

**3/09/2018/FP – Thirty caravan pitches with associated parking; extension to access road and construction of toilet and shower building incorporating booking-in office at Westmill Farm, Westmill Road, Westmill, Ware, Herts, SG12 0ES for DJ and DM Vigus**

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**Date of Receipt:** 11.12.2009

**Type:** Full - Major

**Parish:** HERTFORD

**Ward:** HERTFORD BENGEO

### **RECOMMENDATION**

That planning permission be **REFUSED** for the following reasons:

1. Within Metropolitan Green Belt (R0212)
2. The proposed development, by reason of the extent and topography of the area proposed for the change of use; the number of caravans proposed; and the prominent siting of the facilitated pitches, toilet/shower building and associated access tracks, would be unduly prominent in the surrounding countryside and harmful to the openness and rural character of the Metropolitan Green Belt. The proposed screening would not adequately mitigate the harm to the Green Belt, and the proposal would therefore be contrary to policies GBC1, LRC5, LRC10, GBC7, GBC8 and ENV2 of the East Herts Local Plan Second Review April 2007.

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#### **1.0 Background**

- 1.1 The application site is shown on the attached OS extract. It forms part of the Westmill Farm site, a working farm that has been extensively developed and diversified in recent years to offer a variety of uses, mostly related to recreational pursuits.
- 1.2 At present, the site has commercial space to let; an art studio and workshop; café/restaurant; function rooms; fishing lakes; a model car racing circuit; nine hole golf course; garden centre and shops. It is also the site of events such as a music festival, and offers outdoor pursuits such as archery, climbing and shooting.
- 1.3 The provision of 7 caravan pitches was included in the original planning application for the leisure activities at the farm. However, the applicants indicate that there has been an increased demand for caravan pitches in recent years, even during the autumn and spring months.

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- 1.4 The current proposal seeks planning permission for a mix of basic touring caravan pitches and facilitated pitches together with the necessary access tracks and a toilet/shower block. This would be on a previously undeveloped part of the farm. A new private drive would therefore be required to link the building and pitches to the existing fishing lake access drive. There would be 20 basic pitches and 10 with full service facilities. They are intended for use by tourists visiting the area and/or by people using the site's various leisure facilities.
- 1.5 The toilet block would be a timber framed building located on the eastern side of the application site (just to the south of the "New House"). The applicants indicate that this location was chosen due to its proximity to existing site drainage and also to the existing access tracks within the farm, thereby making ingress and egress of touring caravans easier. The facilitated pitches are also proposed in this location to facilitate easy access to existing services.
- 1.6 The applicants acknowledge that this is a somewhat exposed position, especially when viewed from Crouchfields at Chapmore End (to the west of the site). However, they consider that the location of the development close to existing hedgerows, together with new planting proposed, would satisfactorily reduce its impact on the surrounding area.
- 1.7 The new access tracks are proposed to be constructed from crushed and rolled hardcore. Low level lighting is also proposed along the access tracks.

## **2.0 Site History**

- 2.1 As mentioned above, the site has an extensive history of planning applications dating back more than thirty years. There was a significant redevelopment of the site, following the granting of a planning permission in September 2001. It has since been the subject of numerous applications introducing new elements and diversifying the services offered to visitors. The most relevant planning history can be summarised as follows:-
  - 3/90/1911/FP – Formation of fishing lake – Approved January 1991
  - 3/93/1266/AD – Sign boards – Approved November 1993
  - 3/97/0116/CM – Formation of two fishing lakes – Approved December 1997
  - 3/00/0602/FP – Extension to shop – Refused July 2000 – Appeal dismissed February 2001
  - 3/00/1203/FP – Redevelopment of site for model racing circuit, golf course, seven pitch caravan site and associated development – Approved September 2001

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- 3/04/0898/FP – Change of use from clubhouse to mixed use with restaurant – Approved June 2004
- 3/04/1538/FP – Change of use to art and craft gallery with studio, workshop and shop (retrospective) – Approved September 2004
- 3/05/1829/FP – Change of use from model car racing to meeting/function room and retail – Approved August 2004
- 3/05/2467/FO – Use of retail unit for farmer's market style shop – Approved March 2006
- 3/08/0050/FP – Extension to function rooms – Approved March 2008
- E/09/0463/B – Twelve caravans on site – Complied November 2009
- E/09/0501/B – Extended residence of caravan site – No breach December 2009
- 3/10/0065/FP – Rope and zip-line course involving change of use of land from agriculture to assembly and leisure. Construction of single storey timber office and car park – Not yet determined

### **3.0 Consultation Responses**

- 3.1 The Environment Agency has no objection to the proposal provided that a scheme to dispose of foul and surface water is secured by way of a planning condition. They also indicate that a discharge licence will be required from the Agency for any sewage or trade effluent discharge to a watercourse and that any waste brought onto the site in order to construct any hard standings or the new access tracks will require the appropriate authorisation from the Agency.
- 3.2 The County Property Planning Obligations unit confirms that no financial contributions are sought on this application.
- 3.3 The Council's Environmental Health unit has raised concerns about the services provided as part of the application, including the provision of washing facilities and the suitability of the site to handle the disposal of foul water, and waste from chemical WCs. Furthermore, the pitches are considered to be too closely sited to allow for the minimum separation distance of six metres. In the event that planning permission were to be granted, conditions are recommended relating to a maximum period of opening in a year (1<sup>st</sup> March – 31<sup>st</sup> October) to prevent permanent residential use of the site; lighting; quality of site pathways; and construction hours of working.
- 3.4 The Council's Landscape Officer objects to the proposal on grounds of its detrimental impact on the local landscape. In particular, he considers that the 10 facilitated pitches would be clearly visible from within the site and from the opposite valley slope. Whilst additional landscaping would help to

soften the appearance of the site and aid screening in time, he considers that alternative, more appropriate, site options should be considered and that more details of levels, contours and proposed new landscaping are required.

- 3.5 County Highways comment that the proposal is unlikely to result in a significant increase in traffic movements at the site and visibility at the site entrance is acceptable. They do however suggest a condition requiring the submission of details of routing signage within the site to ensure that all vehicles make use of the existing main access and do not use the shorter “farm” access routes to the A602 where the accesses do not meet suitable design requirements. They also consider that any further development at the site should be accompanied by a Transport Statement

#### **4.0 Town Council Representations**

4.1 Hertford Town Council has objected on the following grounds:

- Concern that the proposal could result in possible future permanent development

#### **5.0 Other Representations**

5.1 The applications have been advertised by way of press notice, site notice and neighbour notification.

5.2 Two letters have been received. The following objections have been raised;-

- Overdevelopment and inappropriate development within the Green Belt
- Lack of provision for management of sewage and waste

#### **6.0 Policy**

6.1 The relevant Local Plan policies in this application include the following:-

GBC1	Appropriate Development in the Green Belt
GBC8	Rural Diversification
ENV1	Design and Environmental Quality
ENV2	Landscaping
LRC5	Countryside Recreation
LRC10	Tourism

In addition to the above it is considered that Planning Policy Guidance 2 – Green Belts and Planning Policy Statement 7 – Sustainable Development in Rural Areas are material considerations for this application.

## **7.0 Considerations**

- 7.1 The determining issues in this case relate to the appropriateness of the proposed development within the Metropolitan Green Belt and the impact of the development on the openness, character and appearance of the surrounding countryside.

### **Principle of development in the Green Belt**

- 7.2 The site lies within the Metropolitan Green Belt wherein planning permission will not be granted for development, except in certain specified circumstances. Policy GBC1 of the Local Plan indicates that changes of use of land within the Green Belt will be inappropriate unless they maintain openness and do not conflict with the purposes of including land in the Green Belt. New buildings in the Green Belt will also only be permitted for purposes specified in that policy, which closely follows Government guidance set out in PPG2. One of the purposes identified in the policy as being appropriate in the Green Belt is for buildings which are required for *essential small scale facilities for outdoor sport and outdoor recreation*.
- 7.3 In this case, however, Officers consider that the proposed development would have a significant impact on the openness of the Green Belt and that the new building and necessary structures/tracks required for the use would not represent *essential small scale facilities* as required by policy GBC1.
- 7.4 As such, the proposal represents inappropriate development in the Green Belt and, in accordance with the advice in PPG2, planning permission should not therefore be granted unless there are very special circumstances which would outweigh the harm caused by inappropriateness and any other harm – such as the impact on the character and appearance of the surrounding area.
- 7.5 In this case, officers are not satisfied that any very special circumstances have been put forward sufficient to justify a departure from Green Belt policy. No evidence has been submitted of any overriding need for touring caravan accommodation in the area or of any essential need for such accommodation on the site in order to support the diversification of the farm as required by policy GBC8. Even if such justification were available, Officers are of the opinion that this would not be sufficient to clearly outweigh the harm caused to the openness and rural character of the surrounding Green Belt

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- 7.6 Whilst Policy LRC10 of the Local Plan states that the Council will encourage suitable tourism proposal in appropriate locations, and give favourable consideration to suitable proposals for visitor accommodation within the District this, similarly, does not justify inappropriate development in the Green Belt and Officers are of the opinion that the specific location proposed for the caravans, and particularly the facilitated pitches and toilet block, would not be appropriate in this case.
- 7.7 Officers are of the view that the Westmill Farm site itself could be a suitable site, in principle, for some small scale visitor accommodation. Indeed, there is existing provision for seven caravan pitches at the site which appears appropriate for the location. A small increase in the number of pitches may be acceptable, subject to siting, but the level and extent of the development currently proposed is, in the opinion of officers, excessive given its Green Belt location.
- 7.8 Officers consider, therefore, that in addition to being contrary to Green Belt policy, the proposal does not constitute suitable recreation/tourism development under policies LRC5 and LRC10 of the Local Plan.
- 7.9 In addition, Officers raise concern regarding the extent of the land included within the application site, as shown on the attached plan. A change of use of this whole area to a caravan site would have unacceptable implications for the openness of this part of the Green Belt and it is considered that any re-submission of the proposals would need to relate to a significantly reduced site area in order to be acceptable, particularly as the inter-relationship of the Town and Country Planning Act and the Caravan Sites Act would result in a Caravan Site licence being granted in respect of the whole site indicated on any planning permission.

#### Layout and visual impact

- 7.10 Officers consider that the proposed development would have a significant impact on the character and appearance of the site and its surroundings, particularly when viewed from the opposite valley slopes at Crouchfields to the west. Although there is some screening proposed as part of the development, the Council's Landscape Officer considers that this would not be effective in obscuring the caravans, at least until the planting has matured which may take many years. Officers consider that the current siting, at the crest of the hill, of the facilitated caravan pitches, access track, toilet block and associated structures would be clearly visible in the surrounding area and would be detrimental to its rural character and appearance.

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- 7.11 In addition to the above, officers consider that the proposed caravans and timber building would be relatively isolated on the site, some distance from the central core that comprises the shops, gallery and restaurant. They would have a greater impact on the rural character of the site and the surrounding area than if they were sited in a location that was less visible, and subject to improved screening.
- 7.12 The typography of the application site, with its extensive level changes, would also be likely to result in a requirement for significant earth works in order to facilitate the level siting of caravans and the provision of satisfactory access. This, together with the need for the proposed new access track would alter the rural character and appearance of the site and suggests that the field is not well suited to the proposed development, contrary to policies LRC5 and LRC10 of the Local Plan.

#### Other matters

- 7.13 Hertford Town council have expressed concerns that the development could lead to the permanent residential use of the site. However, officers consider that, if the proposal were acceptable in other respects, conditions could be imposed that would restrict the nature of the use and thus prevent the introduction of a permanent residential use.
- 7.14 Similarly, conditions could be imposed that would provide for adequate sewerage and drainage facilities at the site and it is not felt that a refusal could therefore be justified on these grounds.
- 7.15 The Highway Authority has confirmed that, with a suitably worded condition in respect of routing signage, there are no highway objections to the proposal.

### **8.0 Conclusion**

- 8.1 The proposed addition of thirty new caravan pitches and a shower/office building in the proposed location would, in the opinion of Officers, constitute inappropriate development in the Green Belt. The applicant has failed to show that any very special circumstances exist that would justify the development in this location and would clearly outweigh the harm caused to the openness and rural character of the Green Belt.
- 8.2 The extent and typography of the site and the specific location chosen for the facilitated pitches and toilet block would also render the development visually conspicuous in the Green Belt and would be detrimental to the rural character and appearance of the site itself and the surrounding area. In addition, Officers are not satisfied that other, more appropriate, locations within the wider farm site have been adequately explored.