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**Item No 06:-**

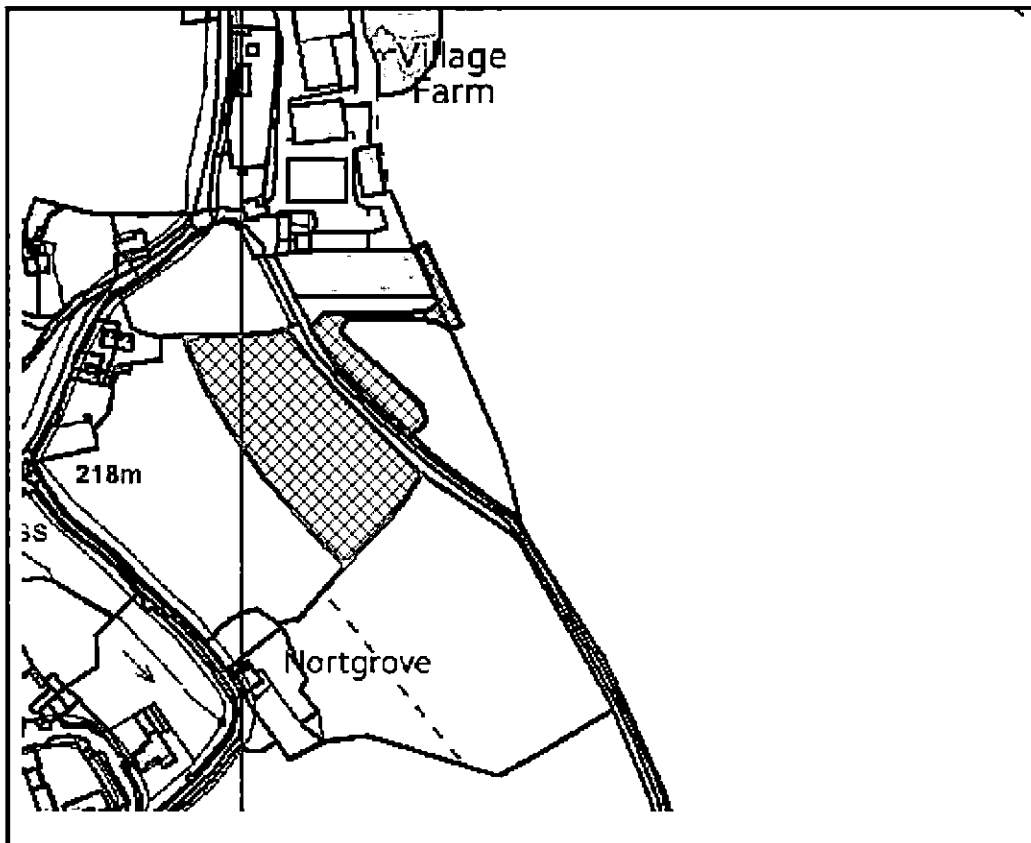
**15/01327/FUL (CD.2638/H)**

**Village Farm  
Notgrove  
Cheltenham  
Gloucestershire  
GL54 3BS**

## Item No 06:-

**Siting of eight camping pods and associated works at Village Farm  
Notgrove Cheltenham Gloucestershire**

<b>Full Application 15/01327/FUL (CD.2638/H)</b>	
Applicant:	C/o Agent
Agent:	Abberley Design Ltd
Case Officer:	Martin Perks
Ward Member(s):	Councillor Robin Hughes
Committee Date:	19th August 2015

**Site Plan**

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**RECOMMENDATION: REFUSE**

**Main Issues:**

- (a) Tourism and Economic Development
- (b) Impact on Character and Appearance of Cotswolds Area of Outstanding Natural Beauty
- (c) Impact on Setting of Notgrove Conservation Area
- (d) Other Matters

**Reasons for Referral:**

This application has been referred to Committee at the request of Cllr Hughes as he considers that the proposal will support a rural business and it is appropriate that Members have the opportunity to balance the economic and environmental elements of the proposal.

**1. Site Description:**

This application relates to a roughly triangular parcel of land measuring approximately 0.58 hectares in size located on the north eastern edge of the village of Notgrove. The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB). The site is located outside Notgrove Conservation Area (CA). However, the north western edge of the site abuts the eastern edge of the aforementioned heritage asset.

The site is currently grassed and is predominantly used as a paddock. A section of the northern part of the site has been mown to provide a recreation/kick about area and two sets of mobile goalposts and nets have been placed on the land. There is no record of planning permission being granted for this use. However, the applicant could use the land for temporary recreation purposes for up to 28 days a year without the need for permission.

The northern boundary of the site is wooded, beyond which lies existing agricultural buildings and former farm buildings which have recently been converted to holiday let units. To the east of the site is open farmland. The west/south western boundary of the site runs alongside a farm track (surfaced in crushed stone). A line of planted trees run alongside the track.

**2. Relevant Planning History:**

11/03851/FUL Conversion of agricultural buildings (part of village farm) into four holiday let units  
Granted 2011

12/02350/FUL Conversion of agricultural buildings (part of village farm) into four holiday let units and creation of new vehicular access/drive (amendment to permission 11/03851/FUL) Granted 2012

**3. Planning Policies:**

NPPF National Planning Policy Framework  
 LPR05 Pollution and Safety  
 LPR09 Biodiversity, Geology and Geomorphology  
 LPR10 Trees, Woodlands and Hedgerows  
 LPR15 Conservation Areas  
 LPR19 Develop outside Development Boundaries  
 LPR26 Tourism  
 LPR27 Diversification of Farms & Agric Estates  
 LPR38 Accessibility to & within New Develop  
 LPR39 Parking Provision  
 LPR42 Cotswold Design Code  
 LPR45 Landscaping in New Development

**4. Observations of Consultees:**

Environmental Health Officer: We would not advise that they require a site licence

**5. View of Town/Parish Council:**

No response

**6. Other Representations:**

None

**7. Applicant's Supporting Information:**

Landscape and Visual Impact Assessment  
Design and Access Statement  
Preliminary Ecological Assessment

**8. Officer's Assessment:****Background and Proposed Development**

Planning permission was granted in 2012 for the conversion of farm buildings located on the north eastern edge of the village into three 4 bed and one 3 bed holiday let units. The scheme was implemented and is now used to provide holiday let accommodation. As part of the permission the applicant also gained permission to create a new access drive along the western edge of a field lying to the east of the farm buildings. Access was from a lane to the north of the village.

The applicant now wishes to further extend their holiday let operation and is seeking to utilise a field/paddock adjacent to the converted buildings for the siting of camping pods. The proposed pods will be of timber construction and will measure approximately 3m wide by 6m long by 2.2m high. The applicant has provided the following information in respect of the pods;

1. 'The pods will be in situation year round and be on a hard standing of crushed stone with a terram material underneath. This is similar to caravan hard standing. We than propose putting down three or four concrete beams ( to keep the damp out) and sitting the pods on these beams. They will be linked to sewerage, water and gas but we do not propose to fix them to the ground.

2. The pods will have cooking hobs provided (not ovens), either gas or electric. They will have electric, water & sewerage supplies and each will have its own self-contained shower and WHB and WC (like a caravan). The sewerage, water and electric will be connected to the existing system / supply that service the existing holiday cottages.

3. Our preferred design will be similar to the Mega Pod but we hope to construct some of the pods ourselves and we want to use our own and local labour. The pods will be approx. 3m wide by 6m long and 2.2m max height at the ridge. '

An illustration of one of the proposed pods is attached to this report. They will be of a curved timber construction rather like an upturned boat. Openings will be limited to the ends of the buildings. The pods will be similar in design to an existing mobile field shelter that is already on the site (and which does not need the benefit of planning permission).

In addition to the 8 pods the applicant is also proposing to erect a storage/games room building on the site. It will be timber clad and will measure approximately 16m long by 6m wide by 5m high.

S 55 of the Town and Country Planning Act 1990 states that 'development' means the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land'. S.336(1) of the aforementioned Act says a 'building' includes any structure or erection, and any part of a building, as so defined. In determining whether a structure constitutes a building rather than a use of the land (ie caravan/mobile home) the case of *Skerritts of Nottingham Ltd v SSETR & Harrow LBC [2000] JPL 1025* provides some clarification. It identified 3 factors that should be considered. These were: the size of the structure in question (and how much of it was to be constructed on site as opposed to being brought onto the site); its permanence and its degree of physical attachment to the ground.

In this instance some of the proposed pods will be brought onto the site. However, as indicated by the applicant, they also intend to construct some of the pods themselves. The pods will be placed on pads and will therefore not be fixed to the ground. In this respect they could be considered to be mobile structures rather than buildings. However, the pods will also be connected to foul waste, water and electricity services. In addition, the applicant is seeking to keep the pods on site all year round and is seeking to retain them on a permanent rather than a temporary basis. The pods will therefore have a form and degree of permanence which is considered to be tantamount to a building. Moreover, the applicant will also be creating hard surfaces on which the pods will sit and has paid an application fee based on the floor area of the units rather than a change of use of the land. On this basis it is considered that the proposal constitutes operational development rather than a use of land (eg caravan site).

The applicant originally proposed to site the pods on a field to the south west of the current site. However, following a meeting with villagers and concerns about the exposed nature of the site the applicant has moved the proposed development to the current field.

### **(a) Tourism and Economic Development**

Cotswold District Local Plan Policy 26: Tourism provides specific guidance in relation to tourist related development.

Criterion 3 states;

'The development of self-catering accommodation, other than for holiday lodges or permanent static holiday caravan sites, will be permitted only:

- (a) within areas where Policy 18 applies; or
- (b) elsewhere, only by the renovation and conversion of existing buildings, including agricultural buildings.

Criterion 5 of Policy 26 states that proposals for holiday lodges will be permitted within the eastern section of the Cotswold Water Park and exceptionally elsewhere only if they would have no harmful impact on the local landscape.

With regard to self-catering accommodation the guidance accompanying Policy 26 advises;

'Self-catering is particularly popular in rural areas, with high season and short-break holidays offering attractions for a significant number of holiday-makers. It can make a valuable contribution to the rural economy,' and;

'In countryside locations of high environmental quality, the conversion of existing property may well be the only acceptable way of providing self-catering accommodation. Elsewhere, the creation of new-build units within settlements may be acceptable.

Holiday chalets and static caravan sites are not generally considered to be appropriate in the District where environmental constraints are high and priority is given to the protection of the

natural beauty of the landscape. The only area where static caravan sites may be appropriate is within the Cotswold Water Park. Additional holiday chalets or lodges are normally only likely to be acceptable in the Eastern section of the Water Park, subject to the criteria set out in Policy UT.1 'Cotswold Water Park'.

The use of surplus agricultural buildings to provide for ancillary buildings needed on the site would be encouraged. New buildings, such as toilet blocks and administration buildings should be kept to a minimum.'

In addition to the above guidance Local Plan Policy 27: Diversification of Farms and Agricultural Estates is also considered pertinent to the determination of this application. It states:

'Development in connection with the diversification of an existing farm or agricultural estate will be permitted outside those areas where Policy 18 applies, provided that;

(a) It will not cause conflict with the existing farming operation including severance or disruption to the agricultural holding that would prejudice its continued viable operation;

(b) The scale and design of the development harmonises with the character and appearance of the area; and

(c) Suitable vacant buildings on the farm or estate are utilised before considering new buildings unless compelling reasons are advanced for doing otherwise.'

It is evident from the above that the Local Plan does not automatically rule out the creation of self-catering accommodation outside Development Boundaries designated in the aforementioned Plan. However, it does place an emphasis on the conversion of existing buildings and the need to ensure that there will be no adverse impact on the character and appearance of the locality.

In addition to the above, it is also necessary to have regard to guidance in the National Planning Policy Framework (NPPF) when assessing this application. Guidance in the NPPF is a material consideration that must be taken into account during the decision making process. With regard to this proposal Section 3: Supporting a Prosperous Rural Economy of the NPPF is considered to be of particular relevance. Paragraph 28 of the aforementioned section states that '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, both through conversion of existing buildings and well-designed new buildings;

- 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.'

It is evident from the above that the NPPF can offer support for tourist and farm diversification schemes that support the rural economy. However, it is also of note that such development should respect the character of the countryside.

The applicant (Notgrove Estate) advises that their agricultural operation has reduced significantly in size since the 1970s so that it now only employs one full time person. The Estate owns a number of dwellings in the village and provides subsidised rents to its tenants. They advise that they need to continue to raise funds to maintain the dwellings and other estate buildings as well as the subsidised rents. The barn conversion scheme allowed in 2012 enabled the applicant to generate additional income as well as providing additional employment for local people including a full time manager, full time maintenance man, two part time gardeners and two part time

cleaners. They also advise that a self-employed cleaner and cook are also employed in connection with the holiday let units. They consider that the proposed development would provide an additional income stream which would benefit both Notgrove Estate and the local community.

It is noted that the proposal has the potential to generate income for a rural business and to provide further local employment. These elements are considered to weigh in favour of the proposed scheme. Notwithstanding this, it is also necessary to balance these benefits against the potential impacts of the proposal. These will be considered in the following sections.

### **(b) Impact on Character and Appearance of Cotswolds Area of Outstanding Natural Beauty**

The site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) wherein the Council is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape (S85 (1) of the Countryside and Rights of Way Act 2000).

Paragraph 17 of the NPPF states that planning should recognise 'the intrinsic character and beauty of the countryside'

Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment by 'protecting and enhancing valued landscapes'.

Paragraph 115 states that 'great weight should be given to conserving landscape and scenic beauty in ... Areas of Outstanding Natural Beauty.'

Local Plan Policy 42 advises that 'Development should be environmentally sustainable and designed in a manner that respects the character, appearance and local distinctiveness of Cotswold District with regard to style, setting, harmony, street scene, proportion, simplicity, materials and craftsmanship'

The application site lies on a relatively flat parcel of land. The site lies on higher ground above the centre of the village which is located to the south west. Land slopes down to the south and south west from the application site. Land to the east and north of the site is flat and is roughly level with the application site.

The roads in the centre of the village provide views across the fields to the south west of the proposed development up to a row of trees that line the south west boundary of the site. The trees provide a limited degree of screening as there are gaps between them and there is no understorey level preventing views under their canopies. Moreover, when viewed from the centre of the village the site appears on the skyline. This means that any new buildings/structures have the potential to appear particularly obtrusive. The existing mobile field shelter on the site is currently visible against the skyline and is readily visible from the centre of the village. The introduction of 8 similarly designed larger structures together with parked cars would be readily visible from the heart of the village and would represent a very discernible encroachment of development into the AONB landscape. It is noted that the applicant proposes to introduce landscaping to the north of the proposed pods. In the longer term this could reduce views of the development against the skyline. However, the proposed pods would still be visible from the centre of the village to the south west. Even if the additional landscaping is taken into consideration the proposal is still considered to have a material impact on the character and appearance of the AONB when viewed from the centre of the village.

In addition to the above the holiday let/camping nature of the proposal means that the use will generate a level of outdoor activity that would potentially have an adverse impact on the tranquillity of the area. The existing village has a generally quiet, rural, agricultural character that is largely free from noise or disturbance outside that which would normally be associated with an agricultural environment. It is of note that the existing village comprises approximately 30 dwellings. The existing holiday let units comprise 4 units providing 15 beds. The proposed development would provide a further 8 double bed units. It is evident that the existing and

proposed developments would represent a sizeable increase in the village's population. As such the proposal has the potential to materially affect the quiet, rural character of the existing locality.

The introduction of a use that would potentially generate activities such as barbecues, vehicle movements, outdoor socialising, play and recreation would have implications for the tranquillity of the village and this part of the AONB. Such activities would potentially undermine one of the intrinsic qualities of this part of the AONB.

The proposed development would also be publicly visible from the lane that leads past the existing holiday let development to the north of the application site. The lane to the north is located approximately 200m from the site and affords views across an adjacent field to the site beyond. It is of note that an existing mobile field shelter of a similar design to the proposed pods is already visible from the lane to the north. It appears as a very obvious addition to the landscape and provides an indication of the potential impact that could arise from the introduction of a number of similar style structures within the site. The applicant is proposing to mitigate this impact by introducing new tree planting along the eastern edge of the site. However, this will take time to develop and even then will not entirely screen the proposal. Moreover, it is evident that the applicant proposes to provide vehicular access to the pods and to provide car parking next to each of the units. Parked cars will therefore also be visible within the landscape. It is considered that the proposal will result in a very discernible encroachment of development into the AONB landscape that will fail to respect the character, appearance and local distinctiveness of this particular location. It is noted that there is a large complex of farm buildings adjacent to the site. However, these are well contained within belts of vegetation and appear distinct from the surrounding agricultural fields and landscape. The proposed scheme will extend beyond the boundaries of the existing farmyard development and significantly alter the relationship of the site with the wider landscape.

Overall, it is considered that the proposal will fail to conserve or enhance the natural beauty of the AONB and as such will conflict with the Council's statutory duty as well as Paragraphs 17, 109 and 115 of the NPPF. The proposal will also fail to respect local distinctiveness, character and appearance and will therefore be contrary to Local Plan Policy 42.

### **(c) Impact on Setting of Notgrove Conservation Area**

The north western boundary of the site adjoins Notgrove Conservation Area (CA). The aforementioned area constitutes a designated heritage asset.

Paragraph 132 of the NPPF states that 'when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting.'

Paragraph 134 states 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.'

Paragraph 009 of the Planning Practice Guidance (PPG) states that 'heritage assets may be affected by direct physical change or by change in their setting.'

Paragraph 013 of the PPG states 'Setting is the surroundings in which an asset is experienced, and may therefore be more extensive than its curtilage. All heritage assets have a setting, irrespective of the form in which they survive and whether they are designated or not.'

Cotswold District Local Plan Policy 15 states that construction 'within or affecting a Conservation Area must preserve or enhance the character or appearance of the area as a whole, or any part of the designated area.'



The existing site appears as a paddock and makes a positive contribution to the rural setting of the CA. The site is seen in the foreground of the CA when viewed from the north and east. It is also forms part of the skyline when viewed from the heart of the CA in the centre of the village. It is therefore seen in context with the CA from a number of vantage points. The introduction of the proposed pods, associated hardstandings together with parked cars and outdoor activity would result in a material change to the character and appearance of the site and its relationship with the CA. The rural setting to the CA would be diminished by the proposed development to the detriment of its character and appearance.

The Council's Heritage and Design Section states 'The amended location of the camping pods will clearly reduce the immediate visual impact upon the village. However the visual impact will not be eliminated because the pods will remain visible and the new planting will change the outlook from the village. Furthermore I agree that there is likely to be a negative impact upon the prevailing peaceful and intimate character of the village and conservation area due to the increased traffic and general activity on the site. It considered that that the location and design of the proposed development would still have a tangible negative impact on the context in which the heritage assets are experienced and would fail to preserve or enhance the character and appearance of the views out of the conservation area.'

It is considered that the proposal would be contrary to Paragraphs 132 and 134 of the NPPF and Local Plan Policy 15.

#### **(d) Other Matters**

A number of Listed Buildings are located within the village. Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990 states that when considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The nearest Listed Building to the site is Pinchin's Cottage which is located approximately 90m to the north of the development site. The aforementioned property is separated from the site by modern farm buildings and another dwelling. There is no visual interconnectivity between the site and Pinchin's Cottage. It is considered that the proposal will not have an adverse impact on the setting of the Listed Building.

Other Listed Buildings are located over 150m from the site and by virtue of topography, vegetation or distance are considered to be sufficiently separate from the proposed development so as to not be adversely affected by the proposal.

With regard to highway impact it is considered that the access arrangements are satisfactory and that they are able to accommodate the potential traffic movements that would be associated with the proposed development. The highway impact of the proposal is considered not to be severe and therefore not to conflict with Paragraph 32 of the NPPF.

With regard to ecology the Council's Biodiversity Officer has examined the proposal and raises no objection subject to new tree and landscape planting being introduced. No protected species or noteworthy habitat was identified during ecological survey work commissioned by the applicant. The proposal is therefore considered to accord with Local Plan Policy 9 and guidance contained in Paragraphs 109 and 118 of the NPPF.

**9. Conclusion:**

Overall, it is considered that the proposed development would assist a rural business and help support the local economy. These elements weigh in favour of the proposed development. However, the proposed scheme would also result in an encroachment of development into the AONB landscape wherein the Council is statutorily required to have regard to the purpose of conserving or enhancing its natural beauty. The proposal would also have an impact on the setting of Notgrove Conservation Area. The introduction of the proposed pods and storage building together with areas of hardstanding, parked cars and additional outdoor activity would significantly affect the character and appearance of the locality. It is considered that the proposed development would fail to conserve or enhance the natural beauty of the AONB or the setting of Notgrove Conservation Area. On balance it is considered that the environmental impacts of the proposal outweigh the economic benefits and as such it is recommended that the application is refused.

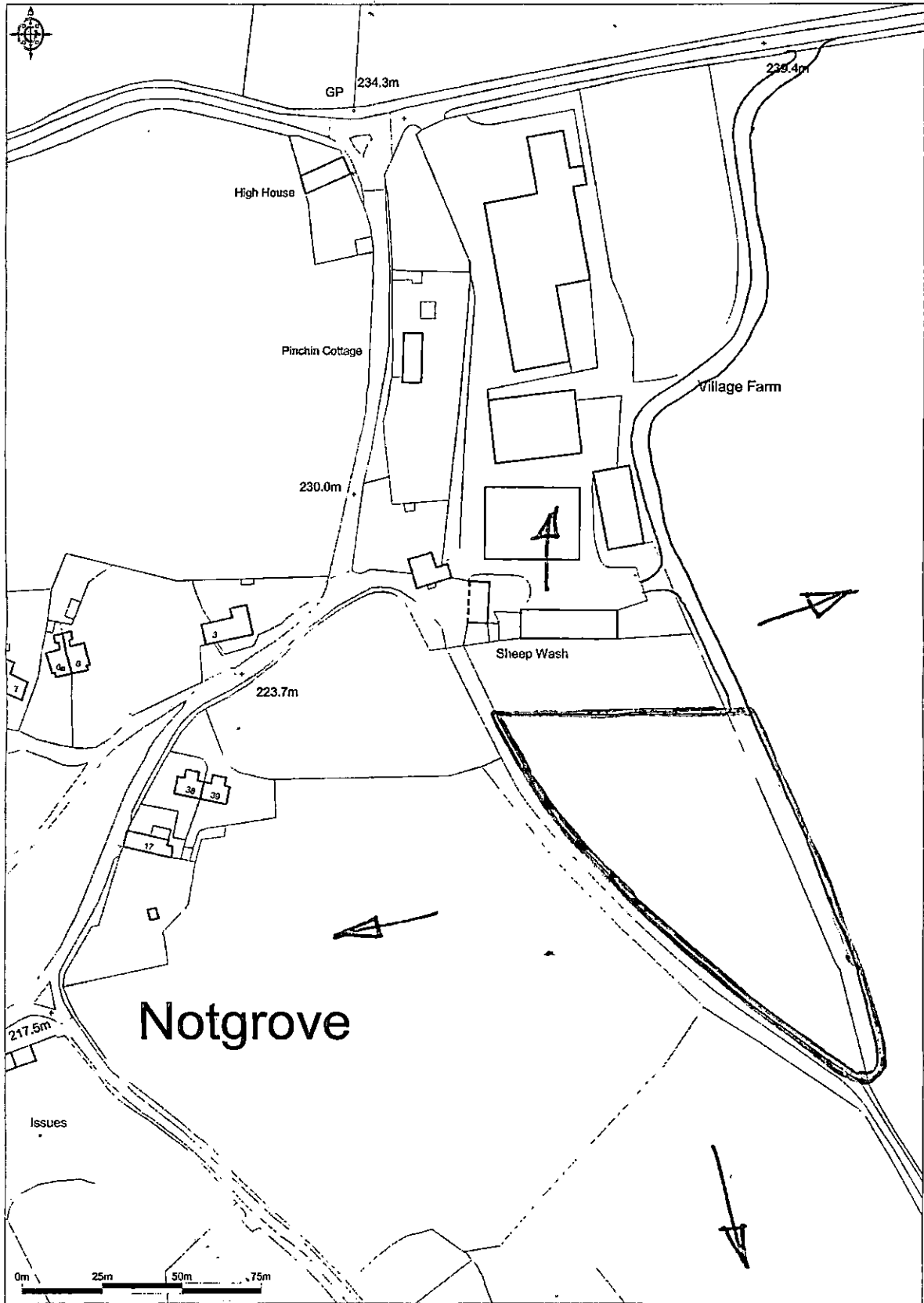
**10. Refusal Reasons:**

1. The application site is located within the Cotswolds Area of Outstanding Natural Beauty (AONB) wherein the Council is statutorily required to have regard to the purpose of conserving and enhancing the natural beauty of the landscape. The proposed development will result in an encroachment of development into the AONB landscape which will in turn result in a material change to the character and appearance of the locality. The proposed camping pods, hard surfaces and parking areas will have an urbanising impact on the existing field and will fail to conserve or enhance the natural beauty of the AONB. In addition, the proposed development will also generate a level of outdoor activity that will have an adverse impact on the tranquillity of the AONB to the detriment of the intrinsic character and appearance of the locality. The proposal is therefore considered to be contrary to Cotswold District Local Plan Policies 26, 27 and 42 and guidance in the NPPF, in particular Paragraphs 17, 109 and 115.

2. The application site is located adjacent to Notgrove Conservation Area. The proposed development will result in the introduction of built development, parked cars and a level of outdoor activity into a field that currently makes a positive contribution to the rural setting of the Conservation Area. The proposed development would have an adverse impact on the setting of Notgrove Conservation Area and would therefore be contrary to Cotswold District Local Plan Policies 15, 26, 27 and 42 and guidance contained in Section 12 of the NPPF.

**INFORMATIVES :-**

1 This decision relates to the following plans: 1440 L 2 A, 2.6.2014-7, 1:1250 Promap plan with site outlined in red and camping pod details received by the Council on the 12th June 2015



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 Website: www.abbeydesign.com

Project: 2.6.2014-7  
 Date: 1.2015  
 Scale: 1:200

Client: Mr. H. K. K. K.  
 Address: 1234 Main St.  
 City: San Francisco, CA  
 State: CA 94101

Site Plan and Elevation  
 Scale: 1:200  
 Date: 1.2015

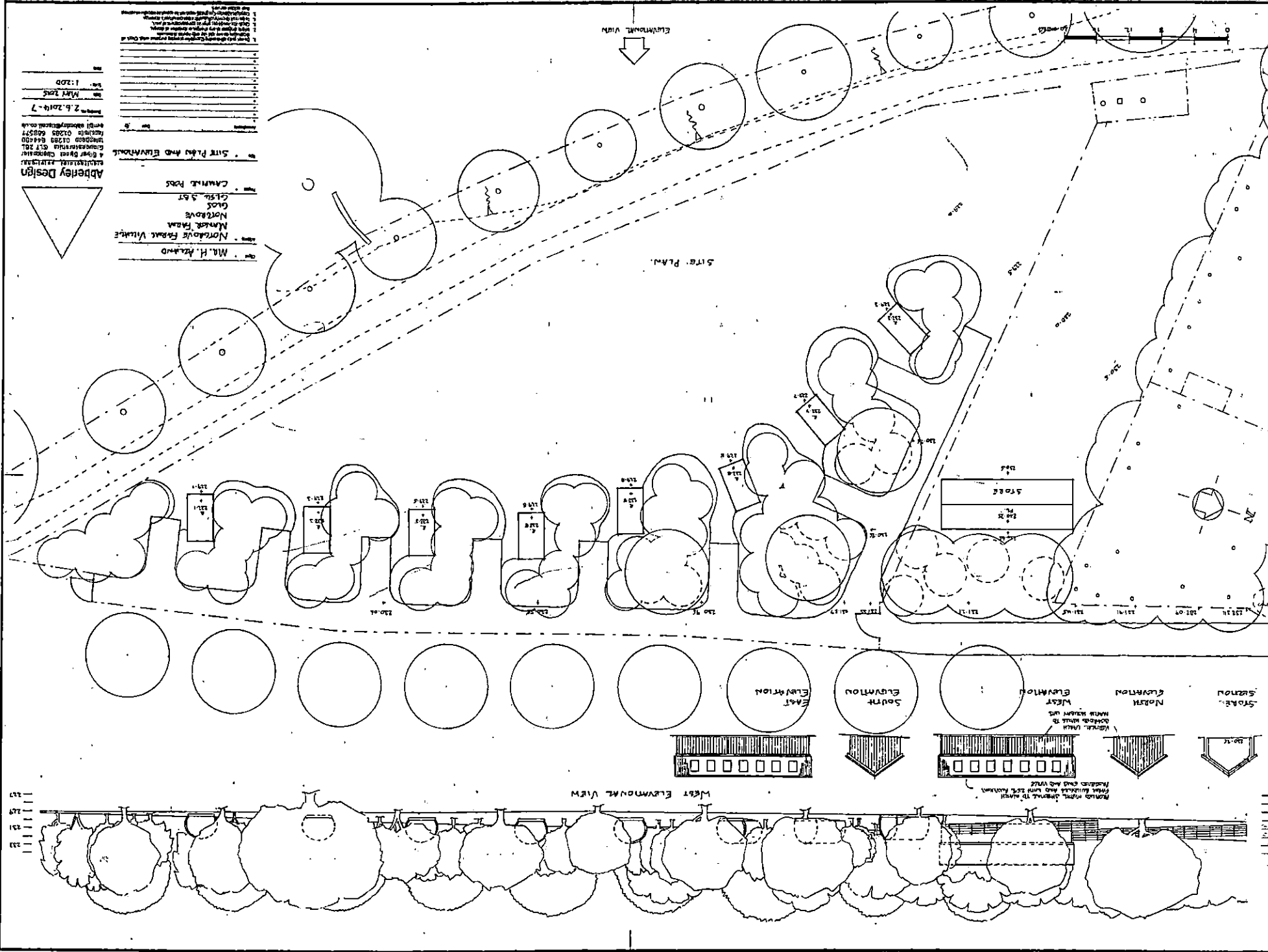
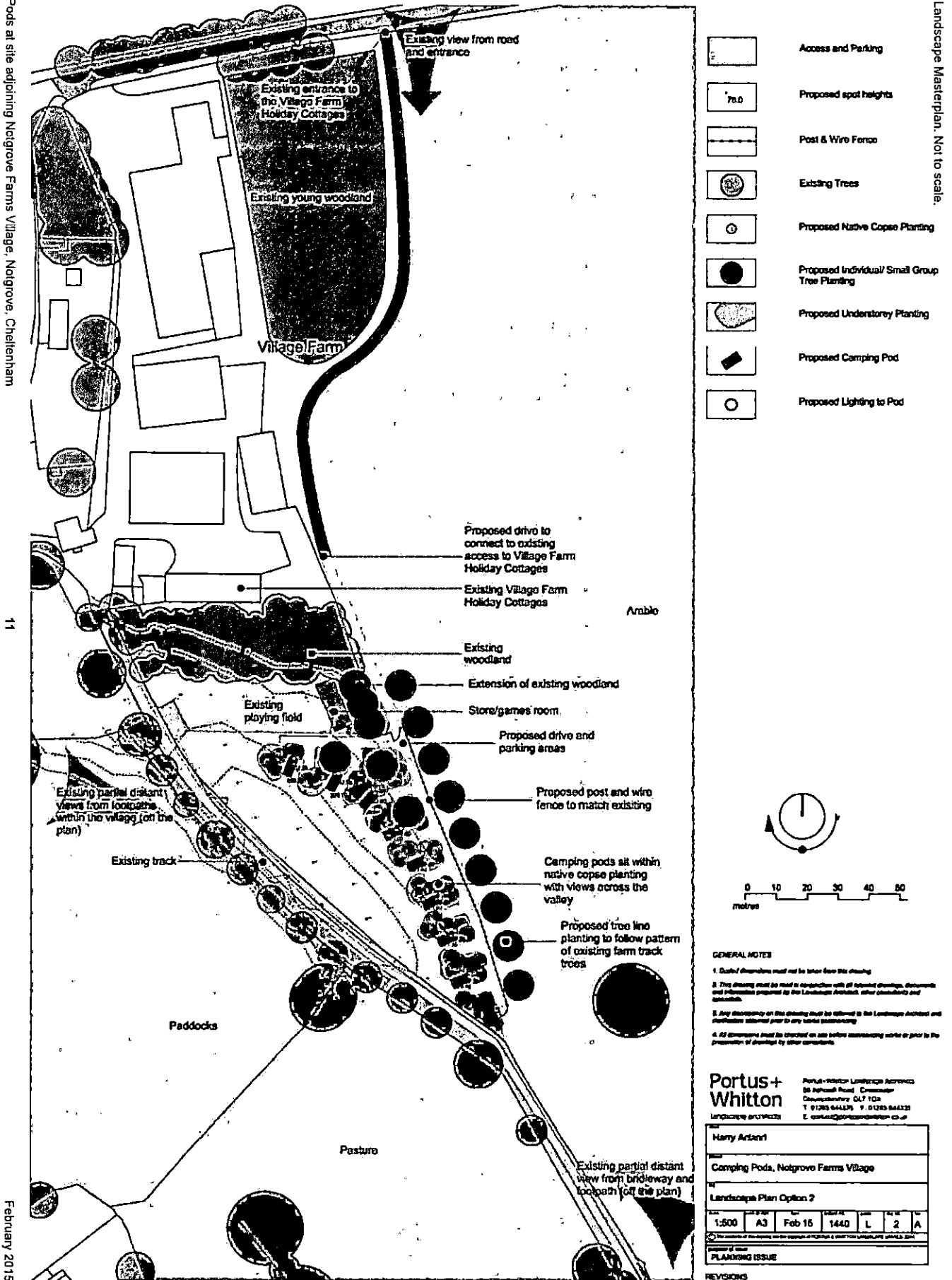


Figure 9 - Landscape Masterplan. Not to scale.



# A look inside...

The versatility of the Mega Pod allows you to customise the internal fit out to suit your development. In its simplest form it can be a blank canvas for your customers to enjoy or you can choose high spec, fully self contained luxury with integrated wet room and sleeping for four...

## Featuring:

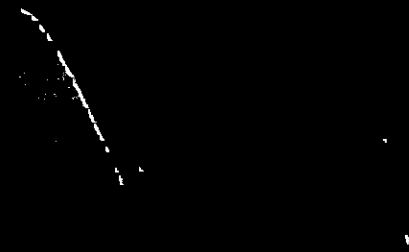
- Wet room with shower, w.c. and hand basin
- Fitted double bed with storage
- Kitchenette with sink, microwave and mini fridge
- L-shape sofa bed with storage
- Table and chairs
- Insulated to Highland winter spec

## Dimensions:

- Internal: 3.0m (9ft 8in) x 4.42m (14ft 5in)
- Head room: 2.2m (7ft 2in)
- External: 3.14m (10ft 3in) x 5.4m (17ft 7in)
- Sleeps: 4

### Looking for something unique?

Talk to us about building a bespoke specification to match your on-site requirements.



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