harm, (in this aspect landscape and visual impact), the development on balance is of an acceptable small scale in relation to the existing caravan park and will not overwhelm in relation to visual impact and harm to the surrounding countryside, (it is acknowledged that any further development/or larger scale would have a more detrimental impact). The proposal will also bring to the surrounding area economic benefits, whilst also helping maintain the economic viability of the existing business. Overall whilst it is acknowledged that the development will not be well served by public transport, the scale and nature of the development lends itself to use by private means of transport, the site, (in scale), is suitably located in relation to public highways.

- 7.2 Overall and on balance the development is sustainable development, and as such considered to comply with the relevant planning policies, key of which are Policies CS5, CS6, CS13, CS16, CS17, MD2, MD7b, MD1, MD12 and MD13, as well as the overall aims and objectives of the National Planning Policy Framework.
- 7.3 In arriving at this decision the Council has used its best endeavours to work with the applicants in a positive and proactive manner to secure an appropriate outcome as required in the National Planning Policy Framework paragraph 187.

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

### 8.1 **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, i.e. written representations, hearing or inquiry.

The decision may be 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 made a) promptly and b) in any event not later than six weeks 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.

### 8.2 **Human Rights**

Article 8 gives 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.

### 8.3 **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 1990.

### 9.0 **Financial Implications**

There are likely financial implications if 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 dependent on the scale and nature of the proposal. Local financial considerations are capable of being taken into account when determining this planning application – insofar as they are material to the application. The weight given to this issue is a matter for the decision maker.

## 10. **Background**

### Relevant Planning Policies

Central Government Guidance: - National Planning Policy Framework

Core Strategy and Saved Policies: CS5, CS6, CS13, CS16 and CS17.

SAMDev Policies MD2, MD7b, MD1, MD12 and MD13

### RELEVANT PLANNING HISTORY:

11/04709/VAR Variation of condition 4 of planning permission ref.SA/08/1409/F to allow five caravans to remain on site for more than 21 days GRANT 16th January 2012

16/04732/VAR Variation of Condition no. 4 attached to 72/3716 to enable use of the caravan site for 12 months each year to respond to market demand GRANT 19th December 2016

16/04737/VAR Variation of Condition no. 3 attached to 08/1409/F to enable use of the caravan site for 12 months each year to respond to market demand GRANT 19th December 2016  
SA/08/1409/F Change of use of agricultural land to form an extension to existing caravan park to create an additional 11 pitches PERCON 12th January 2009  
SA/05/1137/F Erection of a w.c./utility block for existing caravan site PERCON 14th October 2005

## 11. Additional Information

[View details online:](#)

List of Background Papers (This MUST be completed for all reports, but does not include items containing exempt or confidential information)
--

Cabinet Member (Portfolio Holder) Cllr R. Macey
--

Local Member Cllr Roger Evans
----------------------------------

Appendices APPENDIX 1 - Conditions
---------------------------------------

## APPENDIX 1

### Conditions

#### STANDARD CONDITION(S)

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(S) THAT REQUIRE APPROVAL BEFORE THE DEVELOPMENT COMMENCES

3. Prior to the first occupation of the development hereby permitted (or Prior to the commencement of the use hereby permitted) a visibility splay measuring 2.4 metre back from the nearside carriageway edge, along the whole site frontage (including the existing caravan site) shall be provided and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

Reason: To ensure the provision of adequate visibility in the interests of highway safety.

4. Within 90 days prior to the commencement of development, a pre-commencement badger inspection shall be undertaken by an experienced ecologist and the outcome reported in writing to the Local Planning Authority. If new evidence of badgers is recorded during the pre-commencement survey then the ecologist shall submit a mitigation strategy that sets out appropriate actions to be taken during the works.

Reason: To ensure the protection of badgers, under the Protection of Badgers Act 1992.

5. Prior to first occupation / use of the site, an appropriately qualified and experienced Ecological Clerk of Works (ECW) shall provide a report to the Local Planning Authority demonstrating implementation of the GCN RAMMS (as set out in section 4.3.6 of the Ecological Assessment (Turnstone Ecology, September 2016)).

Reason: To demonstrate compliance with the GCN RAMMS.

6. No development shall take place (including demolition, ground works and vegetation clearance) until a landscaping plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- a) Planting plans, creation of wildlife habitats and features and ecological enhancements (e.g. hibernacula, integrated bat and bird boxes, hedgehog-friendly gravel boards and amphibian-friendly gully pots);
- b) Written specifications (including cultivation and other operations associated with plant, grass and wildlife habitat establishment);

- c) Schedules of plants, noting species (including scientific names), planting sizes and proposed numbers/densities where appropriate;
- d) Native species used are to be of local provenance (Shropshire or surrounding counties);
- e) Details of trees and hedgerows to be retained and planted and measures to protect these from damage during and after construction works;
- f) Implementation timetables.

The plan shall be carried out as approved, unless otherwise approved in writing by the Local Planning Authority.

Reason: To ensure the provision of amenity and biodiversity afforded by appropriate landscape design.

7. Prior to the erection of any external lighting on the site, a lighting plan shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained for the lifetime of the development. The submitted scheme shall be designed to take into account the advice on lighting set out in the Bat Conservation Trust's Artificial lighting and wildlife: Interim Guidance: Recommendations to help minimise the impact artificial lighting (2014).

Reason: To minimise disturbance to bats, which are European Protected Species.

8. No development shall take place (including ground works and vegetation clearance) until a habitat management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:

- a) Description and evaluation of the features to be managed;
- b) Ecological trends and constraints on site that may influence management;
  - c) Aims and objectives of management;
  - d) Appropriate management options for achieving aims and objectives;
  - e) Prescriptions for management actions;
- f) Preparation of a works schedule (including an annual work plan and the means by which the plan will be rolled forward annually);
  - g) Personnel responsible for implementation of the plan;
- h) Monitoring and remedial/contingencies measures triggered by monitoring;
- i) The financial and legal means through which the plan will be implemented.

The plan shall be carried out as approved, unless otherwise approved in writing by the Local Planning Authority.

Reason: To protect and enhance features of recognised nature conservation importance, in accordance with MD12, CS17 and section 118 of the NPPF.

9. No development shall take place on site until a scheme of the proposed surface and foul water drainage has been submitted to, and approved in writing by the Local Planning Authority. The approved schemes shall be completed before the development is occupied.

Reason: To ensure satisfactory surface water drainage of the site and to minimise flood risk elsewhere as a result of the development and also to ensure that the foul water drainage system complies with the Building Regulations H2.

**CONDITION(S) THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT**

**CONDITION(S) THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT**

10. A register shall be maintained of the names of occupiers of the site, the period of their occupation together with their main home addresses. This information shall be made available at all reasonable time to the local planning authority

Reason: General residential development in this location would be contrary to adopted local and national policy.

11. The site shall be used to provide holiday accommodation only and shall not be occupied as permanent unrestricted residential accommodation or as a primary place of residence.

Reason: The site is outside of any recognised settlement and is in an area where unrestricted residential accommodation would not be appropriate.

12. No more than 15 individual static caravan pitches shall be accommodated on the site at any one time as detailed on the approved site layout plan. The site shall only be used in accordance with detail submitted in support of the application.

Reason: to ensure a satisfactory intensity and type of development.