

Application Number:	P/FUL/2021/00928
Webpage:	https://planning.dorsetcouncil.gov.uk/
Site address:	Land Adjacent Buckland House Buckland House Lane Buckland Ripers Weymouth DT3 4FT
Proposal:	Use of land as camping site from 15th May to 30th June only
Applicant name:	Higher Moor Farm
Case Officer:	Thomas Whild
Ward Member(s):	Cllr Jean Dunseith, Cllr John Worth.

1.0 The application is being considered by the committee at the request of the Ward Councillor and because the recommendation is contrary to the view of the town council.

1.0 Summary of recommendation:

Recommendation A: That the committee be minded to delegate authority to the Head of Planning to grant planning permission subject to the completion of a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the legal services manager to secure a financial contribution of £1932.28 to mitigation and avoidance measures for the Chesil and Fleet and subject to conditions and that the Head of Planning determines the application accordingly.

Recommendation B: That the committee be minded to refuse permission for the reasons set out below if the agreement is not completed within 6 months of the committee resolution or such extended time as agreed by the Head of Planning and that the Head of Planning determine the application accordingly:

3.0 Reason for the recommendation: as set out in para 16.1 at end:

- The principle of development is acceptable as an extension to an existing campsite.
- The additional proposed camping period would not give rise to significant additional impacts in respect of landscape, highways or residential amenity.

4.0 Key planning issues

Issue	Conclusion
Principle of development	The principle of camping on this site is established and the extension of the camping season is considered acceptable.

Biodiversity	The impact of camping uses on the site would not give rise to additional impacts beyond the existing campsite use, for which mitigation has been secured.
Highways	The proposal utilises an existing access and it is not considered that the proposal would result in unacceptable impacts.
Landscape and Visual Impact	The additional impacts associated with the use would be limited due to their temporary nature and existing screening of the site. A condition is proposed to prevent use by caravans.
Amenity	Due to the significant distance of the campsite from the nearest residential properties and the limited additional period of camping applied for it is not considered that the proposal would result in significant adverse impacts on the living conditions of neighbours.
Habitats	The site is located within 5km of Chesil and The Fleet where additional likely significant effects from recreational pressures cannot be ruled out. Mitigation will be secured through a financial contribution.

5.0 Description of Site

- 5.1 The application site is a piece of land located immediately to the north of the access road leading to Buckland House. The land is currently used as a campsite, under planning consent ref WD/D/18/002905. The site is mainly laid to grass with a post and rail fence in the central portion of the site, and electrical hook ups for the camping pitches. There is a toilet block located to the western edge of the site.
- 5.2 The site is accessed from an existing access on Nottingham Lane. The site lies outside of the defined development boundary and is to the north of the village of Buckland Rippers. The access to the site lies on a high point with the land falling away gently to the north. The land to the south, which is within the applicant's ownership falls away more steeply towards Buckland Rippers.

6.0 Description of Development

- 6.1 The proposal seeks to extend the camping season on the site from 15 May to 30 June, resulting in a camping season which would run from 15 May to 31 August.

7.0 Relevant Planning History

Application Number	Description of development	Decision	Decision Date
WD/D/20/001703	Use of land to site toilet/shower block and erection of decking and steps (retrospective)	Granted	27/01/2021

WD/D/19/002872	Use of land as camping site during July and August only (Variation of Conditions 1 & 4 of Planning Approval WD/D/18/002905)	Withdrawn	17/06/2020
WD/D/18/002905	Use of land as camping site during July and August only	Granted	10/07/2019
WD/D/18/000360	Change of use of land for camping site including the stationing of 8 shepherds huts (6 one bed units & 2 no. toilet/shower units)	Withdrawn	25/06/2018

8.0 List of Constraints

SNCI - Buckland Ripers Meadow

Landscape Character area - South Dorset Ridge and Vale

Land Outside DDBs

Footpath S16/10;

Minerals and Waste Safeguarding Area

9.0 Consultations

All consultee responses can be viewed in full on the website.

Consultees

1. Rights of Way Officer – No objection to the proposed development as shown in the plans accompanying the application. However, throughout the duration of the development the full width of the public footpath must remain open and available to the public, with no materials or vehicles stored on the route.

2. Highways – No objection

3. Chickerell Town Council – Recommend refusal of this application on the following grounds:-

Disturbance to the wildlife during bird breeding season.

The Town Council would also like to comment that as approval has already been given for a temporary campsite from July to September they feel that residents should be given time to enjoy peace and quiet during part of the summer months. They also note that the toilet block has not yet been painted green.

4. Dorset Wildlife Trust – Concern raised in respect of survey work indicated in approved BMEP which doesn't appear to have been carried out.

5. Site licensing – No comments received.

6. Office of Rail Regulation – No comments received.

7. Chickerell Ward (Cllr Dunseith) – This site was original granted permission for a seasonal site during July and August. The site lays within a residential area and the operation causes disruption to the lives of the residents. This includes noise and cooking smells. To grant an extension beyond those already approved would further disrupt the tranquillity of this rural hamlet. On these grounds I strongly object.

8. Minerals & Waste Policy – No comments received.

9. Environment Agency – No comments received.

10. Coastal risk management – No objection

11. Natural Environment Team – No objection due to previous agreement of a BMP for the site. Following discussion with DWT, recommended that an update visit be undertaken.

Representations received

Total - Objections	Total - No Objections	Total - Comments
15	0	0

Petitions Objecting	Petitions Supporting
0	0
0 Signatures	0 Signatures

Within the objections received, the following issues have been raised:

- History of applicant breaching planning controls in respect of activities on the site.
- Traffic congestion.
- Increased risk of accidents.
- Amenity from visibility of tents.
- Development in an unauthorised area.
- Noise from camping activities.
- Smell from BBQs / outdoor cooking.
- Light pollution.
- Litter.

- Lack of covid-19 precautions.
- Biodiversity impacts.
- Landscape and amenity impacts from additional usage.

It is noted that several of the comments refer to alleged or actual breaches of planning control which relate to previous applications on the site, to activities and works on land outside of the planning application boundary and to non-compliance with other legislation. The council's enforcement team is aware of those issues and is addressing them through its own processes. While those matters are noted this application relates solely to the proposed extension to the camping period within the planning application boundary and is therefore considered as such. Where material planning issues are raised these are addressed in the following sections of the report.

Compliance with other legislation, including Covid-19 restrictions which were previously in place, fall outside of the scope of the planning system.

10.0 Relevant Policies

West Dorset Weymouth and Portland Local Plan

So far as this application is concerned the following policies are considered relevant:

- INT1 – Presumption in favour of sustainable development
- ENV1 – Landscape, Seascape and Sites of Geological Interest
- ENV2 – Wildlife and habitats
- ENV16 – Amenity
- SUS2 – Distribution of development
- ECON7- Camping and caravanning sites

Chickerell Neighbourhood Plan

Following a local referendum, the Chickerell Neighbourhood Plan was 'made' on 22 June 2021 and therefore forms part of the development plan. So far as this application is concerned the following policies and sections are considered to be relevant:

- Policy CNP10 – Locally Valued Landscape north and east of Chickerell Village.

National Planning Policy Framework

So far as this application is concerned the following sections of the National Planning Policy Framework are considered to be relevant:

- Paragraph38: Local planning authorities should approach decisions on proposed development in a positive and creative way. They should use the full range of planning tools available, including brownfield registers and permission in principle, and work proactively with applicants to secure developments that will improve the economic, social and environmental

conditions of the area. Decision-makers at every level should seek to approve applications for sustainable development where possible.

- Section 6 – Building a strong, competitive economy
- Section 15 – Conserving and enhancing the natural environment

Other material considerations

West Dorset Landscape Character Assessment

11.0 Human rights

Article 6 - Right to a fair trial.

Article 8 - Right to respect for private and family life and home.

The first protocol of Article 1 Protection of property.

This recommendation is based on adopted Development Plan policies, the application of which does not prejudice the Human Rights of the applicant or any third party.

12.0 Public Sector Equalities Duty

As set out in the Equalities Act 2010, all public bodies, in discharging their functions must have “due regard” to this duty. There are 3 main aims:-

- Removing or minimising disadvantages suffered by people due to their protected characteristics
- Taking steps to meet the needs of people with certain protected characteristics where these are different from the needs of other people
- Encouraging people with certain protected characteristics to participate in public life or in other activities where participation is disproportionately low.

Whilst there is no absolute requirement to fully remove any disadvantage the Duty is to have “regard to” and remove or minimise disadvantage and in considering the merits of this planning application the planning authority has taken into consideration the requirements of the Public Sector Equalities Duty. In this instance it is not considered that there would be any disadvantage to persons with protected characteristics. It is noted that the campsite provides facilities for the disabled (which have been secured through separate planning consents).

13.0 Financial benefits

13.1 There would be no direct financial benefits to the Council but the proposal would support an established business and the wider tourist industry in the area.

14.0 Climate Implications

14.1 Additional CO₂ emissions arising from additional vehicles and camping activities during the extended camping season.

15.0 Planning Assessment

Principle of development

- 15.1 The proposal seeks to extend the camping season of the existing campsite to include the period from 15 May to 30 June. The existing site has consent for camping in July and August. Therefore, the proposal would result in a continuous camping season running from 15 May until the end of August.
- 15.2 The site is located outside of any defined development boundary. However, Policy SUS2 of the Local Plan lists tourism, recreational or leisure related development as forms of development which are acceptable in principle outside in these locations, providing that this would not conflict with other policies. During 2020 the site has already been operating for the period currently applied for, under temporary permitted development rights which allow for the use of land for camping for up to 56 days.
- 15.3 Policy ECON7 allows for the creation of new and the expansion or intensification of existing camping sites, where they are in keeping with the rural character and would form part of a long term plan to improve the quality and appearance of accommodation. All proposals are subject to the requirement that they would not result in a significant adverse impact on the distinctive characteristics of the areas landscape, heritage and built environment. The proposal will represent a relatively modest extension of the permitted camping season and would not result in an intensification or expansion of the site by provision of additional camping pitches to those previously approved, or expansion of camping outside of the area previously permitted. It is also evident that the applicant has recently invested in the site, through the creation of electrical hook-ups for individual pitches and through the provision of a new toilet block (which has been subject of separate planning consent). It is therefore considered that the proposal meets the requirements of policy ECON7 in respect of existing camping sites.

Biodiversity

- 15.4 Initial comments from Natural England noted the lack of a biodiversity plan. However, a Biodiversity Plan was agreed pursuant to the previous planning consent for the shorter camping season which the current application would also be subject to. In a consultation response Dorset Wildlife Trust raised concern in respect of monitoring of the nearby SNCI. In order to overcome this concern it was agreed that a further confirmation would be sought from the applicant's ecologist that the additional camping period proposed would not undermine the agreed BP. This has now been received and it is therefore considered that the additional camping period would avoid harm to biodiversity.

Highways

- 15.5 Access to the site is via an existing and established access point which already serves the consented landscape. The highways authority considers that the proposal would not give rise to material harm to the highways network and does not raise any objection to the proposal.

Landscape and visual impact

- 15.6 The landscape and visual impacts associated with the proposal are limited to the additional camping period taking place between May and June and would be equivalent to those already experienced for the remainder of the consented season. The site is bounded by existing mature hedgerows to the north, east and west which offer an effective visual screen, albeit offering glimpsed views of the site from the road. While the southern boundary of the application site is currently open, the topography of the site is such that visibility from the south is limited as the majority of the camping area lies over the brow of a hill. It is not considered that the additional camping period proposed would give rise to harm to the landscape or unacceptable visual impacts.
- 15.7 Conditions imposed on the original consent for the campsite limit it to tented camping only with no caravans, in the interests of visual amenity. It would be appropriate to impose the same restriction on the additional camping period.

Amenity

- 15.8 Concern has been raised in respect of the impact of the proposed use on amenity of residents of Buckland Rippers with particular concern being raised in respect of noise and odour from cooking. These matters were considered fully in the earlier planning application to establish the campsite wherein the council's environmental health team was consulted and concluded that due to the significant separation of the nearest residential properties from the site, there would not be an unacceptable impact upon amenity.
- 15.9 Aside from Buckland House, which is the Applicant's home, the nearest property to the campsite is Holly Brow, Church Lane, which is approximately 75m from the campsite, while all other properties are over 100m from the campsite. It is also the case that none of the neighbouring dwellings share a boundary with the property.
- 15.10 Although the proposal would result in a longer camping period than had previously been consented it is not considered that this would result in significant adverse impacts upon the living conditions of neighbours.

Habitats

- 15.11 The site is located within 5km of Chesil and the Fleet which is designated as a Special Protection Area (SPA), Special Area of Conservation (SAC) and Ramsar Site. Within 5km of the designated site, likely significant effects resulting from additional recreational pressures cannot be ruled out. A package of avoidance and mitigation measures has been agreed with Natural England which are sufficient to allow an appropriate assessment to conclude that likely significant effects can be avoided.
- 15.12 Financial contributions towards the mitigation would ordinarily be funded from the council's CIL pot. However, as the development would not be CIL liable a planning obligation to secure a financial contribution towards mitigation would be required prior to the grant of planning permission. The contribution required is based upon the number of pitches and the occupancy period with the cost of providing mitigation measures equating to £340.79 per camping pitch.

15.13 The site provides a total of 45 pitches open for an additional 46 days per year (12.6% of the year). The total contribution required is therefore $(340.79 \times 45) \times 12.6\% = \pounds 1,932.28$. The contribution would be secured via a legal agreement.

16.0 Conclusion

16.1 The application seeks to extend the camping season for the already established campsite. There would be no change to the number of pitches or the physical size of the site. The proposal is considered to comply with local plan policy ECON7. It is also considered acceptable in relation to visual amenity, residential amenity, highways safety and biodiversity.

17.0 Recommendation

Recommendation A: That the committee be minded to delegate authority to the Head of Planning to grant planning permission subject to the completion of a legal agreement under S106 of the Town and Country Planning Act 1990 (as amended) in a form to be agreed by the legal services manager to secure a financial contribution of $\pounds 1932.28$ to mitigation and avoidance measures for the Chesil and Fleet and subject to conditions and that the Head of Planning determines the application accordingly.

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date of this permission.

REASON: This condition is required to be imposed by Section 91 of the Town and Country Planning Act 1990 (as amended).

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Plan - 17/154/01 Rev A

REASON: For the avoidance of doubt and in the interests of proper planning.

3. The site shall be used for tented camping only and not for motorhomes or caravans. Tents shall only be erected on the land between 15th May and 1st September, inclusive, in any one year.

REASON: For the avoidance of doubt and in the interests of the visual amenities of the locality.

4. The development hereby approved shall be carried out and maintained in accordance with the approved Biodiversity Mitigation & Enhancement Plan signed by D. Carpendale and dated 7/11/2018, and agreed by the Natural Environment Team on 28/11/2018, unless a subsequent variation is agreed in writing with the Council.

REASON: To ensure the adequate protection of a species and its habitat protected by law that exists on the site.

5. There shall be no external lighting of the site, including the toilet block granted consent under planning application WD/D/20/001703 outside of the camping period hereby approved of 15th May and 1st September, inclusive in any one year.

Reason: To protect the amenity of neighbouring residents and the landscape character.

Informative Notes:

1. National Planning Policy Framework Statement

In accordance with paragraph 38 of the NPPF the council, as local planning authority, takes a positive approach to development proposals and is focused on providing sustainable development. The council works with applicants/agents in a positive and proactive manner by:

offering a pre-application advice service, and

as appropriate updating applications/agents of any issues that may arise in the processing of their application and where possible suggesting solutions.

In this case:

The applicant/agent was updated of any issues and provided with the opportunity to address issues identified by the case officer.

Recommendation B: That the committee be minded to refuse permission for the reasons set out below if the agreement is not completed within 6 months of the committee resolution or such extended time as agreed by the Head of Planning and that the Head of Planning determine the application accordingly:

1. The site is located within 5km of Chesil and The Fleet European Habitats Sites where an Appropriate Assessment has concluded that significant effects from additional recreational pressures cannot be ruled out. In the absence of a financial contribution to Strategic Avoidance and Mitigation Measures to mitigate the impacts of the development, the proposal would have an unacceptable affect on these sites and would be contrary to policy ENV2 of the West Dorset Weymouth and Portland Local Plan and section 15 of the National Planning Policy Framework.