

PLANNING APPLICATION REPORT

Case Officer: Wendy Ormsby

Parish: Kingswear **Ward:** Dartmouth & East Dart

Application No: 3610/16/FUL

Agent/Applicant:

Mr Ian Firth
The Old Workshop
40 Fairfield Green
Churchinford
Taunton
TA3 7RR

Applicant:

Mr & Mrs Edward Jones
Fountain Violet Farm
Kingswear
TQ6 0DU

Site Address: Fountain Violet Farm, Mount Ridley Road, Kingswear, TQ6 0DU

Development: Retention of camping use and partial change of use of land for the siting of 4no. Safari Tents for tourism purposes

Reason item is being put before Committee: Cllr Hawkins disagrees with the Landscape Officer that this development will affect the countryside and considers this to be a sensible and sympathetic development which will help the diversification of the farm making it more sustainable for the future.



Recommendation: Refusal

Reasons for refusal:

Having regard to their siting within this prominent, rural location the proposed tents and associated paraphernalia would appear as incongruous alien features and would have an adverse impact on the special landscape character of this part of the South Devon Area of Outstanding Natural Beauty and Heritage Coast contrary to Policies CS9 and DP2 of the South Hams Local Development Framework, Policies DEV24, DEV25 and DEV27 of the emerging Joint Local Plan, the AONB Management Plan and the National Planning Policy Framework in particular paragraphs 114 and 115.

Key issues for consideration:

The impact of the proposal on the landscape and whether any adverse impact is outweighed by benefits of the scheme; in particular the economic benefits.

Site Description:

The site is 0.66 ha of agricultural land located to the east of Kingswear. It is outside of, but close to, the development boundary and approx. 1km by road from the local services at Fore Street/Higher Street.

The application site is part of a larger agricultural field (pasture land) and the red edge site boundary does not follow an existing field boundary on its southern edge. There is a mature hedgerow with some trees on the northern site boundary. To the west of the site is a small copse which is the subject of a Tree Preservation Order.

There is an existing field access into the site to the north, linking into the existing farm access. The access currently opens into an informal parking/turning area with a small area of planting beds with a shed.

The site is known as Camp Field as it has historically been used as an occasional camping area for groups such as the local scouts and also by friends and family of the land owners.

The site affords wide, beautiful views of the coast and across the Dart Estuary. The site is visible from Gallants Bower across the estuary.

A public right of way runs past the proposed site access and then runs to the south east to link into the SW Coast Path.

The site is within the South Devon AONB and the Heritage Coast.

The Proposal:

It is proposed to site four large safari tents within the site to provide a luxury camping facility (glamping site). These are rectangular tents with a central living/sleeping area; each tent will have its own WC and shower. The tents will be sited on a level wooden platform and will have an open deck area at one end.

The tents will be of green (roof) and khaki (walls) canvas with timber cladding around the WC/shower facilities. The tents will measure approx. 14m x 5m (6.7m including the width of the fly sheet overhang). They will be approx. 3.2m high but this depends on the slope of the land.

It is proposed that this will be a year round facility and the tents are proposed as permanent structures.

Access will be via the existing access and parking for 6 cars will be provided within the area already used for parking and turning. This area is set behind the existing woodland. No parking is proposed within the main field adjacent to the tents.

It is proposed to define the southern boundary with post and wire stock proof fencing. Planting is proposed between the tents.

Drainage would be via on-site treatment plants with soakaways.

The site and tents will be wheelchair accessible using ramped access into each tent.

Access ways within the site are to be reinforced grass mesh matting laid over the ground which will allow grass to grow through.

Consultations:

- County Highways Authority - No comment
- Environmental Health Section - No objection
- Landscape/AONB Unit – objection:

There are significant concerns on landscape and visual grounds, principally as a result of the year-round presence of the “safari tent” structures, and the significant prominence of the site in the coastal landscape. This area is designated AONB, and Heritage Coast, with the undeveloped coastal character being of significant importance here. There are clear and open views across the Dart Estuary from Gallants Bower, which is a highly sensitive recreational viewpoint. There are also likely to be other coastal views from nearby rights of way and the South West Coast Path. The introduction of development into open coastal views would notably erode the Special Qualities of the AONB that include:

- *Fine, undeveloped, wild and rugged coastline.*
- *Iconic wide, unspoilt and expansive panoramic views.*
- *Areas of high tranquillity, natural nightscapes, distinctive natural soundscapes and visible movement.*

Although the submitted landscape assessment doesn't follow industry guidelines, it concludes low to moderate visual impacts and minor adverse impacts on character. I would suggest that these are underrepresented; making much of mitigation, and underplaying the landscape and visual sensitivity of the site and its surroundings. Such harm to the natural beauty of the AONB should be given great weight in the planning balance. Although photomontages are mentioned in the planning statement, I cannot see any on the file.

Erosion of the undeveloped character of these views through the introduction of these structures and their associated infrastructure (for example, works to create a levelled platform for each structure in the sloping field) would fail to meet policy objectives Core Strategy policy CS9 (1-3), which seeks to conserve and enhance the natural beauty of the AONB and local landscape character. It also strongly protects the character of the undeveloped parts of the coast. In addition, Policy DP2 (1) seeks to ensure that the location, siting, layout, scale and design of new development conserves and/or enhances what is special and locally distinctive about the landscape character; that new development avoids unsympathetic intrusion in the wider landscape; and that it respects the unspoilt nature and tranquillity of the area. Again, I would consider that these tests are not met by the development.

In line with Planning Practice Guidance Paragraph: 004 Reference ID: 8-004-20140306, regard should be given to the South Devon AONB Management Plan and its Annex 3 AONB Planning

Guidance. The effects resulting from such a development would substantially conflict with South Devon AONB Management Plan policies, in particular Lan/P1 (Character), Lan/P4 (Tranquillity), Mar/P1 (Coastal character), and Mar/F4 (Development pressure). In addition, the proposals would raise concerns under the draft Planning Guidance in Annex 3 to the Management Plan, in particular section 7.2 to 7.6 and section 8.6 on Tourism and Recreational Development.

Objection: failure of policy tests and objectives CS9 (1-3), DP2 (1a, b, d and e), and conflict with the AONB Management Plan.

- Town/Parish Council - Support

Representations:

10 letters received in support of the application making comments that include the following:

- Positive use of land for tourism
- Benefits local tourism economy
- Low environmental impact
- Sustainable provision of tourism facilities
- Minimal character impact
- No adverse ecological impacts will arise
- No material impact on traffic movements
- Farm diversification is vital for farming communities, who also manage the countryside.
- No adverse impact on village
- Added tourism will have economic benefit to Kingswear shops and businesses
- Site is well chosen and sympathetic with the environment – not visible from public view points
- No similar facilities in the area
- Rural location means no impact on any neighbours
- Will create year round employment
- Sits well in local landscape

1 undecided comment including the following issues:

- Unrealistic to think visitors will not use their cars to get about
- Walk into Kingswear is hard work as it is very steep and so people will drive.
- This is a replacement land use not diversification as poultry farming no longer takes place.
- Will this lead to more tents in the future?
- Target market is conflicting – eg high end and scout groups referred to

Relevant Planning History

None

ANALYSIS

Principle of Development/Sustainability:

Relevant development policies from the Local Development Framework relating to the principal of this type of development include DP12 Tourism and Leisure, DP13 Holiday Caravan, Camping and Chalet Sites and DP15 Development in the Countryside, Policy CS1: Location of Development, Policy CS12: Tourism and Policy CS13: Rural Diversification.

DP12: Tourism and Leisure

1. *Proposals for tourism and leisure development, and tourist accommodation, will be permitted where they:*

- a. are located in sustainable and accessible locations;*
- b. do not undermine the vitality or viability of nearby settlements;*
- c. provide a high quality attraction or accommodation; and*
- d. encourage an extended tourist season.*

2. *In addition, in the countryside proposals will only be permitted where they:*

- a. demonstrate they require a rural location and cannot be accommodated elsewhere, or be associated with the expansion of an existing facility; and*
- b. support the objectives of rural regeneration.*

DP13: Holiday Caravan, Camping and Chalet Sites

1. *Within AONBs and the undeveloped coast, proposals for new and extensions to existing caravan, camping and chalet sites will not be permitted. Alterations to existing sites should only be permitted where all the following criteria are met:*

- a. they would meet a demonstrable need;*
- b. they would be of an appropriate scale in relation to their setting and would not diminish local amenity;*
- c. they are sited to be visually unobtrusive and can be assimilated so as to conserve and enhance the surrounding landscape;*
- d. the road network and the site's access can safely accommodate any traffic generated; and*
- e. net environmental improvements to the site as a whole will result.*

DP15: Development in the Countryside

1. *Within the countryside, development will be permitted where it requires a countryside location and:*

- a. supports the essential needs of agriculture or forestry interests; or*
- b. meets the essential, small scale, and exceptional local development needs of a settlement which cannot be met within development boundaries.*

2. *All development in the countryside should:*

- a. make use of suitable existing buildings or previously developed land before proposing new buildings or development of greenfield land;*
- b. be well related to an existing farmstead or group of buildings, or be located close to an established settlement; and*
- c. be complementary to and not prejudice any viable agricultural operations on a farm and other existing viable uses.*

Policy CS1: Location of Development

Development is acceptable in principle within the following settlements:

(List includes Kingswear)

Elsewhere, development will be strictly controlled and only permitted where it can be delivered sustainably and in response to a demonstrable local need

Policy CS12: Tourism

New tourism and leisure facilities, including associated accommodation, should be provided in locations which accord with the following sequential approach, using previously developed land or buildings wherever possible:

- i. In the designated Town Centre Zones without undermining their primary function as a hub for local residents'*
- ii. In Area and Local Centres,*

- iii. *within the development boundaries of settlements,*
- iv. *outside but adjacent to settlement boundaries*
- v. *elsewhere*

Policy CS13: Rural Diversification

1. *Development to enable diversification of the rural economy is acceptable where it is compatible with its location and setting and will cause no unacceptable harm to the surrounding landscape or historic and cultural heritage.*
2. *Development must re-use or adapt existing buildings where possible. If this is not possible any new replacement buildings must be well related to existing buildings, of an acceptable scale and blend satisfactorily into the landscape. The replacement of buildings will be favoured where this will result in a more achievable and sustainable development than might be achieved through conversion.*
3. *In the case of farm diversification, the development must be complementary to and not prejudice the agricultural operations on the holding*

Relevant advice in the **National Planning Policy Framework** includes the following:

Paragraph 28

Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- *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.*

The application site is outside the development boundary, but close to it. It is within walking distance of Kingswear but due to the topography of the village this is not an easy walk when returning, uphill, to the campsite. When in Kingswear there are good public transport links by train or ferry to Dartmouth from where there are good bus links. The site is also close to the SW Coast path offering good walking routes on the doorstep. Kingswear itself has a reasonable range of local facilities including a shop and pub. Camping (or glamping) tends to appeal to people seeking a more active holiday who are more likely to be inclined to walk. On this basis it is concluded that this is a sustainable location for a camp site where visitors not need to rely on their car.

Camp sites will normally always require a rural location as their appeal tends to be about 'getting back to nature' and leaving urban life behind. This site while offering a rural location is also well related to the village and is less remote than many existing camp sites within the wider area.

The proposed development is likely to enhance the economic viability of Kingswear by bringing in more tourism to the area; local businesses have expressed support for the development.

The proposed development will offer high quality camping accommodation and is proposed to operate all year round offering an extended tourism season

The applicant has stated that his current farming activity at the farm (sheep and poultry) provides a minimal amount of profit and is barely viable, relying heavily on subsidies, the future of which is not guaranteed. The proposed development would make a significant increase to the farm income and profit and would secure the viability of the farm enterprise. The applicant has commented that the landscape character that is so highly valued is a direct consequence of the way in which farmers like

him work and manage the land. Enabling farm diversification in this way will help to secure the long term management of the landscape.

The proposed development will result in the loss of 0.66 ha of farm land which would support up to 5 head of sheep. The applicant's landholding is 45.5 hectares and the loss of this amount of land will not adversely impact on the agricultural viability of the farm.

The development proposal is considered to be broadly in accordance with all of the policies referred to above with the exception of Policy DP13 which states that *Within AONBs and the undeveloped coast, proposals for new and extensions to existing caravan, camping and chalet sites will not be permitted.* The development is in clear conflict with this policy.

Design/Landscape:

The Planning Statement submitted in support of this application sets out the design principles behind this application. The proposed car parking area will be in an area of the field that is currently screened from public view by the existing copse. No visitor vehicles will be permitted in the camping area itself. It is therefore only the tents which will be visible in the wider landscape.

The tents will be green and khaki to blend into the landscape. They are sited adjacent to existing hedgerow/trees again to minimise their landscape impact. Additional planting is proposed between the tents but not in front of them as this would block the superb views which would be a main attraction of the site. The land slopes away down towards the coast and the field is visible from Gallants Bower, a popular public view point across the estuary.

Policies DP2 and CS9 of the South Hams LDF both seek to conserve and enhance the South Hams landscape character. In designated AONB's their conservation and enhancement will be given great weight; the character of undeveloped parts of the coast will be protected and development not requiring a coastal location will not be provided for.

Paragraph 115 of the NPPF states that *great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty.*

The Council's landscape specialist has considered this application, the detailed response is included above. The Officer concludes that there will be an adverse impact on the AONB and great weight should be given to this.

Neighbour Amenities:

The site is set well away from neighbouring properties and as such there would be no neighbour impact.

Highways/Access:

No comment

Planning Balance

The proposed development will support the diversification of a well-established farm which is currently marginal in economic terms. It will also make a positive contribution to the local economy. Supporting the farm enables the farmer to continue to manage the local landscape.

The proposed glamping site whilst outside of the village boundary is well located whilst still providing the necessary rural setting for the facility. Fit and active visitors will be able to access Kingswear by

foot from where public transport options are available. The location will make walking challenging for some.

The proposed development will have an adverse impact on the landscape character of this part of the AONB and undeveloped coast. The NPPF states that great weight should be given to conserving landscape and scenic beauty within the AONB and this is consistent with South Hams LDF Policies DP2 and CS9.

The development proposal is contrary to Policy DP13 as it proposes a camping site in the AONB.

The economic benefits of the scheme, both to the local economy and the viability of the farm itself weigh in favour of this application, however it is considered that the adverse landscape impacts, which must be given great weight, weigh more strongly against. As such it is recommended that planning permission be refused.

This application has been considered in accordance with Section 38 of the Planning & Compulsory Purchase Act 2004

Planning Policy

Section 70 of the 1990 Town and Country Planning Act requires that regard be had to the development plan, any local finance and any other material considerations. Section 38(6) of the 2004 Planning and Compensation Act requires that applications are to be determined in accordance with the development plan unless material considerations indicate otherwise.

The relevant development plan policies are set out below:

South Hams LDF Core Strategy

CS1 Location of Development
CS7 Design
CS9 Landscape and Historic Environment
CS10 Nature Conservation
CS11 Climate Change
CS12 Tourism
CS13 Rural Diversification

Development Policies DPD

DP1 High Quality Design
DP2 Landscape Character
DP3 Residential Amenity
DP4 Sustainable Construction
DP5 Conservation and Wildlife
DP7 Transport, Access & Parking
DP12 Tourism and Leisure
DP13 Holiday Caravan, Camping and Chalet sites
DP15 Development in the Countryside

Emerging Joint Local Plan

The Plymouth and South West Devon Joint Local Plan (the JLP) will replace the above as the statutory development plan once it is formally adopted.

Annex 1 of the National Planning Policy Framework (the Framework) provides guidance on determining the weight in relation to existing and emerging development plan policies.

- For current development plan documents, due weight should be given to relevant policies according to their degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).
- For the JLP, which is an emerging development plan, the weight is to be determined by the stage of its preparation, the extent to which there are unresolved objections, and its degree of consistency with the Framework.

The JLP is at a relatively advanced stage of preparation. The precise weight to be given to policies within the JLP will need to be determined on a case by case basis, having regard to all of the material considerations as set out on the analysis above.

PLYMOUTH AND SOUTH WEST DEVON JOINT LOCAL PLAN -: PUBLICATION (as considered by the Full Councils end Feb/Early March 2017)
SPT1 Delivering sustainable development
SPT11 Strategic approach to the natural environment
TTV31 Development in the Countryside
DEV15 Supporting the rural economy
DEV24 Landscape character
DEV25 Undeveloped coast
DEV27 Nationally protected landscapes
DEV28 Protecting and enhancing biodiversity and geological conservation
DEV30 Trees, woodlands and hedgerows
DEV31 Specific provisions relating to transport

Considerations under Human Rights Act 1998 and Equalities Act 2010

The provisions of the Human Rights Act 1998 and Equalities Act 2010 have been taken into account in reaching the recommendation contained in this report.