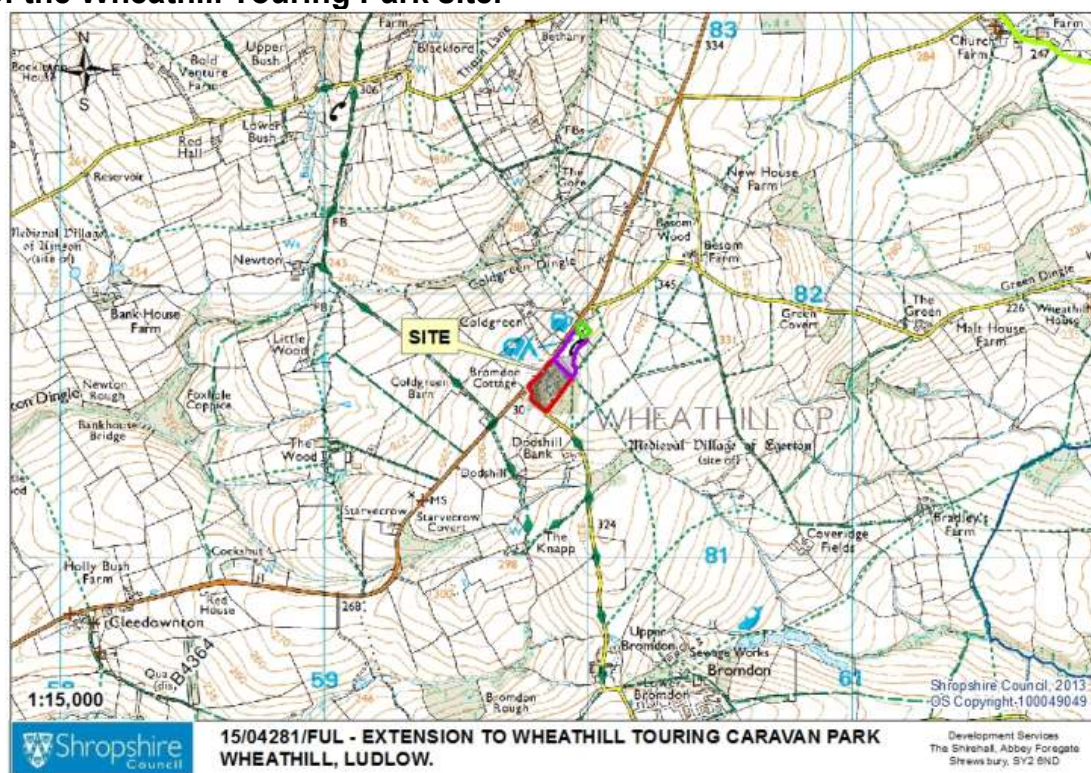


Development Management Report

Summary of Application

<u>Application Number:</u> 15/04281/FUL	<u>Parish:</u>	Wheathill
<u>Proposal:</u> Change of use of agricultural land to facilitate extension to existing touring park, 25 all-weather touring pitches; estate road and services; erection of toilet block; landscaping scheme		
<u>Site Address:</u> Wheathill Touring Park Caravan Site, Wheathill, Shropshire, WV16 6QT		
<u>Applicant:</u> Wheathill Touring Park		
<u>Case Officer:</u> Grahame French	<u>email:</u>	planningdmc@shropshire.gov.uk

Recommendation:- Approve subject to the conditions set out in Appendix 1 and to legal agreement committing the applicant not to seek any further extensions to the area of the Wheathill Touring Park site.



REPORT

1.0 THE PROPOSAL

- 1.1 It is proposed to change the use of a pasture field in order to extend the existing touring caravan park at Wheathill and to construct associated works including a toilet/shower facility.
- 1.2 The existing site area (0.9ha) accommodates 25 touring caravans, the site office and visitor parking. The proposed (area 1.4ha) would accommodate 25 pitches with a density which is intentionally significantly less than that of the existing site. This is to facilitate landscaping and to give the customers increased privacy. The layout has been designed to take account of the topography. The hard surfaces would all be porous.
- 1.3 The existing access off the B4364 Ludlow to Bridgnorth road would be used with vehicles passing through the existing site. Access through the proposed extension would be by means of a one way circular route. The development would provide full-time employment for two people
- 1.4 An extensive landscaping scheme is proposed both within the site and in surrounding areas owned by the applicant as part of a strategic masterplan. Planting would be extended around the site margins and between the plots. The lower area, closest to the neighbouring property would be kept free of development and would be landscaped with woodland, a wild flower meadow and a small wetland.
- 1.5 The toilet block (6.2m x 4.7m x 3.3m high) would be a wood clad structure with a dual pitch roof and including a disability access ramp. It would be located at the north end of the site adjacent to the highway boundary hedge. The proposed waste water treatment plant would be similar width and height but approximately twice the length and would be located to the south of the toilet block. Both these structures would be screened by existing and proposed vegetation.
- 1.6 The existing stiles (two in total) on the applicant's site that connect with public footpaths are to be replaced with kissing-gates to facilitate easier access.



2.0 SITE LOCATION / DESCRIPTION

- 2.1 The site comprises a rectangular plot of land to the immediate south of the existing touring park and public house and east of the B4364 Ludlow to Bridgnorth road. The total area 1.4ha incorporates approximately 0.5ha of hard surfaces with the remainder being proposed for grassed and landscaped areas. The site is located within the Shropshire Hills Area of Outstanding Natural Beauty and some 7 miles north east of Ludlow. The existing touring park has planning permission for 25 caravan/motorhome pitches.
- 2.2 There is a direct footpath link from the site to the Public House. The site also affords access to a wide range of public footpaths in the local area. The private residential property known as Bromden Cottage, is located to the immediate south west.

3.0 REASONS FOR COMMITTEE DECISION

- 3.1 Due to the locally sensitive nature of the application, the Parish Council's objection and call in request from one of the two Local Members for this Ward, the Chairman of the South Planning Committee has requested that the application is considered at Planning Committee.

4.0 COMMUNITY REPRESENTATIONS

- 4.1 Wheathill Parish Council: Objection for the following reasons:
- i. Major Development within An Area of Outstanding Natural Beauty: The area covered by the current application is 1.5 hectares. The existing development, to which this application is latest phase to be added, is of a similar size. So, if allowed, the total area will be 3 hectares-7 acres plus. The National Planning Policy Framework (116) forbids 'Major Developments' in an Area of Outstanding Beauty. If permitted the developed Park will be three times the recognised criterion which is, inter alia, one

hectare. It must be judged as a whole not its constituent parts. Same owner, same site entrance, same shared facilities. Also consider your own Core Strategy Policy CS16 Tourism (6.32) “It is vital this (tourism) is achieved without detracting from the intrinsic beauty and tranquillity which Shropshire is renowned for” and (6.33) “... highlights how it is important to protect existing assets...”

- ii. Parish Council Policy on Development in Wheathill: The Parish Council SAMDev response dated 6 August 2011 states “Development of small employment opportunities would be welcomed, however over development of existing sites would not be in keeping in an area associated with an Area of Outstanding Natural Beauty”. This policy was publically endorsed as recent as May 2015 in our Annual Parish Report 2015, delivered to every household in the Parish, which stated “Tourism is welcome but as always there has to be a balance if we are not to spoil the very thing people come to enjoy”. If this application is permitted that balance has been broken.
 - iii. Visual Impact: Planning is very much about visual impact and this site is very visible from higher ground. At the last Planning Committee site visit the Chairman said they were looking at the visual impact this site was having. At the subsequent Planning Committee hearing some eight members commented about its harshness in the landscape. If this application is permitted it will be twice the size as previous.
 - iv. Planning history: There is concern within the Parish about the number of applications on this site (12 to date-some retrospective) and the progressive nature of the development. By permitting this application some 3 hectares will have been developed out of a total site capacity of circa eleven hectares. We are very concerned about the possible future expansion of this site.
 - v. Localism/Parish Plan: Our Parish Plan was adopted a year ago following a survey with a c70% response rate. Whilst there was some support for tourism the overwhelming view was that the area must be protected. If permitted the ratio of caravans to dwellings in the Parish will be 2:1
 - vi. Bromdon Cottage: In the public session concern was expressed by the owner of Bromdon Cottage about the aggravated drainage problem on her land which lies directly downhill from the existing development. Increasing the site density to fall nearer her property can only exacerbate the problem. This matter ought to be investigated by the Planners, irrespective of the decision about this application. Clearly there is something wrong.
 - vii. In Conclusion: Given the history of applications on this site, the opposition of Wheathill Parish Council to its progressive development, we would strongly request this application is debated and the decision taken in the public forum of a Planning Committee hearing.
- 4.2 AONB Partnership: Objection.
- i. The AONB Partnership supports sustainable tourism in the AONB, and believes that economic benefits can be gained through tourism activities which are sympathetic to the high quality landscape, which is the key asset on which tourism in the area depends long term. Development which is not in keeping can undermine the economic value of the landscape, as well as its intrinsic qualities, and the scale of

development is a crucial factor in this, as recognised in policies outlined below. We note the history of creeping development on this site, and that this current application represents a major increase, doubling the existing site's footprint. We consider this development to be of inappropriate scale at this location within the AONB. Indeed the Council should consider whether this constitutes major development and the additional relevant policies of the National Planning Policy Framework apply. We recognise and welcome the applicant's proposed intention to reduce the impact of the development through landscaping of a more natural style appropriate to the rural setting than previously used. However we do not consider this to be sufficient to mitigate against the scale of the development at this location. We would like to draw your attention to the following national and local policies which support our assertion that this application should be refused:

- ii. Para 14 of the National Planning Policy Framework (as quoted by the applicant's agent) on the 'golden thread' of sustainable development, highlights AONBs through footnote 9 as an exception to a presumption in favour of development, as one of a few types of special area where "specific policies in this Framework indicate development should be restricted." Para 115 of the National Planning Policy Framework states that: 115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads. Shropshire Core Strategy Policy CS16: Tourism, Culture and Leisure (extract) states: To deliver high quality, sustainable tourism, and cultural and leisure development, which enhances the vital role that these sectors play for the local economy, benefits local communities and visitors, and is sensitive to Shropshire's intrinsic natural and built environment qualities, emphasis will be placed on:
 - Supporting new and extended tourism development, and cultural and leisure facilities, that are appropriate to their location, and enhance and protect the existing offer within Shropshire. (emphasis added) Shropshire Core Strategy Policy CS17: Environmental Networks states: Development will identify, protect, enhance, expand and connect Shropshire's environmental assets, to create a multifunctional network of natural and historic resources. This will be achieved by ensuring that all development:
 - Protects and enhances the diversity, high quality and local character of Shropshire's natural, built and historic environment, and does not adversely affect the visual, ecological, heritage or recreational values and functions of these assets, their immediate surroundings or their connecting corridors. Further guidance will be provided in SPDs concerning the natural and built environment;
 - Contributes to local distinctiveness, having regard to the quality of Shropshire's environment, including landscape, biodiversity and heritage assets, such as the Shropshire Hills AONB, the Meres and Mosses and the World Heritage Sites at Pontcysyllte Aqueduct and Canal and Ironbridge Gorge.
- iii. Shropshire Council SAMDev Policy MD11 - Tourism facilities and visitor accommodation states:
 1. Tourism, leisure and recreation development proposals that require a countryside location will be permitted where the proposal complements the character and

qualities of the site's immediate surroundings, and meets the requirements in Policies CS5, CS16, MD7, MD12, MD13 and relevant local and national guidance;

2. All proposals should to be well screened and sited to mitigate the impact on the visual quality of the area through the use of natural on-site features, site layout and design, and landscaping and planting schemes where appropriate. Proposals within and adjoining the Shropshire Hills AONB should pay particular regard to landscape impact and mitigation.

Explanations (extract).

4.108 In areas of recognised scenic and environmental value proposals must pay particular regard to the qualities of the area and the reasons for designation in line with Policies CS6 and CS17, MD12, MD13 and the NPPF. Within and adjoining the Shropshire Hills Area of Outstanding Natural Beauty applicants should also have regard to guidance in the Shropshire Hills AONB Management Plan. Sustainable tourism development plays a vital role in supporting the local economy but must be sensitive to the inherent qualities that the AONB is designated for.

- iv. Shropshire Council SAMDev Policy MD12: The Natural Environment states:
In accordance with Policies CS6, CS17 and through applying the guidance in the Natural Environment SPD, the conservation, enhancement and restoration of Shropshire's natural assets will be achieved by:
 1. Ensuring that the social or economic benefits of development can be demonstrated to clearly outweigh the harm to natural assets where proposals are likely to have an unavoidable significant adverse effect, directly, indirectly or cumulatively, on any of the following:
 - i. the special qualities of the Shropshire Hills AONB;
 - ii. locally designated biodiversity and geological sites;
 - iii. priority species;
 - iv. priority habitats
 - v. important woodlands, trees and hedges;
 - vi. ecological networks
 - vii. geological assets;
 - viii. visual amenity;
 - ix. landscape character and local distinctiveness.
- v. AONB Management Plan Policy for Supporting Enjoyment and a Visitor Economy in Harmony with the AONB approved by Shropshire Council states:
Tourism and recreation development and infrastructure. The siting, design and specification of new developments for tourism and recreation should be to high standards of environmental sensitivity and sustainability. The following guidelines are recommended:
 - Single developments of more than around 10 accommodation units are less likely to be supported in small settlements and open countryside.
 - Large parks of static caravans, cabins or chalets are likely to be intrusive. Smaller sites with good landscaping are preferable, as are facilities for touring caravans and camping which generally have a low impact by virtue of fewer permanent structures.
 - Built facilities for recreation should only be allowed where their location and the activities they support are compatible with the special qualities of the AONB.

Smaller, low-key tourism developments designed in sympathy with local character will blend better into the area and spread economic benefits more widely than larger facilities.

- vi. The Shropshire Hills and Ludlow Sustainable Tourism Strategy 2011-16, approved by Shropshire Council, sets out a clear approach for sustainable tourism in the area, and states as Action 2.1: Give priority to maintaining a high quality landscape and environment as a primary resource of sustainable tourism.
- 4.3 SC Public Protection: No objection. The applicant should ensure that they make the licensing authority aware of any changes and carry out any necessary work to ensure the site is licensed appropriately where required.
- 4.4 SC Trees: No comments received.
- 4.5 SC Rights Of Way: No objection. No rights of way affected
- 4.6 SC Highways DC: No objection. The application under consideration is an extension to the existing with access on the B4364. Shropshire Council as Highway Authority would raise no objection to the granting of consent.
- 4.7 SC Drainage: No objection. The surface water run-off from the solar panels is unlikely to alter the greenfield run-off characteristics of the site therefore the proposals are acceptable. An informative note on drainage is recommended.
- 4.8 SC Ecologist: No objection subject to informative notes. From the Landscape Plan it appears the toilet block and waste treatment plant are proposed close to mature trees. Please can the relative positions of the trees and buildings be indicated on plans so it is clear that no development is proposed within the root protection zone of these trees? If any mature trees are proposed for felling at any stage then they should be assessed for bat roosting potential by a suitably experienced ecologist and their advice followed. The hedgerows and trees bordering the site have potential to support nesting birds. The vegetation removal should take place outside of the bird nesting season. Star Ecology report no evidence of badgers on the site but consider it possible that they could be in the wider area and therefore propose measures to prevent harm to badgers during construction works. Informatives are recommended. Under Regulation 61 of the Conservation of Habitats and Species Regulations (2010), the proposed works will not have a likely significant effect on any internationally designated site. An Appropriate Assessment is not required.
- 4.9 SC Conservation: No objection.
- 4.10 SC Archaeology: No objection:
- 4.11 Councillors Gwilym Butler and Madge Shineton (Cleobury Mortimer) have been informed of the proposals.

Public Comments

- 4.12 The application has attracted 42 public representations, 32 in support and 10 objections. Of the support letters it is understood that 4 are from local properties / businesses with the majority being from customers of the site. Supporters raise the following points:
- i. Supporting need: More and more people are holidaying in the UK and caravans / motor homes are on the increase. This does of course mean a demand for additional touring pitches. There is an increase in touring caravans in general with people choosing to holiday in the UK and often sites are full and booked way in advance. For some of us this is the only way that we can spend some quality time in our beautiful countryside. I think the park and adjacent buildings have been vastly improved. It's the type of site we would use ourselves and it would be good to know other caravanners can enjoy the beautiful scenery that we are lucky to have on our doorstep.
 - ii. Economic benefits: So much of our traditional countryside is falling by the wayside and our traditional Inns and small local shops are closing. Even farms are now opening to the public to help fund a declining industry. Tourism is the way forward bringing money to the area and this can only help the local population? Whilst I appreciate the comments from local people with regards to not wanting their beautiful land changed, unfortunately the country is changing. Where agriculture is not what it was, some of these smaller villages need tourism to keep them alive. For example, the Three Horseshoes would have undoubtedly have closed if it wasn't for Mr Partridge and the tourists that visit the area. We believe that the new development at Wheathill will not only bring more spend per head to the area, as touring customers will be spending money on essentials and luxuries alike in the area, but also it will attract more people to the area to begin with - Wheathill being a small village, sure this is a good thing for all that reside there? We have used the Three Horseshoes on a number of occasions and have witnessed the economic benefits this kind of development can bring and does bring not only to this pub but to other pubs on the B4364. Even farms are now opening to the public to help fund a declining industry. I support the application at the touring park and having lived in Wheathill all my life. Being a local businessman I realise that a healthy economy is vitally important for everyone and its not just about profit for the individual. What the planned scheme will bring to the area is new money from all areas of the country for years to come. People who currently bring their caravans to this site come to eat, drink, purchase goods, fuel and visit local attractions, this being both summer and more importantly winter. More visitors to this site will mean local businesses will benefit directly and we all know this is badly needed. The park as it is has brought added custom to the pub along with the local shop, and other hostelrys along the road. It has served the Ludlow food festival, Burwarton Show, and the Bridgnorth Walk, all of which add to the current economic climate of today. The touring park already exists and with very little disturbance required to facilitate the extra 25 units, this would make the whole project sustainable and viable. I'm also of the belief that it would also create 2 extra jobs for local people to work on the site and who would occupy the recently renovated house/sheds which has already enhanced the visual appearance of its surrounding area. As a local business we fully support this application at Wheathill Touring Park. This extension will benefit many small businesses in the area, both directly through the development and indirectly through additional tourists. As still relatively new proprietors of Cleobury North Village Stores, we are acutely aware of the need to

build and support the local economy... We have worked well with nearby pubs and a B & B , stables and of course Burwarton and District Agricultural Show , both to grow trade and to offer a comprehensive range of services to our customers... Since our arrival two summers' ago we have been extremely well supported by staff and visitors alike from Wheathill Touring Park and we quickly established a mutually beneficial exchange of customers, which is so important in a rural location such as this.

- iii. Quality of design: I am sure that any additions to Wheathill will be completed in a very professional manner and with minimal impact to the local environment as has previously been done. I know that Mr Partridge will do all that he can to landscape the extension and keep the beauty of the area. His park is one of the best I have ever visited. I fully support his application. I have passed this park every day of my working life and seen an absolute eye sore turned into something that is now very tidy and extremely well kept. From the pub frontage to the entrance of the touring park there has been a very smart refurbishment of what was once falling down barns that were very unsightly. This kind of work can only enhance the area. I am very fussy, and as caravan sites go, this site is top notch. It has excellent facilities, all weather pitches and the attention paid to the environment is impressive. I find that the best sites focus on the environment, as it tends to be important to caravanners, as they usually enjoy countryside pursuits such as walking. Over the years they have bought thousands of trees and shrubs from our nursery, to provide screening, hedging and general enhancement to the parks. This has also been to the benefit of the local wildlife habitats, and natural beauty of the area.
 - iv. Visually acceptable: It has no visual impact from the main road. I cannot see that this would have any detrimental effect to the area. As someone who appreciates the Shropshire AONB very much, I don't wish it to be blighted. However, I appreciate that a fine balance needs to be struck. The plans include landscaping, sensitive screening and improvements to the hedging etc. All this should help to mitigate the impact of the site and improve the area overall - which will encourage a few more discerning visitors to this part of the world. In a response to a letter submitted by Mr Derek Bromley.. I fail to see how people can see over a hill!
 - v. Other: The path between the park and the pub is a very generous one, reading one of the comments that it is a dangerous walk makes me think the writer has never made this walk herself.
- 4.13 Salop leisure: We write in support of the above application to provide an additional 25 quality pitches at this location. These additional pitches will help serve the strong demand for such accommodation in this part of Shropshire where visitors from urban areas are able to enjoy a high quality rural landscape. Salop Leisure is a major supplier of touring caravans and motor homes and the popularity of caravanning shows no sign of diminishing. The National Caravan Council reports a rise in production of both touring caravans and motorhomes. Many Manufacturers have sold out of particular models and are unable meet demand from dealerships such as ours. These indicators supports the need for additional high quality pitches, especially on popular sites such as Wheathill. The importance of tourism to the local economy cannot be under-estimated and the additional income these 25 pitches create will boost support for local businesses. With Wheathill open for 10 months of

the year, income will be generated and distributed outside the main busy summer season, an important factor in this rural location. In addition, local businesses will benefit from the establishment of the infrastructure and employment opportunities are also being created on the Park. We have known and done business with the Partridge family for over 40 years, first and second generation and in every venture they undertake they always strive to attain the highest quality standards and facilities. Having looked at this application we support it wholeheartedly and hope they are successful in their application.

4.13 The main issues of concerns of objectors can be summarised as follows:

- i. Traffic: There is already too much traffic on the narrow lanes. Our daughter has had 2 near misses from vehicles overtaking in the village and my wife now has to drive to visit our neighbours ruining what was a pleasant walk. As activities are now outside of the original summer only original plans these hazards will be increased with the shorter days / poor weather. The increase in non-resident traffic has increased the congestion down the lane, noise in the village and a litter problem that did not exist before. The owners of this site supported the Parish Council campaign to get a speed limit on the B4364 which runs past the entrance and stated that the road presented a danger to the site users as they walked a few yards to the next door pub. An increase in the size of the site will increase the traffic and vehicles pulling on and off the touring park and, thus, increase the danger on that stretch of road. We continue to be concerned about the impact of the additional traffic and hazards associated with slow moving cumbersome vehicles stopping to turn off the road and join the road on the only straight length of road for 5 miles which encourages people to speed in excess of the speed limit and conduct dangerous overtaking manoeuvres. Our daughter has had 2 near misses from vehicles overtaking in the village and my wife now has to drive to visit our neighbours ruining what was a pleasant walk. The caravan entrance is in a deep hollow which causes additional dangers. The speed limit in the village should be reduced to a maximum of 40mph to reduce the risk to the locals
- ii. Visual impact: It's spoiling the beautiful countryside as it's in full view from the Brown Clee. The continued detrimental visual impact of the site due to the uncontrolled landscaping / fencing and extension of the site for more caravans / storage causing a significant blight on this previously beautiful rural location. Expansion to the middle field rather than the bottom field would potentially result in better screening for the surrounding area. Careful consideration regarding the positioning of buildings in this application would be of great benefit to ensure that it does not become a sprawling and spreading eye-sore.
- iii. Overdevelopment: We already have to tolerate an ever expanding caravan park at Bromdon and if the one at Wheathill gets permission we are surrounded again spoiling the area that is our home. Is there any need for more? The caravan park at Bromdon is pushing 200 caravans and at Wheathill, 25 in the field and 30 in storage, which is more than enough for this small area of countryside. Wheathill is a very small village with a very low population density and a subsequent low level of infrastructure to support it. From a small "summer" operation which is how we were assured the new caravan development would be a couple of years ago it is now growing into a large scale operation and if this expansion is allowed will add

significantly to the population without any additional support or benefit apart from to the owners of the business. Planners must realise that these will be supersized pitches ready to accommodate future static vans. There are enough caravan sites in the area without the need for anymore.

- iv. Questioning need: There is a lovely caravan site I believe in Ludlow so for the size of the area I do not think that the caravan site should be made any bigger.
- v. AONB objection: Two and a half hectares of caravans is classed a major development which is not allowed in areas of outstanding natural beauty. The loss of more agricultural land in an area of Outstanding Natural Beauty is to be deplored as many of the tourists who use local B and B accommodation come here because of the rural environment.
- vi. Drainage: It is obvious to see that there is going to be a flooding issue with the house on the Bromdon turn. We have already suffered flooding from the drainage ditch overflowing and the extensive hard landscaping being proposed uphill from us will only increase the risk of further problems in the future. There is already a problem with drainage from the fields, we would hope the council would address this if allowing further hard standing, which would increase the problem for everyone downhill from the site as well as further road hazard.
- vii. Other: Why would you change the use of agricultural land for something that doesn't even belong in the countryside? There is absolutely no need for this to go ahead. I don't understand why people that are not living in the area support this as it does not affect them. Some of the people that are supporting this are doing it to keep face and business. I have noticed a lot of the supporters are people who do not live locally. Therefore, this monstrosity will not affect them. The increase of tourists have a negative impact on the areas as well as the caravans: litter, eyesore, pollution, traffic and a conflict between farmers and tourists with gates being left the way they shouldn't and wildlife being disturbed. Will have a negative impact on our privacy. None of the local events held in the last 12 months has been supported by users of the existing site so the only economic benefit to the immediate locality is to the public house owned by the site owners. Previous pitches were put on this field without permission then granted on retrospective planning even though this was totally illegal especially being built on a public footpath which was then closed at a later date. The roads in the next field over were also constructed without permission then granted retrospective with stipulated condition they must stay absorbable surface but were then tarmaced.

5.0 THE MAIN ISSUES

- Policy context;
- Principle of the development;
- Justification for location;
- Landscape and Visual impact;
- Existing land use;
- Other environmental issues;
- Timescale / decommissioning.

6.0 OFFICER APPRAISAL

6.1 Principle of development:

6.1.1 The NPPF requires Local Planning Authorities to encourage economic development in rural areas through the support of sustainable growth and expansion of existing businesses. This includes support for sustainable tourism and leisure development that benefit businesses, communities and visitors. Such uses should however be in appropriate locations which respect the character of the countryside.

6.1.2 Shropshire Core Strategy Policy CS5. This seeks to retain and permit appropriate expansion of existing established business in the countryside provided they maintain and enhance countryside vitality and character. Policy CS13 supports rural enterprise provided schemes accord with Policy CS5. Policy CS16 (Tourism, Culture and Leisure) seeks to deliver 'high quality, sustainable tourism, and cultural and leisure development, which enhances the vital role that these sectors play for the local economy'. Amongst other matters the policy seeks to promote connections between visitors and Shropshire's natural, cultural and historic environment.

6.1.4 It is also necessary however to ensure that proposals comply with policy CS17 which requires that "developments identify, protect, enhance, expand and connect Shropshire's environmental assets, to create a multifunctional network of natural and historic resources". SAMDev policy MD12 (The Natural Environment) also promotes the conservation, enhancement and restoration of Shropshire's natural assets including by ensuring that the social or economic benefits of development can be demonstrated to clearly outweigh the harm to natural assets where proposals are likely to have an unavoidable significant adverse effect, directly, indirectly or cumulatively.

6.1.5 AONB Policy: The site is within the Shropshire Hills AONB and the development must therefore be consistent with the aim of protecting the character and natural beauty of this rural area. In the case of 'major development' the proposals should also meet the exceptional circumstance tests which are set out in NPPF paragraph 116:

116. Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- *the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;*
- *the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and*
- *any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.*

6.1.6 Whilst the site exceeds the 1ha threshold for 'major development'. The applicant's planning statement notes that the actual area of development to take place within

the 1.4ha the site is significantly less (approx. 0.5ha), with the greater majority of the area being occupied by amenity grassland and landscaping areas. Most of the developed area would relate to hard surfaces at ground level which are not in themselves visually intrusive. It is further stated that touring caravans do not normally exceed 3m in height and hence they will not be particularly visually intrusive.

6.1.7 The officer acknowledges that the proposals relate technically to 'major development'. However, the characteristics of the scheme would not result in the same level of visual impact as for instance a new agricultural building in an equivalent area. This must be taken into account in applying the NPPF exceptional circumstance tests.

6.2 Need for the development:

6.2.1 In terms of need, the applicant has provided occupancy figures for 2014 and the first half of 2015. This indicates that the site has achieved maximum occupancy in the period between April and September and in particular between July and September. The applicant has also provided details confirming that significant numbers of potential customers have had to be turned away between April and September during times of peak occupancy.

6.2.2 The applicant's planning statement advises that 'taking into account the relative newness of the business, trading from a standing-start, these figures are very impressive and go some considerable way to highlighting the demand for high quality adult-only touring caravan pitches in beautiful locations such as this'. It is also recognised that the development has the potential to benefit the local economy to a greater extent than the current operation as there would be twice the number of visitors during peak times who would need to utilise goods and services in the local area.

6.2.3 Relative to the current situation refusal would not be detrimental to the local economy. The applicant has however shown that the application is a response to demand rather than speculative and the ability to attract additional visitors and hence benefits to the local economy is a material consideration. Therefore, the officer considers that the first exceptional circumstance test in NPPF 116 is met.

6.3 Alternatives:

6.3.1 In terms of the second test set out in the NPPF, the planning statement advises that this is the only feasible site within the applicants' ownership. It is low lying, relatively level, affords good access to public transport and the site is well-screened with established planting. This adults only site benefits from proximity to a public house. It affords excellent access to the local landscape via an extensive public footpath network which passes by the site. It is also in a strategic location between the important tourism destinations of Ludlow and Bridgnorth.

6.3.2 This combination of circumstances facilitating local visitor enjoyment of the AONB provides added justification for the proposed extension and is considered to be compliant with the objectives of Core Strategy Policy CS16 and policies 26 and 41 of the AONB Management Plan.

6.3.3 Core Strategy Policy CS16 advises that <leisure> proposals must amongst other matters be close to or within settlements, or an established and viable tourism enterprise where accommodation is required. The proposal complies with this criterion as it relates to an extension to an existing leisure facility. If the extension was not to proceed then prospective visitors would have to find an alternative site and the area could lose visitor custom during peak times due to the absence of availability of suitable pitches.

6.3.4 The AONB Management Plan recognises the important role that tourism plays to the economy of the AONB, whilst emphasising that tourism ventures should be carefully designed to protect the landscape which visitors come to see. In the case of the current proposals, the application gives visitors an opportunity to stay in an attractive landscape within the AONB which would not otherwise be possible. This is one of the main attractions leading to the popularity of the site, as stated in supporting letters from customers. The suggestion that visitors could go elsewhere outside of the AONB is not considered to represent a viable alternative in these circumstances. The officer considers that the second test set out in NPPF116 is also met.

6.4 Environmental Impact:

6.4.1 The third test set out by paragraph 116 of the NPPF relates to the level of environmental impact of the proposal and the extent to which mitigation is possible. Only if the sensitive environment of the AONB can be adequately protected will the proposals meet this test and be compliant with the NPPF and the development plan overall. Environmental issues raised by the proposals are considered in succeeding sections:

6.4.2 Landscape and visual impact: The application is accompanied by a visual impact assessment which assesses 5 viewpoints in the area surrounding the site. This concludes that there would be no significant residual impacts after the proposed planting measures have been undertaken.



View 1. View east from Holly Cottage, Thorne Lane.



View 4. View north from Holly Cottage, Thorne Lane.



View 5. South from the Shropshire Way. The furthest part of the field would not be developed.

- 6.4.3 The assessment also includes a strategic landscape plan which proposes improvements within the applicant's wider land ownership. The objective is to provide locally enhanced landscape conditions. This is intended to provide increased levels of visual amenity for users of the site's public footpaths and the regionally important Shropshire Way. It is stated that the proposed reinstatement of existing hedgerows and creation of new ones will also locally improve ecological connectivity and result in overall higher levels of biodiversity.
- 6.4.4 The proposed extension is in a better screened location than the existing site. It is set down some 2-4m lower in the landscape and there is a greater degree of mature roadside vegetation than the existing site.
- 6.4.5 The more exposed nature of the existing site coupled with the light colour of the touring caravans means that there is currently some visibility of this area from elevated viewpoints to the south (i.e. view 5). However, there has already been significant planting on the existing site and, whilst this is relatively recent, it will over

time help to mitigate these adverse effects. It is not considered that the proposed extension would add materially to any existing visual impact given the greater degree of screening.

- 6.4.6 There may be some temporary visual impact during times of fuller occupancy whilst planting becomes established. However, allowing the roadside hedges to grow up as proposed will provide relatively quick improvements in containment for the existing and proposed sites. It is recognised that the visibility of the site will be greater in the winter, but levels of occupancy will be less and the site is closed in January and February. In the medium to longer term it is considered that the applicant's landscaping proposals would successfully mitigate any visual impacts and enhance overall levels of biodiversity in the area.
- 6.4.7 Additional visual mitigation measures have also been proposed by the applicant following discussions with officers and are described in Annex 1. If members are minded to approve the proposals then it is considered that a condition requiring the extension not to become operational until spring 2017 would allow additional time for roadside hedges to grow up and for other vegetation between the pitches to begin to establish. The Certificate of Lawfulness for the existing site restricts opening to 20th March to end September every calendar year. This was subsequently varied by permission reference 12/04317/VAR to allow pitches to be used up to 12 months per year for the existing site although the site is closed by the applicant in January and February. However, it is recommended that an equivalent condition restricting opening months for the extension is imposed on the current site. This will limit the potential for cumulative impact whilst allowing the applicant to utilise the additional pitches during the peak times.
- 6.4.8 In summary, the proposed extension would introduce new built development into the landscape in the form of the additional services roads, hardstanding pitches and a shower block building. However, the site is capable of being screened and it is considered that the proposed extension and its impact on the visual amenity of the area and the character and natural beauty of the AONB would on balance be acceptable. This is given the design and nature of the development, the proposed landscaping measures and the ability to control timescales for occupancy. The potential significant tourism / economic benefits of the scheme are also a material consideration to be weighed into the planning balance. (Core Strategy Policy CS5, CS6, CS17; NPPF s28, s98, s116)
- 6.4.9 Highway Safety: There are no changes proposed to the access which was improved under planning reference no. 11/05173/FUL. The applicant states that this will adequately accommodate any increase in traffic movement from the site. Whilst there was some considerable local concern regarding the use of this access there have been no reports of any incidents and/or accidents in the 18-months the site has been operational. The formal comments of the Council's Highway section will be reported verbally to the Committee.
- 6.4.10 Residential Amenity: The proposed scheme brings the touring park closer to the residential property known as Bromdon Cottage which adjoins the south west boundary of the site. This boundary comprises a belt of established trees in excess of 2.5 metres in height including a high proportion of coniferous species that will

continue to provide effective screening during the winter months. This planting would be widened and a significant stand-off would be retained between this property and the nearest pitches. The site operates as an 'adult-only' site and is marketed on this basis of its tranquillity and restfulness. The visitors to the site are therefore attracted to site for the peace and quiet it offers. It is not considered that there would be any residential amenity issues on this basis.

- 6.4.11 Biodiversity: An ecology report concludes that a nearby SSSI is of geological and not ecological importance and as a consequence will not be impacted upon by the proposed development. The Council's Ecologist has not objected. The applicant has confirmed that the detailed positioning of the toilet block would not affect any tree roots. The proposed landscaping scheme has the potential to enhance local biodiversity. Appropriate conditions have been recommended.
- 6.4.12 Drainage: The site is not located within a flood risk zone. All surfaces will be permeable, hence the existing green-field run-off rate will be maintained. A small wetland area proposed to enhance biodiversity and any excess waters they will be directed to this area. The Council's drainage team has confirmed that the surface water drainage proposal in the Flood Risk Assessment is acceptable. In relation to grey and brown waters these will be accommodated within the existing treatment plant approved under planning reference 12/02363/FUL. A Bio-Pure sewage treatment plant was at that time installed with sufficient capacity to take the loading implied by the development.
- 6.4.13 Light pollution: The applicant has confirmed that the site will have a low-energy and minimal low-level external lighting system designed taking into account the advice of the Bat Conservation Trust. Movement sensors to be aimed to pick up low objects only and lights would be on minimum time switch-off. All lights would be directed to illuminate the immediate areas only and positioned downwards with built-in louvres to prevent any light spillage.
- 6.4.14 There are no heritage assets in the immediate vicinity of the site. The closest Listed Building is some 590 metres south-west of the site. In addition there is a site of a Medieval Village known as Egerton which is some 730 metres south-east of the site; this does not have any statutory designation and amounts to a series of medieval earthworks. A Zone of Theoretical Visibility study confirms that the site is not visible from the proposed development. The Council's Historic Environment team has not objected.

6.5 Legal Agreement

- 6.5.1 The applicant is preparing a legal agreement providing a commitment not to seek any further extensions in area or plot number to the Touring Park if the current application is approved. This is in response to concerns from objectors regarding the incremental expansion of the current site. This is to be welcomed.

7.0 CONCLUSION

- 7.1 The proposed development will help to sustain and expand an existing successful touring caravan business and will therefore support the rural economy and local

tourism. There would be some short-term localised effects on the appearance of the location. These would however be mitigated by the proposed comprehensive landscaping works and the recommended conditions. Once landscaping becomes fully established it is considered that there would be an overall improvement in visual amenities and biodiversity. Overall, it is considered that the character and natural beauty of the Shropshire Hills AONB would be preserved.

- 7.2 No other unacceptably adverse environmental effects have been identified. Hence, it is considered that the proposals meet the test of environmental sustainability set out in NPPF paragraph 116 once the proposed mitigation and recommended conditions are taken into account. Therefore the proposal is considered to be compliant overall with the NPPF and policies CS5, CS6 and CS13 of the Shropshire Core Strategy and is therefore recommended for approval.

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 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.

- 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 1970.

9.0 FINANCIAL IMPLICATIONS:

- 9.1 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.

10.0 BACKGROUND:

10.1 Relevant guidance

National Planning Policy Framework (NPPF) (DCLG – July 2011)

- 10.1.1 The NPPF clearly states from the outset that there is a presumption in favour of sustainable development and that local plans should follow this approach so that development which is sustainable can be approved without delay. One of the core planning principles is to ‘support the transition to a low carbon future in a changing climate...and encourage the use of renewable resources (for example, by the development of renewable energy)’. The NPPF expands further on this principle in paragraph 97: “To help increase the use and supply of renewable and low carbon energy, local planning authorities should recognise the responsibility on all communities to contribute to energy generation from renewable or low carbon sources. They should:

- Have a positive strategy to promote energy from renewable and low carbon sources;
- Design their policies to maximise renewable and low carbon energy development while ensuring that adverse impacts are addressed satisfactorily, including cumulative and visual impacts;
- Consider identifying suitable areas for renewable and low carbon energy sources, and supporting infrastructure, where this would help secure the development of such sources;
- Support community-led initiatives for renewable and low carbon energy, including developments outside areas that are being taken forward through neighbourhood planning; and
- Identify opportunities where development can draw its energy supply from decentralised, renewable or low carbon energy supply systems and for co-locating potential heat customers and suppliers.

Paragraph 98 advises that when determining planning applications, local planning authorities should:

- Not require applicants for energy developments to demonstrate the overall need for renewable or low carbon energy and also recognise that even small scale projects provide a valuable contribution to cutting greenhouse gas emissions; and
- Approve the application if its impacts are (or can be made) acceptable...”

- 11.1.5 Paragraph 115. Great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which

have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.

Para 116. Planning permission should be refused for major developments in these designated areas except in exceptional circumstances and where it can be demonstrated they are in the public interest. Consideration of such applications should include an assessment of:

- the need for the development, including in terms of any national considerations, and the impact of permitting it, or refusing it, upon the local economy;
- the cost of, and scope for, developing elsewhere outside the designated area, or meeting the need for it in some other way; and
- any detrimental effect on the environment, the landscape and recreational opportunities, and the extent to which that could be moderated.

11.1.5 Paragraph 117 of the NPPF sets out the general requirement to 'conserve heritage assets in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of this and future generations'. Section 126 states 'the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation'. Section 128 identifies the need to take the settings of listed buildings into account. Section 134 advises that 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.

11.1.6 Paragraph 28 advises that 'planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support the sustainable growth and expansion of all types of business and enterprise in rural areas...;
- promote the development and diversification of agricultural and other land-based rural businesses;
- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and
- promote the retention and development of local services and community facilities in villages...

10.2 Relevant planning policies:

10.2.1 The Shropshire Core Strategy (Adopted February 2011) sets out a Spatial Vision for Shropshire and the broad spatial strategy to guide future development and growth during the period to 2026. The strategy states, "Shropshire will be recognised as a leader in responding to climate change. The Core Strategy has 12 strategic objectives, the most relevant is Objective 9 which aims "to promote a low carbon Shropshire delivering development which mitigates, and adapts to, the effects of

climate change, including flood risk, by promoting more responsible transport and travel choices, more efficient use of energy and resources, the generation of energy from renewable sources, and effective and sustainable waste management". Policies of relevance include:

Policy CS5 - Countryside and the Green Belt:

New development will be strictly controlled in accordance with national planning policies protecting the countryside and Green Belt. Subject to the further controls over development that apply to the Green Belt, development proposals on appropriate sites which maintain and enhance countryside vitality and character will be permitted where they improve the sustainability of rural communities by bringing local economic and community benefits, particularly where they relate to:

- Small-scale new economic development diversifying the rural economy, including farm diversification schemes;
- Dwellings to house agricultural, forestry or other essential countryside workers and other affordable housing/accommodation to meet a local need in accordance with national planning policies and Policies CS11 and CS12;

With regard to the above two types of development, applicants will be required to demonstrate the need and benefit for the development proposed.

Policy CS6 - Sustainable Design and Development Principles

To create sustainable places, development will be designed to a high quality using sustainable design principles, to achieve an inclusive and accessible environment, which respects and enhances local distinctiveness and which mitigates and adapts to climate change. And ensuring that all development:

- Is designed...to respond to the challenge of climate change
- Protects, restores, conserves and enhances the natural, built and historic environment and is appropriate in scale, density, pattern and design taking into account the local context and character, and those features which contribute to local character, having regard to national and local design guidance, landscape character assessments and ecological strategies where appropriate
- Makes the most effective use of land and safeguards natural resources including high quality agricultural land.

Policy CS8 – Infrastructure provision positively encourages infrastructure, where this has no significant adverse impact on recognised environmental assets that mitigate and adapt to climate change, including decentralised, low carbon and renewable energy generation, and working with network providers to ensure provision of necessary energy distribution networks.

Policy CS13 Economic Development, Enterprise & Employment - recognises the importance of farming for food production and supporting rural enterprise and diversification of the economy, in particular it focusses on areas of economic activity associated with agricultural and farm diversification.

Policy CS16: Tourism, Culture and Leisure - To deliver high quality, sustainable tourism, and cultural and leisure development, which enhances the vital role that these sectors play for the local economy, benefits local communities and visitors, and is sensitive to Shropshire's intrinsic natural and built environment qualities, emphasis will be placed on: Supporting new and extended tourism development, and cultural and leisure facilities, that are appropriate to their location, and enhance and protect the existing offer within Shropshire.

Policy CS17 - Environmental Networks seeks to protect and enhance the diversity, high quality and local character of Shropshire's natural environment and to ensure no adverse impacts upon visual amenity, heritage and ecological assets.

10.3 South Shropshire Local Plan - The site is not affected by any other specific designations in this Plan. Formerly relevant policies have been superseded by the Core Strategy.

10.4 Site Management and Allocation of Development Document (SAMDEV) – The site is not subject to any specific designations within the emerging SAMDEV. Relevant policies include:

MD11 - Tourism facilities and visitor accommodation

1. Tourism, leisure and recreation development proposals that require a countryside location will be permitted where the proposal complements the character and qualities of the site's immediate surroundings, and meets the requirements in Policies CS5, CS16, MD7, MD12, MD13 and relevant local and national guidance;
2. All proposals should to be well screened and sited to mitigate the impact on the visual quality of the area through the use of natural on-site features, site layout and design, and landscaping and planting schemes where appropriate. Proposals within and adjoining the Shropshire Hills AONB should pay particular regard to landscape impact and mitigation. Canal side facilities and new marinas;
3. Proposals for canal side development that enhance the role of canal as a multifunctional resource and heritage asset will be supported;
4. New marinas should be located within or close to settlements. Applicants should demonstrate the capability of the canal network to accommodate the development;
5. The Policies Map identifies the canals and lines to be protected against other forms of development that conflict with their use as a multifunctional resource or potential for restoration or regeneration.

Visitor accommodation in rural areas:

6. Further to the requirements in Policy CS16, 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;
7. Static caravans, chalets and log cabins are recognised as having a greater impact on the countryside and in addition (to 6), schemes should be landscaped and designed to a high quality;
8. Holiday let development that does not conform to the legal definition of a caravan will be resisted in the countryside following the approach to open market residential development in the countryside under Policy CS5 and MD7;
9. For existing static caravan, chalet and log cabin sites in areas of high flood risk, positive consideration will be given to proposals for their relocation to areas of lower flood risk to ensure they are capable of being made safe for the lifetime of the development;
10. New sites for visitor accommodation and extensions to existing chalet and park home sites in the Severn Valley will be resisted due to the impact on the qualities of the area from existing sites;

11. To retain the economic benefit to the visitor economy, the Council will apply appropriate conditions to restrict applications for visitor accommodation to tourism uses. Proposals for the conversion of holiday lets to permanent residential use should demonstrate that their loss will not have a significant adverse impact on the visitor economy and meet the criteria relating to suitability for residential use in Policy MD7.

MD12: The Natural Environment

In accordance with Policies CS6, CS17 and through applying the guidance in the Natural Environment SPD, the conservation, enhancement and restoration of Shropshire's natural assets will be achieved by:

1. Ensuring that the social or economic benefits of development can be demonstrated to clearly outweigh the harm to natural assets where proposals are likely to have an unavoidable significant adverse effect, directly, indirectly or cumulatively, on any of the following:
 - i. the special qualities of the Shropshire Hills AONB;
 - ii. locally designated biodiversity and geological sites;
 - iii. priority species;
 - iv. priority habitats
 - v. important woodlands, trees and hedges;
 - vi. ecological networks
 - vii. geological assets;
 - viii. visual amenity;
 - ix. landscape character and local distinctiveness.In these circumstances a hierarchy of mitigation then compensation measures will be sought.
2. Encouraging development which appropriately conserves, enhances, connects, restores or recreates natural assets, particularly where this improves the extent or value of those assets which are recognised as being indoor condition.
3. Supporting proposals which contribute positively to the special characteristics and local distinctiveness of an area, particularly in the Shropshire Hills AONB, Nature Improvement Areas, Priority Areas for Action or areas and sites where development affects biodiversity or geodiversity interests at a landscape scale, including across administrative boundaries.

10.5 Other relevant consideration:

10.5.1 Shropshire AONB Management Plan:

Policy 1: Organisations which regulate designated sites and features, environmental quality and amenity should make full use of available measures to ensure the highest standards appropriate to a nationally protected landscape are achieved in the AONB.

POLICY 2: Consideration of the purposes of designation in all decisions affecting the AONB should reflect sustainability and the full range of special qualities defined in the Management Plan as well as landscape character and visual amenity.

POLICY 9: Exceptionally where a significant adverse impact associated with development cannot be avoided, appropriate mitigation measures including habitat creation or community benefits, should be sought

POLICY 10: The siting, design and specification of new developments for tourism and recreation should be to high standards of environmental sensitivity and sustainability. The following guidelines are recommended:

- Single developments of more than around ten accommodation units are less likely to be supported in small settlements and open countryside.
- Large parks of static caravans, cabins or chalets are likely to be intrusive. Smaller sites with good landscaping are preferable, and facilities for touring caravans and camping generally have a low impact as there are fewer permanent structures.
- Built facilities for recreation should only be allowed where their location and the activities they support are compatible with the special qualities of the AONB.

POLICY 18: Tranquillity should be taken fully into account in both strategic and specific decisions. Proposals having a significant impact on tranquillity in the AONB should be prevented where possible.

POLICY 20: A principle of 'quiet enjoyment' should apply, and activities which are in keeping with this encouraged. Recreation activities which are inherently noisy or intrusive should be discouraged, and where possible prevented, e.g. facilities for such activities not allowed through the planning system.

POLICY 26: Countryside attractions and walks should be linked where possible to settlements where services and public transport facilities exist and can be promoted, helping to maximise economic benefits, especially from day visitors.

POLICY 41: Opportunities and promotion aimed at both visitors and the local community should encourage people to experience the AONB's countryside more fully in ways which are not damaging (e.g. through walks and activities away from cars and roads, through appreciating wildlife and heritage).

11.0 RELEVANT PLANNING HISTORY:

- PREAPP/11/00417 Use of land as a touring caravan park REC
- 11/00807/CPE Application for Certificate of Lawfulness to continue to use the land as a touring caravan park and camping site LA 7th June 2011
- 11/04196/FUL Application under Section 73a of the Town and Country Planning Act 1990 for erection of smoking shelter and change of use of land to provide extension to car park (retrospective) GRANT 13th March 2012
- 12/02363/FUL Application under Section 73a of the Town and Country Planning Act 1990 for the construction of roadways within the site; creation of three additional pitches for touring caravans; erection of site office with adjacent storage areas; installation of sewage treatment plant; change of use of adjacent agricultural land to provide ancillary dog walking area (part retrospective) GRANT 7th September 2012
- 12/02881/FUL Erection of timber shed for general storage GRANT 31st August 2012
- 15/04281/FUL Change of use of agricultural land to facilitate extension to existing touring park, 25 all-weather touring pitches; estate road and services; erection of

toilet block; landscaping scheme PDE

- SS/PREENQ/08/03117 Use of land as a caravan site REC
- SS/PREENQ/08/02979 Barn conversion REC
- SS/1989/355/O/ Erection of a dwelling and alteration to existing vehicular and pedestrian access. PERCON 8th September 1989
- SS/1986/708/A/ Display of fascia signs, lantern and refurbished pictorial sign. PERCON 10th February 1987
- SS/1982/16/P/ Erection of a kitchen extension. PERCON 5th March 1982
- SS/1982/-/A/218 Display of an internally illuminated projecting box sign. PERCON 8th June 1982
- SS/1981/-/A/204 Display of an illuminated projecting box petrol sign. REFUSE 4th December 1981
- PREAPP/15/00036 Change of Use of agricultural land to facilitate extension to existing touring park. 25 all-weather touring pitches, access road and services, supplementary toilet block and extensive landscaping. PREUDV 3rd June 2015
- 15/04281/FUL Change of use of agricultural land to facilitate extension to existing touring park, 25 all-weather touring pitches; estate road and services; erection of toilet block; landscaping scheme PDE

12.0 Additional Information

<https://pa.shropshire.gov.uk/online-applications/applicationDetails.do?activeTab=details&keyVal=NVJZDJTDIEZ00>

List of Background Papers: Planning application reference 15/04281/FUL and plans.

Cabinet Member (Portfolio Holder): Cllr M. Price
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Local Member: Cllr Gwilym Butler, Cllr Madge Shingleton (Cleobury Mortimer)

Appendices: Appendix 1 – Conditions.

APPENDIX 1

Statement of Compliance with Article 31 of the Town and Country Development Management Procedure Order 2012

The authority worked with the applicant in a positive and pro-active manner in order to seek solutions to problems arising in the processing of the planning application. This is in accordance with the advice of the Governments Chief Planning Officer to work with applicants in the context of the NPPF towards positive outcomes. The applicant has provided further clarification in response to issues raised during the planning consultation process. The submitted scheme, has allowed the identified planning issues raised by the proposals to be satisfactorily addressed, subject to the recommended conditions and legal agreement.

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 number.

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

CONDITIONS THAT REQUIRE APPROVAL DURING THE CONSTRUCTION/PRIOR TO THE OCCUPATION OF THE DEVELOPMENT

3. No development approved by this permission shall commence until a scheme detailing the exact specifications for hard surfacing materials for the proposed pitches, road, toilet block and waste water plant has been submitted to and approved in writing by the local planning authority. Provision shall be made for use of 'permeable tarmac' for roads and local 'Dhustone' for the gravel pitches.

Reason: In the interest of protecting the amenity of the area and the Shropshire Hills AONB in accordance with Shropshire Council Core Strategy CS17

4. No development approved by this permission shall commence until a plan defining the exact dimensions and appearance of the proposed waste water treatment plant in accordance with the approved landscaping plan ref: WHEAT-LL-01 has been submitted to and approved in writing by the local planning authority.

Reason: In the interest of protecting the amenity of the area and the Shropshire Hills AONB in accordance with Shropshire Council Core Strategy CS17

5. No development approved by this permission shall commence until a detailed landscaping scheme in accordance with the approved landscaping plan ref: WHEAT-LL-01 has been submitted to and approved in writing by the local planning authority. The submitted scheme shall include:
- i. Ground levels of proposed plots;
 - ii. Profiles of the earth bunding;
 - iii. Planting Plans;
 - iv. Written specifications (including cultivation and other operations associated with plant and grass establishment)
 - v. Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate;
 - vi. Implementation timetables.

The approved hard surfacing and landscaping scheme shall be carried out in full in accordance with the approved details and implementation timetable.

Reason: In the interest of protecting the amenity of the area and the Shropshire Hills AONB in accordance with Shropshire Council Core Strategy CS17

6. 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 booklet Bats and Lighting in the UK

Reason: To minimise disturbance to bats, a European Protected Species in accordance with policy CS17 of the Core Strategy.

CONDITIONS THAT ARE RELEVANT FOR THE LIFETIME OF THE DEVELOPMENT

7. The extension hereby approved shall not to become open to touring caravans until 20th March 2017.

Reason: To allow sufficient time for the roadside hedge to increase in height and for landscape planting works to become established in the interests of visual amenity.

8. The use of the application site as a touring caravan and camping site shall not take place other than between 20th March and 30th September in any calendar year. No storage of caravans shall take place at the site outside of this period.

Reason: To define the permission, and to coincide with the peak occupancy period.

9. The use of the application site as a touring caravan and camping site shall extend to 25 touring caravan pitches only. Not more than 25 touring caravan pitches shall be occupied

at any one time and these shall be used by touring vans, camper vans and motor homes only.

Reason: To minimise the visual impact of the development on the landscape of the Shropshire Hills Area of Outstanding Natural Beauty (and in accordance with Policies CS6 and CS17 of the Shropshire Core Strategy).

10. Any new hedging planted as part of the required hedge planting scheme which, during a period of five years following implementation of the planting scheme, is removed without the prior written approval of the Local Planning Authority or dies, becomes seriously diseased or is damaged, shall be replaced during the first available planting season with others of such species and size as the Authority may specify.

Reason: To ensure as far as possible that the new hedge planting scheme is fully effective (and in accordance with Policies CS6 and CS17 of the Shropshire Core Strategy).

11. The existing hedges and trees on the boundaries of the application site shall be retained in full and shall not be felled or removed.

Reason: To maintain the existing hedges and trees on account of their contribution to the appearance of the application site and the character of the local landscape (and in accordance with Policies CS6 and CS17 of the Shropshire Core Strategy).

12. The use of the application site as a touring caravan site shall be supervised and managed in conjunction with the adjacent public house known as the Three Horseshoes, Wheathill, and to this end the application site and the adjacent public house shall remain as one unit and shall not be sold one from another without the prior written consent of the Local Planning Authority.

Reason: To ensure that supervision and management of the touring caravan and camping site is undertaken in conjunction with the adjacent public house, in the interests of sustainable tourism development (and in accordance with Policies CS5 and CS16 of the Shropshire Core Strategy).

13. The area designated for dog walking within the application site shall be used only for the exercising of dogs by visitors to the adjacent touring caravan and camping site, and shall be used for no other purpose, and no caravans, tents or structures shall be placed on it at any time.

Reason: To ensure that the use of the designated dog walking area does not detract from the character and natural beauty of the Shropshire Hills AONB landscape (and in accordance with Policies CS6 and CS17 of the Shropshire Core Strategy).

Notes:

- i. *Bats: All species of bats found in the UK are European Protected Species under the Habitats Directive 1992, the Conservation of Species and Habitats Regulations 2010 and the Wildlife & Countryside Act 1981 (as amended). If a live bat should be discovered on site at any point during the development then work must halt and Natural England should be contacted for advice. Any trees within the hedgerows may have potential for roosting bats. If these trees are to be removed then an assessment and survey for roosting bats must be undertaken by an experienced, licensed bat ecologist in line with The Bat Conservation Trusts Bat Surveys Good Practice Guidelines prior to any tree surgery work being undertaken on these trees.*
- ii. *Nesting birds: 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. 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.*
- iii. *Badgers: Badgers, the setts and the access to the sett are expressly protected from killing, injury, taking, disturbance of the sett, obstruction of the sett etc by the Protection of Badgers Act 1992. All known Badger setts must be subject to an inspection by an experienced ecologist immediately prior to the commencement of works on the site. Where possible trenches should be excavated and closed in the same day to prevent any wildlife becoming trapped. If it is necessary to leave a trench open overnight then it should be sealed with a closefitting plywood cover or a means of escape should be provided in the form of a shallow sloping earth ramp, sloped board or plank. Any open pipework should be capped overnight. All open trenches and pipework should be inspected at the start of each working day to ensure no animal is trapped.*

APPENDIX 2

LETTER FROM AGENT TO PLANING OFFICER DATED 20TH NOVEMBER 2015

Further to your email dated the 13th November 2015 I can confirm the following:

1. My clients have instructed their solicitor Mr Ben Thistlethwaite of Emrys Jones Solicitors to prepare a Unilateral Undertaking to not make any further planning applications for touring caravan pitches on land wholly within their control at Wheathill; this should be with you shortly.
2. A topographical survey has been commissioned, however, it may not be prepared in time for the scheduled Committee meeting. However, this aspect of the scheme can be subject to a condition requiring confirmation of finished pitch levels prior to the commencement of works on site.
3. Planting between the end plots of the existing caravan site was always part of my clients landscaping plan but they were yet to implement the planting. This planting, as requested, has now been added to the revised Landscape Masterplan.
4. My clients are prepared to allow the roadside hedge to grow as high as required; this detail has also been added to the Landscape Masterplan.
5. Use of local Dhustone from Clee Hill Quarry is wholly acceptable.
6. My clients have agreed to attend to the mound.
7. The 'scrape' is effectively a catchment for any excess waters. I would also add that the proposed substantial tree planting in this area will also take water out of the soil - a mature oak tree will absorb 50 gallons of water in a day.
8. In relation to the wooden panelling immediately above the site entrance I understand from my clients that a bed has already been created and varieties of clematis have already been planted out; once established they will effectively cover the fence in greenery which will soften the hard lines of the fencing.
9. Within the proposed site the landscaping scheme has been amended to include 1.5m green coloured deer mesh enclosures for the planted areas. In addition some instant hedge planting can be accommodated in the more sensitive areas to have an immediate effect.

I trust the above addresses all the issues you have raised.

I note the AONB have provided a bespoke comment in connection with this application. It is disappointing that they do not appear to have acknowledged the significant biodiversity enhancements offered within the Landscape Masterplan.

Kind regards,

Dyanne Humphreys

Dyanne Humphreys

Chartered Town Planner

CERT H ED BRITISH VERNACULAR ARCHITECTURE

c.c. Cllr M Shingleton – Local Member; and

Cll G Butler – Local Member