

APPLICATION NUMBER		21/00956/FUL	
SITE ADDRESS:		Farley Meadows Camp Site, Bent Farm, Farley Hill Farley	
DESCRIPTION OF DEVELOPMENT		Erection of shower block/ bin store and formation of access track (part retrospective)	
CASE OFFICER	Mr. G. A. Griffiths	APPLICANT	Mr M Slack
PARISH	Darley Dale	AGENT	Roger Yarwood Planning Consultant Ltd.
WARD MEMBERS	Cllr. J. Atkin Cllr. M. Salt Cllr. A. Statham	DETERMINATION TARGET	15 th August 2022
REASON FOR DETERMINATION BY COMMITTEE	Given the number of representations	REASON FOR SITE VISIT (IF APPLICABLE)	To assess the development in its context

MATERIAL PLANNING ISSUES

- Principle of the development
- Impact on the character and appearance of the area
- Highway safety
- Impact on residential amenity
- Drainage

RECOMMENDATION

Planning permission be granted subject to conditions with regard to the narrowing of the access onto Farley Hill, details of the materials for the access track extension, details of all soft landscaping (and any replacement necessary), foul water drainage and that the structures are removed and the land reinstated as field should the use of the site for caravanning and camping under licence cease.

INTRODUCTION

This application was withdrawn from the Planning Committee Meeting of 16th August 2022 as Darley Dale Town Council was not correctly informed of the time of the Committee site visit due to an administrative error in the changing of the site visit times and were prejudiced by such. The site visit will be undertaken again in accordance with normal procedures. The Officer's report has also been amended to include late representations received from the Town Council with respect to concerns regarding the foul drainage on the site and the disposal of chemical toilet waste.

1. THE SITE AND SURROUNDINGS

- 1.1 The appeal site is an enclosed field which has a modest slope downwards from north to south. The field is used for camping and caravanning for a maximum of five caravans under a site licence. There are 9 hook-up points within the field to serve this use.
- 1.2 The field is enclosed with stone boundary walls, fencing and a gated access. It lies within an area of open countryside to the east of Farley Hill. There are intervening fields to residential properties to the north, west and south. A public footpath runs directly adjacent to the site separated from the fencing.





2. DETAILS OF THE APPLICATION

2.1 Full planning permission is sought for the retention of an ablution and shower block. The applicant states that the application is submitted without prejudice to the issue of whether planning permission is required. It is the view of Officers, that these are permanently sited structures and therefore buildings that require planning permission.

- 2.2 The structure is in two parts which are linked. The ablution block is constructed with timber boarding and contains washing facilities and a bin store. This is permanently sited. This measures some 3.7m wide and 2.5m deep (a floor area of some 10 sqm) and 1.8m high. The shower block could be moved, but this is unlikely and is, therefore a permanent structure. This is attached to the south side of the ablution block and constructed with timber boarding. This measures some 2.5m wide and 2m deep (a floor area of some 6 sqm) and is 2.4m high. The applicant has provided landscaping around the boundary fences and walls to the field, the ablution block and shower block, to seek to soften the structures and caravans and tents within the landscape.
- 2.3 It should be noted that the applicant also has a mobile toilet block on the site from time to time, but this is not permanently sited and, as such is not a building and does not require planning permission. When on the site, this is located to the north of the ablution block.
- 2.4 The access is proposed to be routed off the access off Farley Hill and along the south-western boundary of the site.
- 2.5 The applicant advises that the facilities are essential and are required to serve the users of the site and provide shower and toilet facilities, wash points and a screened bin store.

3. PLANNING POLICY AND LEGISLATIVE FRAMEWORK

- 3.1 Adopted Derbyshire Dales Local Plan (2017)
- S1 Sustainable Development Principles
 - S4 Development in the Countryside
 - PD1 Design and Place Making
 - PD5 Landscape Character
 - PD7 Climate Change
 - PD8 Flood Risk Management and Water Quality
 - PD9 Pollution Control and Unstable Land
 - EC8 Promoting Peak District Tourism and Culture
- 3.2 Derbyshire Dales District Council Landscape Character and Design Supplementary Planning Document (2018)
- 3.3 National Planning Policy Framework
- 3.4 National Planning Practice Guidance

4. RELEVANT PLANNING HISTORY

18/01328/FUL Installation of hook up points and retention of re-surfaced access track (4m wide) in association with use as a caravan site – Refused – Appeal Allowed.

5. CONSULTATION RESPONSES

Town Council

- 5.1 - Application does not mention including toilet facilities or septic tank installation
- Plans do not show any drainage provision
 - There is no ability to empty chemical toilet waste other than down a toilet
 - Unjustified development in open countryside
 - Planning inspectorate ruled in an appeal that the track and access splay would be 4m wide, and the entrance square to the road - to date this has not been carried out

- Planting of screening vegetation has upon inspection not been successful with plants either being dead or not growing successfully leaving the site open to viewing from the road
- Can the way that the current sewerage system works be explained to us.
- What is done with the chemical toilet waste that is deposited in the collection point and where does that waste go to? Is this to be contracted to a licenced operator?
- Can the plan for permanent connections to the sewer be explained (i.e. route and location of sewer on Farley Hill).
- Request that the planning application be discussed at the District Council Planning meeting and that a decision be made by the full District Planning Committee.

Environmental Health (Derbyshire Dales District Council)

- 5.2 - no objections subject to an appropriate waste disposal plan to ensure bins are regularly emptied to avoid pest and odour issues.

Local Highway Authority (Derbyshire County Council)

- 5.3 - no objection subject to all use remaining ancillary to any existing authorised camping/caravanning activity on site.

6. REPRESENTATIONS RECEIVED

- 6.1 A total of five representations have been received objecting to the application. A summary of the representations is outlined below:

Principle

- seems that nothing can be done to prevent this use from a planning point of view because it is (supposedly) operated under a licence from the Caravanning and Camping Club - it does not require planning permission but any associated structures and facilities do need permission
- site is being used as a permanent tented campsite, not 56 days in the year
- this development is clearly contrary to many Local Plan policies relating to landscape, tourism, sustainable development and design standards
- The development is completely out of character for our tranquil rural environment and contrary to the letter and spirit of Derbyshire Dales Local Plan.

Impact on character and appearance of the landscape

- toilet/wash-block does not blend in with the countryside it merely stands out as an ugly feature and not in keeping with the countryside image
- two wooden units were erected in July 2019 and could not have been placed in a more prominent position on what is already a very exposed and widely visible site
- structures now look somewhat 'tired' and weathering has done nothing to improve their appearance or to mitigate their prominence
- the quality of the materials and construction are such that already the block looks in poor condition and appears to be slowly sinking into the mud
- are little more than poorly built wooden sheds, totally visible from all directions
- surely it is now time to remove this eyesore along with the campsite, not only because it infringes upon previous planning conditions, but also because it is a blight on the landscape
- attempt at creating a campsite is completely incongruous and is having a detrimental effect on our environment
- none of the campsite project does credit to Farley nor to its developer
- is a missed opportunity to raise standards in an area so badly affected by low quality development.

- every aspect of this campsite reflects an insensitivity and lack of finesse with which we are all too familiar
- Should always be considered that Farley Hillside is a major approach to our town and this site is visible from afar.
- the ablution block fails to stand in pride of place, seeking neither to blend in, nor to enhance the site.....and succeeding
- it couldn't be in a more prominent position
- remind the Planners of the Arboriculture & Landscape Report, Paragraph 4.6 Landscape Sensitivity, which states that: 'the proposed site is in an area defined as 'high landscape sensitivity', yet no details of proposed landscaping have ever been received
- if 'Landscape is about the relationship between people and place' (See Arboriculture and Landscape Report) then the Planners, when considering this application, should give cognizance to the strength of feeling against this proposal voiced by Farley residents and people in the local community
- the Report concludes that 'the presence of caravans would have significant visual impact, which will have detrimental impact on the landscape character, local views and longer range views from across the Derwent valley' and that 'the electricity bollards and post and rail timber fences indicate more intensive use of the site and the construction of the 'access track' has changed the character of the site and surrounding area'.
- We have a responsibility to protect and preserve our environment not only for our pleasure but for that of future generations.
- of the opinion that planning conditions should be enforced and the block to be removed to help to restore the beauty of Farley Hill countryside

Landscaping

- his removal of boundaries, trees and hedgerows has had a huge impact on wildlife and the environment, as well as making the whole site visible
- rather pathetic attempts at planted screening have been a total failure
- worth noting that the planning application claims that a screen consisting of two rows of native plants with each row made up of saplings 500mm apart is already established - a short inspection reveals this to be a fantasy
- site is so exposed that the planting scheme that was implemented did not have planting of two rows, at 500 centres with trees and what planting was half-heartedly done has now failed
- no amount of screening could adequately alleviate the visually intrusive nature of these structures
- promised 'improvement work' has not been delivered as claimed

Access Track.

- refer to the Inspector's appeal decision (June 2019) in which he upheld an enforcement notice regarding alterations to the track and access - the applicant has made only a token effort to narrow the track width to 4m and has done absolutely nothing regarding the splayed access
- application is in effect asking for the Inspector's decision to be overturned
- the entrance to the site has never been restored to its permitted shape, and the grimly brutal track, lined with a few dead saplings, sets the tone for the campsite which remains in full and awful view to passers- by owing to the lack of landscaping
- both the track and entrance off the road are clearly excessive and present a very dominant feature in the landscape
- high time that the applicant was made to comply with the terms of the 2019 enforcement notice
- urge our planning authority to stay true to previous judgements on these matters and to not only refuse this application but also to actively pursue both the removal of the wooden structures and the necessary alterations to the access and track

Drainage

- very worried about the septic tank - does this have planning permission?
- this triumph of sanitary architecture is served by a septic tank which, to our belief has never had planning permission and, if we are correct, has therefore presumably not been subject to building control checks
- shower block houses a flushing toilet that leads into a septic tank buried in the field within metres of agricultural land
- septic tank was installed in 2019 and clearly has no planning or building control approval and question if an Environment Agency permit has been obtained
- additional facilities are brought onto site and connected to the septic tank – either the toilet block is sized to accommodate maximum usage on the site or there should be a condition to limit the amount of people on the site to match the available services
- note that no provision has been made for chemical toilet disposal and concerned that chemicals are seeping into the nearby agricultural land
- sometimes the smell in line with the septic tank is horrendous
- the block should be removed as soon as possible, and the other planning conditions enforced

Biodiversity

- has hugely altered the biodiversity of the area
- has created noise and visual harm in a rural area that once played host to a plethora of protected species, together with the removal of walls and hedging that once homed wildlife

Other matters

- have been residents of Farley Hill for more than 20 years, the last 10 years of which have involved considerable disruption as a result of the applicant's confrontations with the Planners and local residents - his development of Ameycroft Farm, Bent Farm (previously a traditional Derbyshire stone farmhouse) and Sunnyside Terrace has turned our rustic idyll into a never-ending building site as he devastates our area
- installation of nine hook up points, each with the facility for four caravans, which can potentially service thirty-six caravans is the first step in 'Grand Plan' to develop the site further evidenced by him building a fenced off seven metre wide roadway to the campsite, replacing what was a very modest narrow dirt track across a field
- Urge those responsible to repeat the Officer's initial refusal when the campsite was first imposed upon Farley hillside.

ISSUES:

Background

- 7.1 In order to assess the impact of the ablution block and shower block, it is necessary to understand the nature of the site and the decision of the Planning Inspector in allowing 9 hook up points for caravanning and camping purposes in 2019.
- 7.2 There are 9 hook-up points positioned around the field. Whilst it was noted that the site is visible from the north on Farley Hill and also from the public footpath, the Planning Inspector considered the hook-up points themselves, when viewed from these vantage points, did not detract from the character and appearance of the wider countryside as they were considered to be of moderate size, their colour appeared neutral when viewed alongside the existing vegetation, walls and fencing and it was considered that they would blend into the back drop of the rural character. As such, the Planning Inspector determined that they would not appear as an incongruous feature, or be excessive in their form, to be a visual intrusion.
- 7.3 At the time of the Appeal, the applicant had introduced landscaping on the boundaries and within the site. The Planning Inspector noted that the Council suggested that it may appear

unusual to have a field within an area of pastureland dotted with trees/shrubs in an orchard pattern. However, the Inspector considered that suitable landscaping, which included additional planting of native species and appropriate boundary treatments, other than the post and rail fence around the site, could be agreed by a suitable worded condition and would make the development acceptable and further mitigate the overall visual impact of the hook-ups within the site. To this end, the Planning Inspector concluded that:

13. *Furthermore, as the site could be operated without the need for planning permission to an extent and I consider there is a greater theoretical possibility this could take place (fallback), even if the hook-up points were not installed. In considering the effects of the current scheme on character and appearance, I have taken into account the fallback position and overall the scheme would not harm the character and appearance of the countryside...*
14. *The scheme would therefore accord with Policies S1, S4, PD1, PD5 and EC9 of the Derbyshire Dales Local Plan, (2017), which together seek sustainable development, development of high quality design and that developments in the countryside should ensure and where possible, enhance the landscape's intrinsic character and cultural environment and the setting of the Peak District National Park, whilst facilitating sustainable rural community needs, tourism and economic development.*

In deliberating on the hook-ups, the Planning Inspector also advised the following:

19. *Although reference was made to the capacity of waste and drainage, there is no evidence before me that the site could not be provided with adequate supplies or drainage. If permission was required for these this would be matters for future consideration by the Council.*

Impact on the character and appearance of the area

- 7.4 Whilst the site is operated without the need for planning permission, it has to be accepted that, in allowing for 9 hook ups, there is the potential for 5 caravans to be on site and a number of tents. To this end, it is considered reasonable at least to provide facilities for campers, and alternative facilities for those in caravans. Given the general openness of the site, it is difficult to screen such facilities albeit, they are probably the minimum size required for the site to function as a camp site.
- 7.5 In terms of impact in the countryside, it may have been preferable to position the facilities closer to the boundary wall to the west, as the wall would have provided a partial screen and this could have been supplemented with the planting of a hedge along the wall. Nevertheless, the applicant has planted a hedge along the wall, and a number of trees within the field, which will serve to soften not only the views of the ablution block/shower block, but also the caravans and tents that may frequent the site.
- 7.6 Given the above, while the structure has a detrimental impact on the character and appearance of the open fields, it is considered that the development is acceptable provided that a planning condition is imposed to require full details of the landscaping on the site and that any of the landscaping, which may fail over the next 5 years, shall be replaced. It is also considered that a condition should be attached that, in the event of the use as a licenced caravanning and camping site ceasing, that the structures are removed and the land reinstated as field within six months.

Highway Matters

- 7.7 The Local Highway Authority has assessed the proposals and raised no objections. Nevertheless, the Planning Inspector required the access be reduced in width when approving the application for the hook-ups.
- 7.8 The reason for this work not being done is because the applicant requires the consent of the Local Highway Authority for works in the highway (the verge being highway land) despite the fact that the wide access was installed without consent of the Local Highway Authority. To this end, it is considered reasonable to attach a condition that such works are undertaken within 6 months of any planning permission which will allow time for the applicant to make the necessary application to the Local Highway Authority and to reinstate the verge.

Impact on Residential Amenity

- 7.9 It is considered that the proposals, whilst facilitating camping at the site, should not lead to a significant impact on the amenity of local residents. Any noise generation on the site would be the responsibility of the applicant who lives in the nearest property to the site.

Drainage

- 7.10 Concern has been raised with regard to the adequacy of the drainage on the site for the ablution/shower block. The applicant has provided a water supply to the site and a tank to serve the facilities. It is advised that this is a temporary tank which would be replaced with a sewer connection, as the main sewer ends close to the site entrance, as soon as planning permission is obtained, as the cost of connection would not otherwise be justified. The applicant also disputes reports of chemicals seeping into the land and creating smell nuisance and has confirmed that there is proper on-site provision for chemical toilet disposal. The chemical waste is also put into the tank and the tank is emptied as required. Officers recommend a planning condition to ensure that the development is connected to the main sewer within a reasonable timeframe.

Conclusion

- 7.11 This is a retrospective application seeking retention of development carried out. Nevertheless, the application must be considered on its own merits. In allowing the hook-ups on site, the Planning Inspector has clearly allowed for some formality to the caravan and camping site, albeit this can only be operated under licence. The access has also been permitted in its current form, except where it meets Farley Hill, which still needs to be addressed by the applicant first applying to the Local Highway Authority to undertake works of highway verge reinstatement.
- 7.12 Notwithstanding the above, the facilities are considered reasonably necessary for the site to operate under the licence as, whilst caravans may have toilets and washing facilities, without such structures, the use as a campsite would be likely to be severely restricted or require the siting of portaloos. In allowing for 9 hook ups, the Planning Inspector clearly was of the view that the hook-ups would also serve camping, as the site is limited to five caravans at any one time.
- 7.13 Whilst the facilities could have been set closer to a wall to offer some screening, they would nevertheless be evident in the landscape. The site would be visible to most people from the properties to the south, the public footpath to the south and from Farley Hill. To this end, the applicant has provided some landscaping along the boundary fence to the west and within the site which, over time, should serve to soften not only the structures, but also the caravans and tents in the field in the primary views of the site.

7.14 Given the above, it is recommended that planning permission be granted subject to conditions with respect to the narrowing of the access onto Farley Hill, details of the materials for the access track extension, details of all soft landscaping (and any replacement necessary) and that the structures are removed and the land reinstated as field should the use of the site for caravanning and camping under licence cease.

8 RECOMMENDATION

That planning permission be granted subject to the following conditions:

1. The ablution block and shower block hereby approved shall be removed from the site within 6 months of the cessation of the use of the land for the purposes of caravanning and camping under licence.

Reason:

The ablution block and shower block would be an unwarranted intrusion in the landscape and the removal of such unused facilities would be to comply with policies S1, S4, PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017) in seeking to preserve or enhance the character and appearance of the open countryside.

2. This planning permission does not grant permission for site operations to exceed the site licence.

Reason:

For the avoidance of doubt.

3. Within one month of the date of this permission, details of the means for waste, to ensure bins are regularly emptied, shall be submitted to and approved in writing by the Local Planning Authority. The development shall then not be carried out other than in complete accordance with the approved details.

Reason:

To avoid pest and odour issues in the interests of public amenity to comply with Policy PD9 of the Adopted Derbyshire Dales Local Plan (2017).

4. Within six months of the date of this permission, the vehicular access, where it meets the adopted highway, shall be reduced in width to 4m and shall extend back as such to the gate to the site.

Reason:

To ensure the satisfactory appearance of the development to comply with policies S1, S4, PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017).

5. Within two months of the date of this permission, a scheme/programme of works for the connection for foul drainage to the mains sewer shall be submitted to and approved in writing by the Local Planning Authority. The connection shall thereafter be made within six months of the date of this permission and the existing tank shall be removed unless otherwise agreed in writing by the Local Planning Authority and shall thereafter be retained and maintained for the life of the development.

Reason:

It has been advised by the applicant of the intention to connect to the mains sewer and to ensure the provision of adequate foul water drainage facilities to comply with policies S1, S4 and PD9 of the Adopted Derbyshire Dales Local Plan (2017).

6. Within two months of the date of this permission, a site layout plan detailing all existing and proposed shrubs, trees and hedge planting for the whole of the caravanning and camping site shall be submitted for approval in writing by the Local Planning Authority. Once approved (subject to any amendments, as required) any new planting shall be carried out in accordance with the approved plan within the next planting season after the date of this permission.

Reason:

To ensure a satisfactory standard of landscaping in the interests of amenity in accordance with policies S1, S4, PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017).

7. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants, which within a period of five years, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

Reason:

To ensure a satisfactory standard of landscaping in the interests of amenity in accordance with policies S1, S4, PD1 and PD5 of the Adopted Derbyshire Dales Local Plan (2017).

NOTES TO APPLICANT:

1. The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (England) Regulations 2012 as amended stipulate that a fee will henceforth be payable where a written request is received in accordance with Article 27 of the Development Management Procedure Order 2015 for the discharge of conditions attached to any planning permission. Where written confirmation is required that one or more conditions imposed on the same permission have been complied with, the fee chargeable by the Authority is £116 per request. The fee must be paid when the request is made and cannot be required retrospectively.
2. The Local Planning Authority considered the application as submitted to be acceptable. On this basis, there was no need to engage with the applicant in a positive and proactive manner to resolve any planning problems and permission was granted without negotiation.
3. This decision notice relates to the following documents:

Site Location Plan (1:2500) and Elevation and Floor Plan Drawing (1:100) received on 26th June 2022

Block Plan (1:500) received on 26th June 2022

Design and Access Statement received on 26th June 2022.