The Planning Inspectorate

Appeal Decision

Site visit made on 18 June 2013

by Alison Partington BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 8 July 2013

Appeal Ref: APP/H1033/A/13/2193524
The Bungalow, Owlgreave Farm, Combs Road, Combs SK23 9UW

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr Ian Barratt against the decision of High Peak Borough Council.
- The application Ref HPK/2012/0387, dated 2 July 2012, was refused by notice dated 4 September 2012.
- The development proposed is a camping and caravan site for 8 caravans and 10 tents and associated toilet/shower block in random gritstone.

Decision

1. The appeal is allowed and planning permission is granted for a camping and caravan site for 8 caravans and 10 tents and associated toilet/shower block in random gritstone at The Bungalow, Owlgreave Farm, Combs Road, Combs SK23 9UW in accordance with the terms of the application, Ref HPK/2012/0387, dated 2 July 2012, subject to the conditions set out in Annex A.

Main Issue

2. The main issue of the appeal is the effect of the proposed development on the character and appearance of the surrounding countryside.

Reasons

3. The appeal site forms part of a farm located in open countryside. Although in an elevated position on the farm, the ground levels are such that the site forms a natural bowl. The field, which is adjacent to the Manchester to Buxton railway line, is currently a grassed area, although it is indicated that it is unsuitable for either grazing or crop growing.

4. As a result of its location within a natural hollow, views of the appeal site, both from within the farm complex and the surrounding area are restricted. The existing trees and other vegetation that forms the boundary to other fields on the farm further screen views of the site both from Combs Road and the main road into Chapel-en-le-Frith. In addition, as the railway line has mature vegetation on both embankments, the site is hardly noticeable from the railway or the footpath on the far side of the line.

5. The proposal involves the construction of a new gritstone wall to match existing boundary walls on the farm and hawthorn hedge along the northern boundary on the appeal site. This is proposed to be approximately 1m in height. Due to

the site levels this would also screen views of the caravans and tents from the lower part of the farm and the surrounding area.

6. However, the site is surrounded by hills and the many footpaths on them result in the potential for the site to be viewed from these elevated positions. A number of these footpaths are located at a considerable distance which limits what can be seen with the naked eye. Consequently I am satisfied that from this distance the proposed use of the site would not appear an incongruous feature in the landscape.

7. The closest footpaths are located on the hill immediately beyond the railway line. On my site visit I observed that from the footpaths on this hill much of appeal site is screened from view by the vegetation along the railway line, with only the area of the proposed pitches on the northern side of the site being visible. Therefore, given the usual light colour of caravans, those pitched in this area would be prominent in views from these footpaths. However, as they would be seen in the context of the farm complex which includes a number of horse trailers / boxes, caravans belonging to the occupiers of the farm units and agricultural equipment, their impact would be mitigated to some degree.

8. Furthermore I am mindful that since the original planning application, the appellant has made a successful application to the Caravan and Camping Club for the site to be used as a Certified Location. This enables a maximum of 5 caravans to use the site and the Council have confirmed that this does not require planning permission. I am satisfied that there is every likelihood that the appeal site will be used for this purpose and that this would include caravans being pitched in areas that are visible from the footpaths. As such I consider that the proposed increase in numbers would not result in materially greater harm being caused to the character and appearance of the area.

9. The proposed toilet/shower block would be a single storey building and would be built into the hillside. It would be constructed from materials to match the surrounding boundary walls and have a turf roof. I note that the Council consider that this part of the proposal would be acceptable in terms of its impact on the character and appearance of the area and I agree.

10. The farm complex is currently served by an internal access road which extends as far as the appeal site. Closest to Combs Road this is constructed from tarmac but with distance it becomes a gravel road. Although it would be possible to enter and leave the site using this access lane, it is proposed to extend the lane down to another existing gated access point on Combs Road to provide a separate entry and exit.

11. The existing field boundary which the proposed access lane would follow is a post and wire fence, so existing vegetation would not be lost in order to facilitate its construction. The plans do not indicate that any changes in level would be needed to construct the proposed access lane and it does not appear to me that they would be necessary.

12. Like the existing road the plans indicate that it would be constructed from gravel hardcore. Existing vegetation that forms field boundaries would largely screen the proposed lane from views from lower levels and whilst it would be visible from the elevated footpaths in the area, I note that the existing track is not a noticeable feature in the landscape and equally consider that the new track would not be a prominent or incongruous element of the landscape.

13. Alterations would be required at the proposed access point onto Combs Road to improve visibility and I note that the Highway Authority considers that adequate visibility can be obtained with the removal of the necessary vegetation. Whilst it has been argued that this vegetation provides a pleasant approach to the village, the field boundary would still provide a green and attractive frontage despite the removal of some of the vegetation. Consequently, subject to conditions, I am satisfied that the proposed new access point would not be detrimental to highway safety or to the visual appearance of the area.

14. Overall, for the reasons set out above, I conclude that the proposed development would not materially harm the character and appearance of the surrounding countryside. Accordingly it would not conflict with Saved Policies OC1 and LT13 of the *High Peak Local Plan (adopted March 2005)* which seek to ensure that development in general and touring caravan and camping sites in particular, do not have a significant adverse impact on the character and distinctiveness of the countryside. It would also accord with the National Planning Policy Framework which whilst seeking to protect the countryside and valued landscapes, encourages the diversification of agricultural businesses.

Other Matters

15. My attention has been drawn to a previous Inspector's decision for the storage of caravans on the farm and the conclusion reached that caravans would be a conspicuous and discordant feature in the landscape. However, the previous appeal differs from the current appeal in a number of ways, including the nature of the proposed use, the number of caravans involved and the actual site proposed for the use. As such the circumstances of this appeal are materially different to the previous appeal and in this instance I have concluded that the proposed use would not adversely harm the character and appearance of the countryside.

16. In addition reference has been made to another application for a camping and caravan site in the vicinity that was refused. However, I do not have the full details of the proposal and so cannot be sure whether it represents a direct parallel to the appeal site including in terms of the scale of the proposal and the location and visibility of the site. In any event, I have determined the appeal on its own merits.

17. Concerns have been raised about the suitability of Combs Road for caravans and the potential impact of the proposal on pedestrian and highway safety. The traffic survey submitted with the application indicates that both traffic movement and speeds on the road are low although I appreciate that at weekends the volume of traffic may be greater. However, I note that, subject to a number of conditions, there is no objection to the proposed development from the Highway Authority and I am satisfied that the proposed scheme would not materially harm highway or pedestrian safety in the area. Further, in the light of the proposed changes to the access arrangements on the farm, I consider that the proposal would not lead to conflict between the various uses on the farm complex.

18. It has been put to me that the proposed development could lead to further applications to expand the campsite in the future. Given that I have concluded that the proposal would be acceptable, a generalised concern of this nature does not justify withholding permission in this case. Furthermore,

should such a scheme come forward that would create demonstrable harm, I am satisfied that the Council would be able to successfully resist it.

19. Due to the intervening distances the proposal would be unlikely to result in any significant noise disturbance to occupiers of the nearest dwellings. Nor is there any firm evidence to suggest that the development would lead to significantly increased rates of crime and litter, or that it would place an undue strain on local services. The security of the site itself is a matter for the owner.

20. Although the village is relatively small an 18 pitch site would not be disproportionately large nor would it result in the character of the village changing. Further the number of caravans and tents allowed on the site can be controlled by condition.

Conclusion and Conditions

21. For the reasons set out above, I conclude that the appeal should be allowed.

22. In addition to the standard implementation condition, it is necessary for the avoidance of doubt, to define the plans with which the scheme should accord. In the interests of the character and appearance of the area conditions are required to control the external appearance of the toilet/shower block, the number of caravans and tents that can use the site and the landscaping. It is necessary to control details of the access lane and new exit point and associated visibility splays in the interests of highway safety. However given the size of the farm complex and the distance of the appeal site from the road it is not necessary to control the details of construction traffic. In the interests of railway safety conditions are required relating to fencing, drainage, encroachment and distance of caravans/tents/shower block to the boundary.

Alison Partington

INSPECTOR

Annex A

Conditions

1) The development hereby permitted shall begin not later than three years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan; Survey 01; Survey 02; Proposed 01; and Proposed 02.

3) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the shower/toilet block hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

4) No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved.

5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the site being brought into use or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the local planning authority gives written approval to any variation

6) No development shall take place until full details of the new exit point, gate and associated visibility splays and the new access lane and internal signage have been submitted to and approved in writing by the local planning authority and these works shall be carried out as approved before the site is brought into use and retained thereafter. No structure or object exceeding 1m in height and no plant or tree exceeding 600mm in height shall be subsequently erected or allowed to grow within the approved visibility splays.

7) The site shall not be brought into use until the parking and turning space has been provided in accordance with the application drawings and shall be maintained throughout the life of the development free from any impediment to its designated use.

8) The number of caravans on the site shall not exceed 8 and the number of tents on the site shall not exceed 10 at any one time.

9) No development shall take place until full details of the trespass proof fence along the boundary with the railway land and the drainage of the site have been submitted to and approved in writing by the local planning authority. The fence and the drainage works, as approved, shall be in place before the development is brought into use and shall be retained thereafter.

10) The development hereby permitted, both during construction and after completion, must not encroach onto Network Rail land and must not over-sail into Network Rail air space and no foundations must encroach onto Network Rail land or soil. A minimum of two metres must be

maintained between the caravans, tents and the shower/toilet block and the boundary with Network Rail land at all times.