



North Norfolk District Council
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Stibbard - PF/21/1630 Erection of three timber buildings to provide WC, shower and washing up facilities and installation of septic tank for use in conjunction with the exempted campsite (Retrospective).

Minor Development

- Target Date: 13th September 2021

- Extension of time 21th January 2022

Case Officer: Mr Jonathan Pavey-Smith

Full Planning Permission

CONSTRAINTS:

Civil Parish - Hindolveston

Agricultural Land Classification - Agricultural Land: Grade 3

Ancient Woodland - Name: Hindolveston Wood

Areas Susceptible to Groundwater Flood Type: Clearwater

Landscape Character Area: Tributary Farmland Type: TF1 (Tributary Farmland)

Countryside LDF - Name: LDF Countryside

RELEVANT PLANNING HISTORY

Enforcement investigation

ENF/21/0090 - Site being used for camp site with additional structures

THE APPLICATION

The application seeks full planning permission for the siting of three timber buildings to provide WC, shower and washing up facilities and the installation of a septic tank for the use in conjunction with the exempted campsite. The application is retrospective.

The three timber buildings are to the west of the site behind the boundary treatment which is a mature 2.5- 3m hedgerow. The three timber buildings are 2.4m wide x 2.4m in height with a depth of 1.2m. This application is as a result of the enforcement investigation.

The application site is currently used as a 'Certified' Camping Site. There are 4 'Tee-pee' tents under this 'Certified' Camping Site. To the east of the site is Hindolveston Wood which is classed as an ancient woodland. The vehicular access to the site is to the north east.

REASONS FOR REFERRAL TO COMMITTEE

At the request of Cllr Vincent FitzPatrick on the grounds of:

- Highways access to the site
- Sensitive nature of the location
- High level of public interest in this application.

PARISH/TOWN COUNCIL

Hindolveston Parish Council

Are concerned about the access to the site. Both access points are off a narrow road and one is on a particularly sharp bend.

Consultations:

Environmental Health: Have no objection to the application subject to the submission of additional information and a condition relating to details of refuse storage area/s and access for collection vehicles.

REPRESENTATIONS:

Two letters of objection and one letter of support have been received:

Objections:

- Increased light and noise pollution
- Concern for the campsite to be a change of use and to become permanent.
- Noise and inconvenience to existing residents due to noise from families on campsite.
- Highways safety concerns due to substandard nature of access along Foulsham Road and inadequate narrow junction.
- Concern over installed of septic tank leaking.

Support:

- Small business enterprises such as this should be encouraged.
- The campsite would be unable to function without these facilities thus preventing the applicants from earning a small income from their own land.
- The small campsite that they have set up has caused absolutely no problems to the surrounding area

CONSULTATIONS

Environmental Health: The Environmental Protection (EP) Team have no objection to the application subject to the submission of additional information and the provision of the following conditions and advisory notes.

HUMAN RIGHTS IMPLICATIONS

It is considered that the proposed development may raise issues relevant to Article 8: The Right to respect for private and family life.

Article 1 of the First Protocol: The right to peaceful enjoyment of possessions.

Having considered the likely impact on an individual's Human Rights, and the general interest of the public, refusal of this application as recommended is considered to be justified, proportionate and in accordance with planning law.

CRIME AND DISORDER ACT 1998 - SECTION 17

The application raises no significant crime and disorder issues.

POLICIES

North Norfolk Core Strategy (Adopted September 2008):

SS 1 - Spatial Strategy for North Norfolk
SS 2 - Development in the Countryside
SS 5 – Economy
SS 6 – Access and infrastructure
EN 2 - Protection and enhancement of landscape and settlement character
EN 4 - Design
EN 13 – Pollution and hazard prevention and minimisation
EC 3 – Extensions to existing businesses in the Countryside
CT 5 - The transport impact of new development
CT 6 - Parking provision

National Planning Policy Framework (July 2021)

Section 2: Achieving sustainable development
Section 4: Decision-making
Section 12: Achieving well-designed places
Section 15: Conserving and enhancing the natural environment

Supplementary Planning Documents

North Norfolk Landscape Character Assessment (SPD) January 2021
North Norfolk Design Guide (SPD) Adopted 2008

MAIN ISSUES FOR CONSIDERATION

1. Principle and site history
2. Design and landscape impacts including upon the AONB
3. Residential amenity
4. Highway safety
5. Environmental Impact

EXPLANATION OF A 'EXEMPTION CERTIFICATE'

Exemption certificates for tents under section 269 of the Public Health Act 1936 ("the 1936 Act") the use of land as a campsite for more than 42 days consecutively or 60 days in total in any 12 consecutive months requires a site licence from the local authority. In addition, the use of land for tented camping for more than 28 days a year normally requires an express grant of planning permission. However, members of recreational organisations which hold a camping exemption certificate issued under section 269(6) of the 1936 Act can camp on land without a site licence and without the need to apply for planning permission.

The main stipulation is that the site is limited to ten tents in total.

APPRAISAL

1. Principle and site history (Policies SS 1, SS 2, SS 5, EC 1, EC 7 and EC 10)

The application site lies within a rural location on the periphery of the village, on land designated as 'Countryside' under Core Strategy Policy SS 1. Policy SS 2 limits the types of

development to those requiring a rural location, with the principle of 'recreation and tourism development (such as that being proposed) supported, subject to compliance with other local and national planning policies.

The camping site operates as 'Certified Camping site', over which the Council has no planning control subject to it operating within the parameters of the exemption licence. The proposed timber buildings (WC and showers) would not create new build unserviced holiday accommodation in the Countryside. The timber buildings are for facilities to serve the existing Certified Camping site. The application is not for the change of use of the entire field to a campsite or recreational/tourist use. It is solely to regularise the existing permanent three buildings.

Policy EC 3 deals specifically with extensions to existing Businesses in the Countryside

Extensions to existing businesses in the Countryside will be permitted where it is of a scale appropriate to the existing development and would not have a detrimental effect on the character of the area. The scale of the three sheds will not have a detrimental effect on the character of the area and will comply with Policy EC 3

In addition, a condition is recommended which would require the removal the buildings when the camping site ceases to be used and for the buildings only to be used in association with the certified site.

2. Design and landscape impacts on the open countryside. (Policies EN 2 and EN 4 and Sections 12 and 15 of the NPPF)

It is considered that the three timber buildings are acceptable in design terms and in terms of compliance with Policy EN 4 and Section 12 of the NPPF. The three buildings are small in scale and low in height at 2.4m and are clearly ancillary to the four existing tents permitted under the Certified Camping site. More importantly the three buildings themselves being low in height are lower than the hedgerow adjacent to the west. The existing hedgerow completely screens the three buildings from the road, meaning that the only clear visual impact of the buildings is from with the campsite itself. The resultant landscape impact of the three buildings is therefore considered to be low.

It is therefore considered that the development would be comply with Policies EN1 and EN2 as it would preserve the character of the open countryside in this location.

3. Residential amenity (Policies EN 4 and EN 13)

Policy EN 4 supports development proposals where they would not have a significantly detrimental impact upon the residential amenity of nearby occupiers.

It is noted that residential properties lie to the west and south of the site. Notwithstanding this, given the degree of separation from the application site, the presence of existing established hedgerows and woodland, and the fact that the site is already largely used for tourism purposes, it is considered that the three buildings (WC and showers) would not result in any significantly detrimental impacts on amenities of the occupiers of the closest properties in respect of privacy, light or disturbance.

As such, it is considered the proposed development would comply with the requirements of

Policies EN 4 and EN 13 of the adopted North Norfolk Core Strategy in respect of protecting residential amenity.

4. Highway safety (Policies CT5 and CT6)

Access would be via an existing access off Foulsham Road which currently serves the Certified Camping site. Whilst it is noted that both objectors and the Parish Council have raised concerns regarding the access, the application relates solely to the timber buildings which are the users of the camp site. These buildings are not traffic generating uses in themselves and as the buildings only serve the existing camping site use, the development would not lead to any intensification of the use the access and highway. Similarly, the resultant impact on the junction will remain unchanged. It is considered that the proposal is in accordance with the requirements of Policies CT5 and CT6.

5. Environmental Impact – EN13 and EN4

The applicant has stated that the septic tank serving the development was professionally installed with a soakaway. The application has stated that the application is not near any water courses or ditches and is located away from the four tents.

The applicant has applied for a seasonal refuse/trade waste collection from May-September as advised by NNDC's Environmental Health team. This negates the need to include a condition for a refuse storage area. Environmental Health have no objection to the application.

Conclusion

In conclusion, the timber buildings would not constitute new build unserviced holiday accommodation in the Countryside. They are facilities to serve the existing Certified Camping site only. The application is not a change of use from agricultural use to a recreational/tourist use for the entire field. The application is solely to regularise the existing three buildings erected without planning permission. The three buildings would not lead to any significant detrimental impact on the surrounding landscape, highway safety or the residential amenity of surrounding neighbours. As such, the proposals would comply with relevant Core Strategy policies and the guidance set out in the National Planning Policy Framework (NPPF).

RECOMMENDATION:

It is recommended that the application be APPROVED subject to conditions relating to the matters listed below and any others considered necessary by the Assistant Director - Planning:

- Accordance with approved plans
- Buildings to be used only in association with the Certified camping site and within 3 months of the ceasing of the use of the camp site the three timber buildings shall be removed from the site in their entirety.

Final wording of the conditions to be delegated to the Assistant Director – Planning.