

5D 3/10/1495/FP – Fifteen 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

Date of Receipt: 17.08.2010

Type: Full - Minor

Parish: HERTFORD

Ward: HERTFORD BENGEO

RECOMMENDATION

That planning permission be **GRANTED** subject to the following conditions:

1. Three year time limit (1T121)
2. Landscape design proposals (4P124)
3. Landscape works implementation (4P133)
4. Landscape maintenance (4P173)
5. Hours of working – plant and machinery (6N053)
6. The development hereby permitted shall not be commenced until such time as a scheme to dispose of foul and surface water has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall be implemented as approved.

Reason: To prevent pollution of the water environment, in accordance with 'saved' policies ENV18 and ENV20 of the East Herts Local Plan Second Review April 2007.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended), not more than 15 caravans may be stationed on the land that is the subject of this approval at any time. The caravans shall be occupied solely for holiday/leisure or touring purposes and not for permanent residential occupation. No individual caravan or individual person shall occupy the site for any period in excess of 3 months in any 12 month period.

Reason: To prevent the establishment of a permanent residential caravan site contrary to Metropolitan Green Belt policy and in accordance with 'saved' policy GBC1 of the East Herts Local Plan Second Review April 2007.

8. Lighting details (2E272)

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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. The site lies just to the north-west of Ware within the Metropolitan Green Belt.
- 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 2001 planning application for the leisure activities at the farm. However, the applicants indicate that there has been an increased demand for pitches for caravan and camping use in recent years, even during the autumn and spring months. The pitches are used both for caravans and for tents. This is not considered to represent a material change of use that in itself requires planning permission.
- 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 road would be required to link the pitches to the existing fishing lake access drive. There would be 15 pitches. They are intended for use by tourists visiting the area and/or by people using the site's various leisure facilities.
- 1.5 The office/shower building would be a timber framed building located to the north-east of the field, 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.
- 1.6 The applicants have acknowledged 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.

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- 1.7 The new access tracks are proposed to be constructed from concrete. Low level lighting is also proposed along an informal access track between the pitches and the new building.
- 1.8 A previous application for 30 new caravan pitches and the associated development was refused by the Committee in March of this year. The reasons for refusal related to the site lying within the Green Belt, and also the prominence of the development in the surrounding countryside.

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
- 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
- 3/09/2018/FP – Thirty caravan pitches with associated parking, extension to access road and construction of office/shower building – Refused March 2010

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- 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 – Approved March 2010

2.2 Among the conditions placed on the 2001 permission was a time limit restriction requiring that no person or caravan occupy the site for more than 3 months. This has also been included within this application.

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.

3.2 The Council's Environmental Health unit has recommended conditions relating to a maximum period of opening in a year (1st March – 31st October) to prevent permanent residential use of the site and to limit the time in which work is carried out on site. Officers have also expressed concerns not specific to planning that have been forwarded to the applicant for their information.

3.3 The Council's Landscape Officer has been consulted on the application. Their comments will be reported to the Committee once received.

3.4 County Highways have no objection to the proposal.

4.0 Town and Parish Council Representations

4.1 Hertford Town Council had no objections, but asked that Ware Town Council and Bengoe Rural Parish Council be consulted as well.

4.2 Ware Town Council have not commented at the time of writing this report.

4.3 Bengoe Rural Parish Council have not commented at the time of writing this report.

4.4 Any additional representations will be reported to the Committee upon their receipt.

5.0 Other Representations

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

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5.2 Three letters have been received from residents in River Court to the west of the site, and in Rib Vale, Hertford to the south of the site. The following objections have been raised:

- Potential for increased noise and disturbance, in addition to that already experienced from the site. Residents have claimed that the noise generated on site already causes disturbance, including to residents of Rib Vale some 2 kilometres from the application site.
- Overdevelopment of the site, with this Green Belt site increasingly becoming a leisure destination akin to a 'mini Alton Towers'.
- Inappropriate development within the Green Belt detrimental to the open and rural character of the site.

6.0 Policy

6.1 The relevant 'saved' 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

6.2 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, the impact of the development on the openness, character and appearance of the surrounding countryside, whether the proposal would constitute overdevelopment of the site and whether the level of disturbance generated by the proposal would be unacceptable.

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

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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 caravan pitches would have an impact on the openness of the Green Belt and would not represent *essential small scale facilities* as required by policy GBC1.
- 7.4 The proposed shower/office building would be both essential to the development and small scale, but is not required for an outdoor recreation activity, and is therefore also not in accordance with policy GBC1.
- 7.5 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.
- 7.6 The proposed development represents a significant reduction in scale from the previously refused proposal. The number of pitches proposed has been reduced by 50%. In addition to this, the location of the pitches, layout and extent of the landscaping and the proposed road materials have been revised in line with the Landscape Officer's comments on the previous proposal.
- 7.7 Officers consider that the development would have a substantially smaller visual impact than the previous proposal. The extent of landscaping proposed would provide extensive screening of the pitches and the new building. This would significantly soften the visual impact of the development.
- 7.8 Policy LRC10 of the Local Plan states that within the Green Belt the Council will encourage suitable tourism proposals in appropriate locations. In addition, the Council will give favourable consideration to suitable proposals for visitor accommodation within the District. Policy LRC5 states that the Council will permit suitable development within the Green Belt where it would provide opportunities for increasing public access to countryside recreation. Officers considered that the previous proposal did not meet the criteria, comprising an overdevelopment of this Green Belt site.

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- 7.9 The applicants have compiled extensive information in support of the application. At a time when interest in caravan and camping holidays is increasing rapidly, Hertfordshire has a limited number of sites considering the proximity to London and Cambridge. The site is close to Hertford and Ware with links to the wider area, and has diversified in the last ten years to provide a number of attractions on-site for potential visitors.
- 7.10 An indication of local demand are the 250 pitches available at the Balls Park campsite in Hertford, and this facility is open all year.
- 7.11 The proposed development has been substantially revised from the previously refused submission. The impact on the openness and rural character of the Green Belt would be limited to an acceptable level, considering the benefits to be gained from the proposal. The development would represent necessary improvements to tourism opportunities in the District. Officers consider that these represent very special circumstances that outweigh the harm to the Green Belt. In principle, therefore, officers consider that the proposal in its revised form is acceptable.

Layout and visual impact

- 7.12 The development has been significantly revised from the previously refused scheme. The number of pitches has been reduced, and the majority of the development would now be located in the south corner of the site, at the lowest point within the field.
- 7.13 In addition, the development would feature extensive additional landscaping designed to screen the pitches and new building from view from the surrounding area. The office/shower building would be screened by the planting of mixed species hedgerows. The pitches would be screened by the planting of hedgerows and trees.
- 7.14 Officers consider that the development would have some impact on the character of the site. Westmill Farm has historically been an open, rural site, and this would be part of the ongoing diversification that has taken place over the last decade or so. However, the development would be limited in area, mainly concentrated to a site with an area of approximately 0.5 hectares. Although the development would be in a relatively prominent location, the site as a whole is approximately 40 hectares in area. The majority of the site would remain as open land.
- 7.15 Officers consider that, given the reduction in scale of the proposed site and the extensive landscaping planned, the visual impact of the development would be acceptable in accordance with policies ENV2 and GBC1 of the Local Plan.

Overdevelopment

- 7.16 The development would result in an increase from 7 to 15 pitches at the site. Westmill Farm has been the subject of extensive development over the last decade as the site has been redeveloped to provide a number of commercial and leisure facilities, including a restaurant, model car racing circuit, golf course and a variety of other uses. Most recently permission was granted for an elevated ropes course in the east of the site.
- 7.17 The development has resulted in a thriving local business that concentrates a number of recreational activities in a single location. The activities available on site include those noted above, as well as shops, fishing, shooting and archery.
- 7.18 The site would remain predominantly rural in character, although it is clear from neighbour representations that the character of the site has been somewhat affected by the ongoing development. However, the proposed works would involve the modest intensification of an existing use rather than the introduction of a new use to the site. As considered above, the visual impact of the development would be relatively limited. The benefits from increasing the availability of tourist accommodation in the District are considered by officers to justify the increased development on the site.
- 7.19 The actual extent of development involved would be limited as it would amount to the laying down of two new stretches of concrete road and a single new building of around 140m². Officers therefore conclude that the proposed works do not in themselves or with the other approved works at the Westmill Farm site constitute overdevelopment.

Noise disturbance to neighbouring occupiers

- 7.20 The site is in a relatively isolated location, approximately 350m from the nearest neighbouring property. However, the site is relatively open and representations received from residents make it clear that disturbance does occur as a result of the activities occurring on the site.
- 7.21 The potential for noise disturbance from the proposed development arises from several sources. The vehicle movements associated with the pitches can cause disturbance, although officers would expect these to be relatively limited in duration and mainly restricted to the arrival and departure of the caravans on site. The occupation of the pitches would be likely to result in some disturbance. Given the openness of the site, the noise created by the use of the pitches would be likely to carry for some distance. Finally, the use of the facilities on site would be likely to be increased as a result of the additional occupancy of the site.

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- 7.22 The various activities on site are not limited to a set number of participants at any given time. Even without an increase in residents on site, the activities could be used by any number of visitors. It is inevitable that the activities on the site will be busier at some times more than others, and that the resultant levels of disturbance will vary. Many of the activities are sited a considerable distance from neighbouring residents, reducing the impact.
- 7.23 The noise created by the occupation of the pitches would be concentrated on the 15 pitches and the immediate surrounding area. This area is approximately 400m from the nearest neighbouring property. Officers consider that the level of disturbance at this degree of separation would be limited. It is noted that Environmental Health have not raised any concerns about the proximity of the site to neighbouring occupiers on this ground.
- 7.24 With regard to the noise generated by the moving of vehicles around the site officers consider that such disturbance is intermittent and generally of limited duration. The separation from the site to neighbouring residents should again ensure that the development does not result in an undue adverse impact.
- 7.25 Officers accept that the increase in the number of pitches is likely to result in some increased disturbance to local residents. However, officers consider that the level of disturbance would be acceptable in accordance with policy ENV1 of the Local Plan, and therefore would not justify a refusal of permission.

Other

- 7.26 Environmental Health officers have recommended that a condition be placed on the approval of this application to limit the opening period of the site from March to October.
- 7.27 However, the 7 pitches that already have permission are not restricted in this manner and officers are not satisfied that such a condition is necessary or appropriate in this case. Rather, a condition as was attached to the earlier permission to require that no person or caravan have a stay of greater than three months, is considered appropriate and necessary to meet the relevant tests of the circular. This condition is included with this recommendation, with the wording updated for greater precision.

8.0 Conclusion

- 8.1 The proposed development would constitute inappropriate development in the Green Belt. However, officers consider that the applicant has shown that very special circumstances exist that are sufficient to overcome the in principle objection to the proposal.
- 8.2 Officers feel that the development would have a limited impact on the character of the site, and the amenities of neighbouring residents. It would not result an overdevelopment of the site, either on its own or when considered together with the preceding development of the site.
- 8.3 For these reasons it is recommended that planning permission be granted, subject to the conditions suggested above.