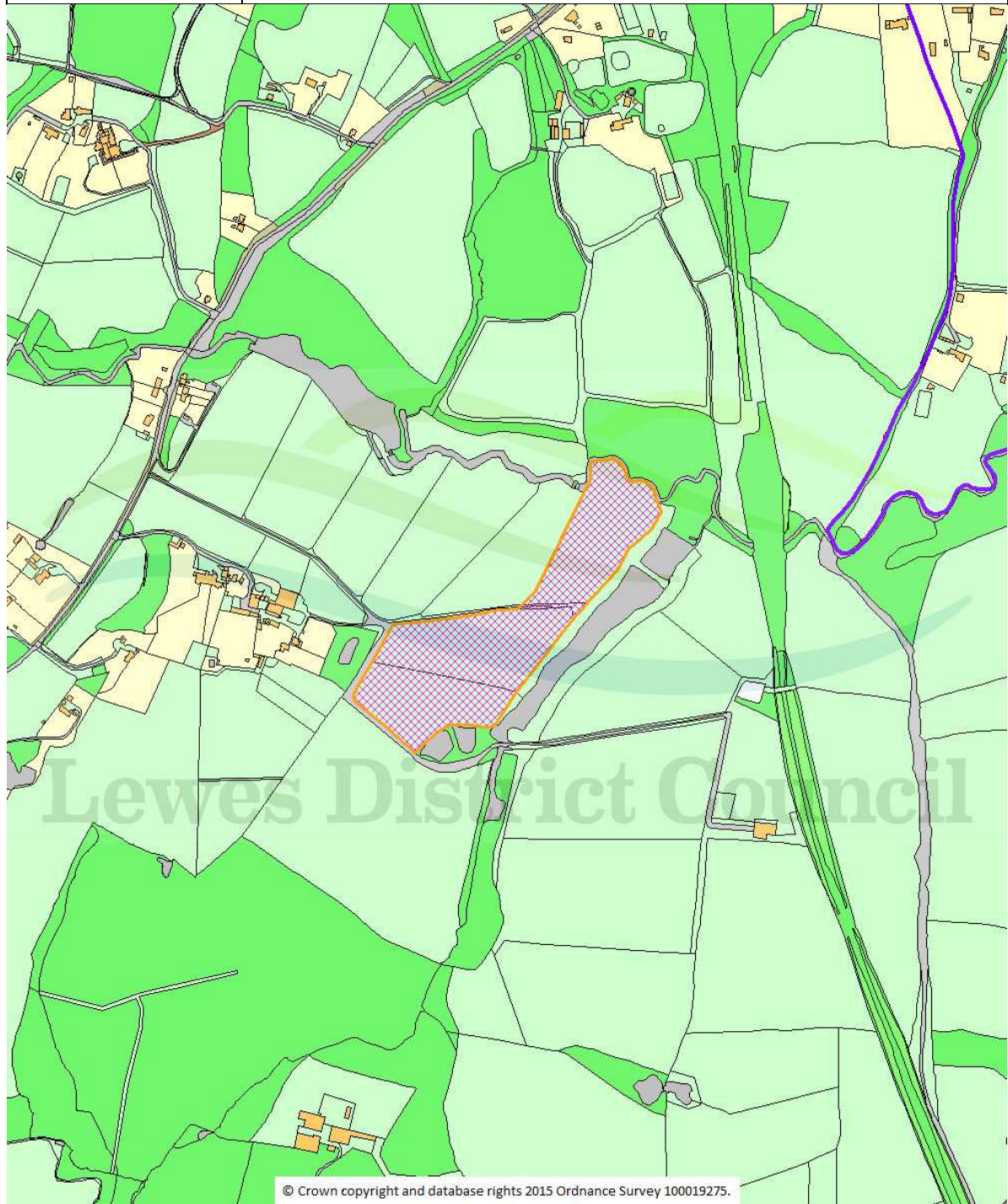


<b>APPLICATION NUMBER:</b>	LW/17/0353	<b>ITEM NUMBER:</b>	<b>7</b>
<b>APPLICANTS NAME(S):</b>	Mr P O'Conor	<b>PARISH / WARD:</b>	Chailey / Chailey & Wivelsfield
<b>PROPOSAL:</b>	Planning Application for Change of use from agricultural land to campsite summer seasons and erection of barn style toilet and shower facilities		
<b>SITE ADDRESS:</b>	Tomkins Farm Cinder Hill Chailey East Sussex BN8 4HP		
<b>GRID REF:</b>	TQ 40 19		



## 1. SITE DESCRIPTION / PROPOSAL

1.1 This application seeks consent for the change of use from agricultural land to a campsite for the summer seasons and the erection of barn style toilet and shower facilities at Tomkins Farm, Cinder Hill, Chailey.

1.2 The fields subject of this application lie to the east of Cinder Hill, just to the east of a collection of un-associated residential properties which include Wildings Farm and Ades. The application site consists of a pair of agricultural fields currently used for grazing, generally for alpacas and sheep. The fields are located at the end of the first section of the access track leading to Tomkins Farm and are enclosed by stock fencing. The access track leading to Tomkins Farm turns 90 degrees at this point and runs along the western most boundary of the application site, where it then turns 90 degrees again to run alongside the southern edge of the application site.

1.3 The land slopes gently across the application site from west to east to a large lake that sits at the lowest point of the farm and runs along the entire eastern boundary of the application site. This lake is tree lined and falls within a Flood Zone 2. The land rises beyond the lake and a new farm house is currently under construction towards the highest point. At the northern end of the application site the lake joins Longford Stream which runs along the northern edge of the application site. The stream is also tree lined and falls within Flood Zone 3. Beyond this stream and a small block of woodland the land begins to rise.

1.4 Other than the small collection of dwellings to the west, and the new farmhouse under construction, the surrounding land is generally agricultural and undeveloped.

1.5 Public footpath 13c passes alongside the southern boundary of the site in an east-west direction. This converges with footpaths 11 and 13b to the south west of the application site.

1.6 The proposal seeks to change the use of the land to a summer campsite. The applicant has confirmed that by summer season they mean from the Easter Bank Holiday weekend to the 1st October each year. The absolute maximum number of pitches would be 40 and it would be tented site only, with no towed caravans. Small camper vans are however likely to be permitted.

1.7 In order to formalise the campsite this application also seeks consent for a permanent shower and WC block. This would consist of a timber clad barn type structure to be erected in the south east corner of the application site. The building would measure 9 metres by 5 metres. It would have a pitched roof with a maximum ridge height of 4.5 metres. The buildings would effectively be subdivided into three sections - a male WC/shower area, a female WC/shower area and a bin/general store area. At the end of the building, accessed externally, would be two washing up sinks.

1.8 It is proposed that in the interim, whilst the barn is under construction, WC and shower facilities would be provided by portable facilities.

1.9 It is the intention to continue to graze the land in the off-season.

## 2. RELEVANT POLICIES

**LDLP: – CT01 – Planning Boundary and Countryside Policy**

**LDLP: – ST03** – Design, Form and Setting of Development

**LDLP: – E17** – New Camping/Touring Caravan Sites

**LDLP: – CP4** – Economic Development and Regeneration

**LDLP: – CP5** – The Visitor Economy

**LDLP: – CP10** – Natural Environment and Landscape

**LDLP: – CP11** – Built and Historic Environment & Design

### 3. PLANNING HISTORY

**LW/15/0292** - Temporary change of use from agriculture to a solar farm with continued agriculture and associated infrastructure - **Refused**

**APPEAL/15/0019** - Temporary change of use from agriculture to a solar farm with continued agriculture and associated infrastructure - **Dismissed**

### 4. REPRESENTATIONS FROM STANDARD CONSULTEES

**ESCC Highways** – This application seeks approval for the change of use from agricultural land to campsite during the summer months (Easter Bank Holiday - October). As submitted there is insufficient information to determine if the proposal would lead to increased traffic hazards on Cinder Hill [C651] by reason of the inadequate visibility at the proposed access and substandard width.

See file for detailed comments.

#### **Environmental Health – 1. General**

After reading the supporting documents and online comments and considering the issues which relate to the Environmental Health Public Health team, I can confirm that I am supportive of the proposal. I am confident that the development will not challenge the objectives set out in Policy ST3 of the Lewes District Local Plan which states that "development [...] should respect the amenities of adjoining properties in terms of noise, privacy, natural daylight and visual amenities" providing some suitable conditions are included in any permission granted. Furthermore, diversification from agricultural use is welcomed if it increases a farm's resilience against the challenges which face most farmers.

The proposals carry only low potential for disturbance to local residents. I do consider that disturbances are unlikely but I feel that some appropriate conditions could justifiably be included with any permission granted and have made some suggestions in section 3 below. I also request that two advisory comments are included (see section 4).

#### **2. Potential sources of disturbance - discussion**

The Council has no records of any complaints or alleged noise disturbances caused during a campsite trial during 2016.

The proximity of camping pitches in the field to the nearest private dwelling (Wilding Farm Cottage) is approximately 100 metres. I consider that there is a low potential for campsite noise to travel this distance so as to cause a nuisance.

Campsite conditions should include noise management restrictions but, with no apparent management plan or site policy submitted with the application, I feel that some conditions should be included with any permission hereby granted. In general terms, no fireworks or amplified music should be permitted on the site at any time and only low-level acoustic music should be allowed until 22.00 hours. These conditions would help to reassure neighbouring residents.

Vehicle movements at sensitive times of day might generate noise which is audible at the nearest private dwellings. A suitable restriction to the permitted hours of access to and from site is therefore recommended. Noise caused by daytime deliveries and collections to and from the site are unlikely to cause a disturbance, but a suggested restriction to their permitted hours may provide reassurance to residents.

An integrated waste management plan is recommended to ensure that a clear strategy is put in place to manage the various waste streams that arise from the use of the site. The plan should illustrate how these wastes will be collected, stored and disposed of and, where appropriate, the times of day that these activities will take place. Recycling is encouraged wherever it is possible and arrangements for this should be included in the plan.

There is no reference to the provision of artificial lighting at the site and it is assumed there will be none, but a basic condition is recommended to protect the interests of public and private residents.

Conditions recommended - see file.

**Chailey Parish Council** – At a meeting of the Planning & Environs Committee of Chailey Parish Council held on 4th July 2017, Councillors resolved to support (in principle) the establishment of a campsite at Tomkins Farm. Taking into account representations from members of the public (expressing differing views on the application) Councillors considered that the following issues needed to be addressed either prior to permission being granted or by way of conditions to the granting of permission:

**Traffic:** Councillors are concerned about the likely increase in traffic using Cinder Hill and consider that adequate arrangements as regards traffic management should be made before permission is granted. Access to the village facilities likely to be used by campers (principally the shop and public houses) will necessitate their walking along at least part of the stretch of Cinder Hill between the entrance to the campsite and the A275 and the safety of those using this roadway needs to be considered. Councillors also considered that traffic using the campsite should be required to access Cinder Hill and the campsite only from the A275 and not via the junction with the A272.

**Size of vehicles:** Councillors considered that any permission granted should contain restrictions on the size of vehicles allowed to access the campsite. Councillors considered that private cars and smaller vans (for example VW campervans) would be acceptable but not vehicles of any greater size. Consideration should be given to preventing access by larger vehicles by the provision of physical constraints.

**Noise and smoke from campfires:** Councillors considered that any permission granted should contain a requirement for steps should be taken to control the potential for nuisance to adjoining properties by the imposition of appropriate campsite rules which should be clearly promulgated and policed so that they are effective.

Development of the site: Councillors considered that any permission granted should contain a bar on development of the site by, for example, the creation of hard standings or similar. The campsite area should remain capable of being returned to agricultural use without the need for any remedial works.

Barn style toilet and shower facilities: Councillors had no objections to the erection of these facilities but thought that the proposed extent of the toilet and shower facilities could be insufficient at times when the campsite is heavily used.

Summer season: Councillors considered that any permission granted should contain a formal restriction on the use of the campsite to between Easter and the end of September in any year.

Number of pitches: Councillors noted that at least some of the issues identified by them and detailed above could be alleviated by reducing the number of pitches.

## **5. REPRESENTATIONS FROM LOCAL RESIDENTS**

### **5.1 Five letters of objection:**

- o Applicant proposed to use the land for 6 months of the year - this is more than a 'summer' season.
- o Will result in a significant increase in vehicles using the access track that passes our property and surrounding highway network which is narrow and ill suited.
- o Number of toilets/showers proposed is inadequate - likely to lead to future development proposals.
- o Likely to result in noise and disturbance, smoke,
- o Permission recently granted for new dwelling on agricultural needs - now changing the use of some of this agricultural land
- o Will further decrease the agricultural viability of Tomkins Farm
- o Not clear exactly what the application is for.
- o Unclear how rubbish will be dealt with.
- o Could result in security threat to local properties
- o Will alter the character and appearance of the landscape
- o Where will the cars be parked?

### **5.2 Two letters of support:**

- o Support the application if it continues to operate as present
- o Benefits to local economy (shop, pub)
- o Will provide some financial stability for the land owner
- o Suggest conditions to help mitigate impact e.g. screening to be planted, no. of pitches to be restricted, no caravans or RVs, no hardstandings, no provision of services to pitches (water/electricity), site needs to be managed to control noise etc., revert to agricultural grazing on cessation.
- o Suggest ESCC Highways are urged to review traffic speed along Cinder Hill where campers will walk.
- o Good access to local footpath network
- o Much better than a solar farm.

## **6. PLANNING CONSIDERATIONS**

### Principle

6.1 The application site falls outside of any planning boundary defined by the Lewes District Local Plan. On this basis Policy CT1 is relevant to the consideration of this proposal. Policy CT1 only allows for certain types of developments in rural locations; however this includes certain types of tourism proposals. Policy E17 of the Local Plan allows the creation of new camping sites in countryside locations where the following criteria are met:

*"(a) there is reasonable access from the primary or secondary road network  
(b) use is made of existing buildings/structures in providing ancillary facilities. Small scale new buildings should be sited close to any existing buildings and sympathetically designed  
(c) the site is adequately screened with either existing trees/hedges or will be landscaped in a way which enables the development to be accommodated without detracting from the character or quality of the area  
(d) conditions will be applied limiting the use of the site in order to preclude its use as winter storage for touring caravans  
(e) the proposal complies with all relevant District-Wide Policies"*

6.2 Policy CP5 of the Joint Core Strategy states that *"opportunities for the sustainable development of the visitor economy will be supported where they are of a scale, type and appearance appropriate to the locality and provide local employment"*. It goes on to state that support will be given to a wide range of accommodation types, and that there will be a: *"Presumption in favour of the retention and improvement of existing visitor accommodation stock, including camping and caravan sites and existing visitor attractions/facilities."*

6.3 There is clearly a good degree of policy support both a local and higher level for the principle of new camping facilities in rural locations such as this. Therefore the main issues for consideration are the visual impact of the proposals, highway implications, and neighbour amenity issues.

#### Visual Impact

6.4 As set out above it is the applicant's intention that this will be a free area camping site, i.e. there will be no permanent pitches and campers will erect their tents at the start of their stay and take them down at the end. No dedicated parking area is to be provided, vehicles will simply park adjacent the pitched tents. It is not the applicant's intention to allow towed caravans on the site, however small camper vans will be permitted.

6.5 The introduction of tents and vehicles on this land will clearly have some negative visual impact on the currently undeveloped and natural landscape, through the introduction of man-made features i.e. tents, vehicles etc. Whilst the site is well screened along its northern and eastern boundaries, public views will be available from the public right of way passing the site along its southern side where the field is particularly open. Also from two other nearby public rights of way, by virtue of the rising ground levels, one of which forms part of the Meridian Way. By the nature of the campsite not providing fixed structures, the impact will clearly vary and, with the exception of the proposed barn, will not be permanent. Views are also limited to a fairly short range, again as a result of the undulating ground levels.

6.6 It has been suggested that the applicant should be required to screen the site with new landscaping to help minimise the visual impact. Some additional screening along the southern boundary of the site where it abuts the public right of way would go some way to limiting the visual impact, but will not screen the site in its entirety.

6.7 When considering the appeal for the solar farm proposed elsewhere on the Farm in 2015 the Inspector noted the following:

*"The site lies with the Western Low Weald Landscape Character Area. This is made up of gently undulating countryside with a well-established field pattern, primarily edged with hedgerow, and with an abundance of trees, some in small woods or larger areas of woodland. This gives an enclosed feel along roads and lanes, although open views are available on higher ground and from elevated points in the landscape. The landscape shows some evidence of intrusion, in the form of scattered settlements and groups of farm buildings, some of which are relatively large in scale. This, along with the undulating topography, and the degree to which blocks of woodland break up long range views, provides some capacity within the landscape to absorb further built form without significantly altering the established character of the landscape."*

6.8. Whilst the inspector dismissed that appeal, her reasons for doing so being partly due to the adverse impact on the appearance of the countryside in local and mid-range views, this was a very different type of development on a much larger scale and on more raised and therefore prominent land. In contrast, this is a low key proposal, with significantly less visual impact, which, for half of the year, will be absent anyway.

6.9. The only part of the proposal that would have any permanent impact would be the toilet/shower barn. This has however been sited at the lowest part of the site, and set against the backdrop of existing mature trees. Whilst it will result in a new permanent structure in this otherwise undeveloped location, the design of the building is fairly typical of a rural location such as this and should not appear significantly incongruous.

6.10. Overall it has to be accepted that there will be some visual harm resulting from this proposal and that this harm has to be balanced in the overall determination of this application.

### Highways

6.11. A number of the objections in relation to this application are in relation to the proposed access and the impact of increased numbers of vehicle movements to and from the site on neighbour amenity and the local road network. The impact on neighbour amenity is considered in more detail below.

6.12. In terms of the impact on the road network the application has been considered by ESCC Highways Officers, who initially raised a concern that insufficient information had been submitted to demonstrate that the proposed access is safe i.e. that adequate visibility is available and that the entrance is of adequate width. The applicant has sought to address these concerns by providing information relating to a traffic speed survey on Cinder Hill that shows that whilst the speed limit where the access joins Cinder Hill is 60mph the average vehicle is travelling much slower than this. Therefore, whilst much longer visibility splays would usually be sought on a road subject to the national speed limit, in this instance they have sought to demonstrate that it is appropriate to accept less extensive splays due to the average speed of vehicles using this particular stretch of road.

6.13. A revised plan indicating the width of the access drive has been submitted and the red line of the application site has been amended to include the entire length of the access drive so that these provisions can be secured by an appropriately worded planning condition. Confirmation is awaited from the Highways Authority that this has sufficiently addressed their initial concerns.

6.14. Representations have been made raising concerns about this use resulting in/encouraging pedestrians to use Cinder Hill, which has no pavement and is subject to the national speed limit, to access to the local facilities (pub, shop etc.). Residents are

concerned that whilst they are familiar with the dangers of this road, visitors to the area will not have this local knowledge and will potentially be putting themselves at risk.

6.15. The site is well connected to a good network of public footpaths that could give access to nearby facilities without the need to walk on the roads other than for short stretches. This clearly, in most cases, will not be the most direct route, but does allow this as a safer option, and could be attractive to those visiting and wanting to explore the area. It does have to be accepted though that there will be those that opt to take the shortest option and that this could potentially be in darker conditions (coming back from the pub for example). The Highways Authority has been asked to specifically comment on this issue and Members will be updated with their response.

### Neighbour Amenity

6.16. One of the main areas of concerns in relation to the impact of this proposal on neighbour amenity is in respect of the increased number of vehicles using the access track that passes a number of residential properties. At its closest this track is some 60 metres from these neighbouring dwellings.

6.17. 40 potential pitches at maximum capacity is likely to generate a number of vehicle movements. Whilst some campers will arrive, park up and not use their vehicle again until they leave, others are likely to use their vehicle for coming and going throughout their stay. Notwithstanding this the access track is not immediately adjacent the closest neighbouring properties, and the majority of vehicles are going to be cars as opposed to heavy vehicles. The additional movement of vehicles is therefore likely to be noted, but will not be significantly disruptive to the quiet enjoyment of these properties. On this point it is interesting to note that none of the objectors state that they experienced any disturbance during the applicant's trial camping weekends carried out last summer and the Council's Environmental Health Officer has confirmed that no complaints were received last year.

6.18. With regard to general noise and disturbance from the campsite itself the applicant has confirmed that all campers are issued with a "Code of Conduct". This sets out the rules of the campsite and expectations in respect of noise, movements, litter etc. No care movements are allowed between the hours of 9pm and 9am, and campers are asked to be as quiet as possible after 10pm. No amplified music is allowed, and no audible music is allowed between 10.30pm and 9am. The applicant is usually on site to personally supervise the camp between the hours of 7am and 6.30pm (later on Fridays and Saturdays). Whilst the farmhouse is being built, out of hours he is on call 24 hours and day, and once the farmhouse has been built he will be in much closer proximity to oversee the use of the site.

6.19. Small camp fires are allowed in designated fire pits. Their size is controlled by the size of the steel car wheel rim supplied by the applicant.

6.20. The Council's Environmental Health Officers have considered the application proposals and raised no objections, considering there to be low potential for nuisance to the neighbouring properties, subject to appropriately worded planning conditions.

### Other matters

6.21. Concerns have been raised that the proposed number of WCs/showers is insufficient for the number of pitches proposed by this application. Questions have also been raised in respect waste disposal from the site.



6.22. With regard to the number of toilets the Council's Environmental Health Officers have confirmed that the applicant would be required to apply for a campsite licence, which would address matters such as these.

6.23. However, in respect of waste disposal, the applicant has confirmed that it is campsite policy for all guest to take their own rubbish home. This is not an uncommon arrangement. It is also noted that the proposed barn does include space for bin storage and it would be the applicants responsibility to ensure rubbish is disposed of from the site in an appropriate manner, either through a contract with the Council's waste department or a private waste contract.

#### Planning Balance/Conclusion

6.24. The principle of the creation of new campsites is clearly permitted by both local and national policy. The creation of a campsite at Tomkins Farm will allow for diversification of the farm, boosting the rural economy, not only for the applicant but for local businesses as well. There are therefore clear economic benefits to this proposal. Against this the negative visual impact of the introduction of the campsite and its associated facilities has to be balanced, along with the (limited) impact on the impact on the living conditions of nearby residents. With appropriately worded conditions ensuring that these impacts are mitigated it is not considered that significant harm will result that would outweigh the benefits of the proposals. For these reasons, it is considered that on balance, the application can be supported, and is therefore recommended for approval.

## **7. RECOMMENDATION**

Recommend that, subject to confirmation from the Highways Authority that they have no objections to the proposals and the conditions outlined below, permission is approved.

### **The application is subject to the following conditions:**

1. This planning decision relates solely to the plan(s) listed below.
2. Hours of operation at the site for the purposes of constructing or maintaining site infrastructure shall be restricted to 08:00 to 18:00 hours Monday to Friday and 09.00 to 13:00 hours on Saturdays. No working is permitted at any time on Sundays or Bank Holidays. No machinery shall be operated, no process shall be carried out and no deliveries or collections shall be made at the site outside of these specified times.

Reason: To protect the amenity of the locality in accordance with policy ST3 of the Lewes District Local Plan.

3. The development hereby permitted shall be limited to a maximum of 40 separate campsite pitches, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To limit the amount of development on site with regards to neighbouring amenities and the character and appearance of the countryside, in accordance with Policies ST3 & CT1 of the Lewes District Local Plan.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2008 or as amended in the future, no areas of hardstanding or additional structures (including any form of children's play equipment) or means of enclosure shall be formed or erected at the site unless planning permission is specifically granted by the Local Planning Authority.

Reason: To limit the amount of development on site with regards to neighbouring amenities and the character and appearance of the countryside, in accordance with Policies ST3 & CT1 of the Lewes District Local Plan

5. The campsite hereby approved shall only be operational between Easter Bank Holiday and 1st October. Outside of these dates all the temporary structures associated with the use of the land as a campsite shall be removed from the site.

Reason: To limit the amount of development on site with regards to neighbouring amenities and the character and appearance of the countryside, in accordance with Policies ST3 and CT1 of the Lewes District Local Plan.

6. Details of any lighting to be provided to illuminate the premises should be submitted to and approved in writing by the Local Planning Authority prior to its installation and shall thereafter be installed in accordance with the approved details. Such details shall ensure any lighting is directed so as to avoid causing a nuisance to the public or to private residents and no additional lighting shall be erected at the site without prior approval of the Local planning Authority.

Reason: To protect the amenity of the locality in accordance with policy ST3 of the Lewes District Local Plan.

7. No amplified sound shall be permitted at any time.

Reason: To protect the amenity of the locality in accordance with policy ST3 of the Lewes District Local Plan.

8. No fireworks shall be permitted at any time.

Reason: To protect the amenity of the locality in accordance with policy ST3 of the Lewes District Local Plan.

9. Commercial waste collections from the site should be restricted to 07.00 hours until 17.30 hours Monday to Saturday only. No collections should be made on Sundays or Bank and Public Holidays.

Reason: To protect the amenity of the locality in accordance with policy ST3 of the Lewes District Local Plan.

10. Within three months of the date of this decision a Waste Management Plan should be submitted to and approved in writing by the Planning Authority. The plan should identify all waste streams and confirm how wastes shall be collected, stored and disposed of. All waste collected at the site shall thereafter be collected and disposed of in accordance with the approved plan.

Reason: To protect the amenity of the locality in accordance with policy ST3 of the Lewes District Local Plan.

11. Within three months of the date of this decision details of soft landscape works to the southern boundary of the application site shall be submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved in accordance with a programme to be agreed with the Local Planning Authority.

Reason: To mitigate the visual impact of the proposed use on the wider locality having regard to ST3 of the Lewes District Local Plan and to comply with National Policy Guidance contained in the National Planning Policy Framework 2012.

## INFORMATIVE(S)

1. The Local Planning Authority has acted positively and proactively in determining this application by assessing the proposal against all material considerations, including planning policies and any representations that may have been received and subsequently determining to grant planning permission in accordance with the presumption in favour of sustainable development, as set out within the National Planning Policy Framework.

2. Mixed use of the land for livestock grazing and camping could expose campers to public health hazards such as E. coli O157. Published guidance currently recommends that livestock should be removed from the land three weeks prior to use of the land for recreational purposes. Further information can be found on the Health and Safety Executive website: <http://www.hse.gov.uk/event-safety/venue-site-design.htm>.

3. The applicant is encouraged to contact the Environmental Health Department if they intend to produce a noise management plan for the campsite.

4. The applicant is advised that it is their responsibility to apply for a separate campsite licence. Further details are available here: <http://www.lewes.gov.uk/environment/1638.asp>

### **This decision is based on the following submitted plans/documents:**

<u>PLAN TYPE</u>	<u>DATE RECEIVED</u>	<u>REFERENCE</u>
Location Plan	19 July 2017	
Proposed Elevation(s)	20 April 2017	AMENDED DRAWING
Proposed Floor Plan(s)	20 April 2017	AMENDED DRAWING
Photographs	20 April 2017	AERIAL PHOTO