



NORTH AND EAST PLANS PANEL

Meeting to be held in Civic Hall, Leeds on
Thursday, 1st June, 2023
at 1.30 pm

MEMBERSHIP

Councillors*

*Please Note - The Membership of this Committee will be confirmed following the Annual Meeting of Council to be held on Wednesday, 24th May 2023

Please do not attend the meeting in person if you have symptoms of Covid-19 and please follow current public health advice to avoid passing the virus onto other people.

Note to observers of the meeting: To remotely observe this meeting, please click on the 'View the Meeting Recording' link which will feature on the meeting's webpage (linked below) ahead of the meeting. The webcast will become available at the commencement of the meeting.

<https://democracy.leeds.gov.uk/ieListDocuments.aspx?CId=949&MId=12215&Ver=4>

Agenda compiled by:
Debbie Oldham
Governance Services
Civic Hall

A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p>SITE VISIT LETTER</p> <p>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</p> <p>To consider any appeals in accordance with Procedure Rule 15.2 of the Access to Information Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 15.2, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	
2			<p>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</p> <p>1 To highlight reports or appendices which officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>2 To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>3 If so, to formally pass the following resolution:-</p> <p>RESOLVED – That the press and public be excluded from the meeting during consideration of the following parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information, as follows:-</p>	

Item No	Ward	Item Not Open		Page No
3			<p>LATE ITEMS</p> <p>To identify items which have been admitted to the agenda by the Chair for consideration</p> <p>(The special circumstances shall be specified in the minutes)</p>	
4			<p>DECLARATION OF INTERESTS</p> <p>To disclose or draw attention to any interests in accordance with Leeds City Council's 'Councillor Code of Conduct'.</p>	
5			<p>APOLOGIES FOR ABSENCE</p>	
6			<p>MINUTES - 9TH FEBRUARY 2023</p> <p>To consider the minutes of the meeting held on 9th February 2023, for approval as a correct record.</p>	7 - 18
7	Wetherby		<p>SUBJECT: 20/08547/FU - CHANGE OF USE OF LAND FOR THE SITING OF 8NO. GLAMPING UNITS FOR HOLIDAY USE, STORAGE BUILDING AND ANCILLARY WORKS INCLUDING A NEW ACCESS ROAD AT LAND OFF HALL PARK ROAD, WALTON, WETHERBY, LS22.</p> <p>The report of the Chief Planning Officer requests Members consideration on an application for a change of use of land for the siting of 8No. glamping units for holiday use, storage building and ancillary works including a new access road at land off Hall Park Road, Walton, Wetherby, LS22.</p>	19 - 44
8			<p>DATE AND TIME OF NEXT MEETING</p> <p>To note the next meeting of North and East Plans Panel is scheduled for Thursday 29th June 2023, at 1.30pm in Civic Hall.</p>	
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a) b)				

Third Party Recording

Recording of this meeting is allowed to enable those not present to see or hear the proceedings either as they take place (or later) and to enable the reporting of those proceedings. A copy of the recording protocol is available from the contacts named on the front of this agenda.

Use of Recordings by Third Parties– code of practice

- a) Any published recording should be accompanied by a statement of when and where the recording was made, the context of the discussion that took place, and a clear identification of the main speakers and their role or title.
- b) Those making recordings must not edit the recording in a way that could lead to misinterpretation or misrepresentation of the proceedings or comments made by attendees. In particular there should be no internal editing of published extracts; recordings may start at any point and end at any point but the material between those points must be complete.

To all Members of North and East Plans Panel

Planning Services

Merrion House
Merrion Centre
Leeds

Contact: David Newbury
Tel: 0113 378 7990
david.m.newbury@leeds.gov.uk

Our reference: NE Site Visits
Date: 23rd May 2023

Dear Councillor,

SITE VISITS – NORTH AND EAST PLANS PANEL – THURSDAY 1st JUNE 2023

Prior to the meeting of the North & East Plans Panel on Thursday 1st June 2023 the following site visit will take place:

Time	Ward	
10.25am		Depart Civic Hall
11.00am – 11:25am	Wetherby	20/08547/FU - Change of use of land for the siting of 8No. glamping units for holiday use, storage building and ancillary works including a new access road at land off Hall Park Road, Walton, Wetherby, LS22
12.00 (noon)		Return to Civic Hall

For those travelling by mini-bus please meet in the ante-chamber at the Civic Hall, Portland Crescent at 10.20am for a prompt start at 10.25am. For those unable to use the minibus, or who prefer to travel separately, the visit timings and details above should allow for this. If you are making your own way to the site please let me know and we will arrange an appropriate meeting point.

Yours sincerely

David Newbury
Group Manager
Planning Services

www.leeds.gov.uk

general enquiries 0113 222 4444



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NORTH AND EAST PLANS PANEL

THURSDAY, 9TH FEBRUARY, 2023

PRESENT: Councillor J Akhtar in the Chair

Councillors N Sharpe, B Anderson, E Flint,
A Lamb, H Bithell, D Jenkins, P Wray,
D Cohen and A Maloney

SITE VISITS

The site visits were attended by:

Cllrs: Akhtar, Sharpe, Anderson, Flint, Bithell and Lamb.

55 Appeals Against Refusal of Inspection of Documents

There were no appeals against refusal of inspection of documents.

56 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

57 Late Items

There were no late items.

58 Declaration of Interests

Agenda Item 7 21/05225/FU – Erection of petrol filling station with ancillary shop and food outlet, car wash, electric charge points, air and water lines, ATM, underground fuel tanks and parking at Land Off Privas Way, Wetherby, LS22 6RN

Cllr Lamb said that he was going to recuse himself from the Panel as he had expressed some strong views about the application. He said that he was going to speak in objection to this item.

Agenda Item 8 22/04991/FU – Realignment of the existing stone wall to facilitate vehicle and pedestrian improvements to Bramham Road. Erection of two outbuildings. Replacement of an existing timber fence with a new stone boundary wall and gate pillars. Replacement of an existing single storey extension to Corner Cottage. Change of use of land to parking, with associated hardstanding/landscaping at Corner Cottage, 2 High Street, Clifford, Wetherby, LS23 6JF

Draft minutes to be approved at the meeting
to be held on Thursday, 9th March, 2023

Cllr Lamb declared an interest as he had referred the application to the Panel. He said he had an open mind on this application, and would be returning to the table for discussions.

59 Apologies for Absence

Apologies were received from Cllrs Midgley and Stephenson.

Cllr Maloney was in attendance as substitute for Cllr Midgley and Cllr Cohen was in attendance as substitute for Cllr Stephenson.

60 Minutes - 12th January 2023

RESOLVED – To approve the minutes of the meeting held on 12th January 2023 as a correct record with the following amendment.

Minute 53 - 22/05836/FU - Part retrospective application for part two storey side and rear extension; part first floor rear extension; dormer windows to rear at
43-45 St Wilfrids Circus, Harehills, Leeds, LS8 3PF.

Page 15 under Member's discussions bullet point 7
To now read – 'Clarification on planning history and enforcement action was provided to the Panel. The enforcement notices should have been complied with by 4 February 2023, which required the removal of the dormers'.

61 21/05225/FU – Erection of petrol filling station with ancillary shop and food outlet, car wash, electric charge points, air and water lines, ATM, underground fuel tanks and parking at Land Off Privas Way, Wetherby, LS22 6RN

The report of the Chief Planning Officer set out an application for the erection of a petrol filling station with ancillary shop and food outlet, car wash, electric charge points, air and water lines, ATM, underground fuel tanks and parking at land off Privas Way, Wetherby, LS22 6RN.

Members had attended a site visit earlier in the day and slides and photographs were shown throughout the presentation.

The Panel were provided with the following information:

- The application was presented to the Panel at the request of the Wetherby Ward Members, Cllrs Lamb, Richards and Harrington on the grounds set out at Paragraph 1 of the submitted report.
- The application site is a triangular plot of land set between the A1(M) and the A168 just outside the town of Wetherby. The site is designated rural land under UDP saved policy RL1. The site is also within the

designated Strategic Green Infrastructure associated with the River Wharfe, as set out under policy SP13 of the Core Strategy and the Leeds Habitat Network, as designated under policy G9

- Street lighting is switch off at midnight until 5.30am
- The only existing access from Privas Way is to the attenuation pond and the proposal is to create two new vehicular accesses through existing vegetation.
- The site is currently scrub land with a dilapidated structure. The proposal is for a petrol filling station, shop and food outlet with provision for 12 covers and parking with toilet facilities.
- Glenfield Avenue is located across the road from the proposed site with the rear gardens 30 metres away and the closest dwelling 40 metres away.
- Existing vegetation would remain.
- The proposed building would be constructed of cladding and brick with the shop front mainly glazed. It was noted that signage would be part of separate application for consent.
- Key issues were set out in the report and included the principle of development, impact on residential amenity, highways and biodiversity.
- A previous application by the applicant had been refused on 24 April 2020 for reasons set out at Paragraph 11 of the report and a subsequent appeal had been dismissed on 29 April 2021. The Inspector had accepted the principle of the development in this location. The Inspector also found that the proposed development would not result in harm to residential amenity or to highway safety. The reason for refusal in relation to biodiversity was the sole reason for the refusal being upheld, and the appeal was consequently dismissed.
- The Inspector did not object in principle to the use of an offset site to achieve biodiversity net gain which would comply with the aims of SP13 and G9. However, the appeal proposal offered no reliable mechanism to deliver biodiversity net gain off site. This was because there was no robust Section 106 Agreement proposed to adequately secure works to a specified offset site and such an Agreement would have had to offer confidence that such a scheme could be delivered in a timely fashion. The draft Agreement presented to the Inspector at the time of the appeal was seen as unlikely to achieve this.
- The applicant has now provided details of a triangular piece of land approximately 2km from the application site within the Leeds Habitat Network close to Swinnow Hill and Turners Wood and has a definitive bridleway running along the boundaries of the offset site. The offset site is currently used for arable farming and the proposal is for this to become grassland which would be expected to generate a biodiversity habitat value of 0.59 units.
- A Section 106 Agreement is under negotiation to secure the offset site with a biodiversity management plan and annual work programme which would last for five years.
- 50 objections to the proposals had been received from Ward Councillors, residents, Better Wetherby Partnership, Boston Spa, Wetherby and Villages Community Green Group and Wetherby Civic

Society. Comments had been summarised at Paragraphs 25-31 of the report.

Cllr Lamb and a resident of Glenfield Avenue addressed the Panel in objection to the application and provided the following comments:

- Cllr Lamb said that the concerns of Ward Councillors, Better Wetherby Partnership, and Wetherby Civic Society were with the principle of the development in this location. It was his view that this application was not acceptable in accordance with Council policies.
- He said that there were highways issues in the location and mitigation had already taken place to address some of the issues.
- Residents of Glenfield Avenue were in objection to this application as they had concerns in relation to air, light and noise pollution.
- There are young children living in this street and even given the restricted opening hours the light and noise would impact on their bedtime. This would be made worse in the summer months when windows may be open.
- The shrubs and trees along the verge are deciduous and during the winter months would not alleviate noise and light pollution.
- There was also the concern that this proposal would have an impact on the landscape given its proximity to the Ebor Way.
- There are already 3 petrol stations in the area and so the provision of a further petrol station was not necessary.

In response to questions from Members the following information was provided to the Panel:

- There were concerns related to the highway the roundabouts and the junctions were busy and the exit and entry for the proposed station would be close to the roundabout and the junction. There would also be the impact on the residential area due to significant movement of traffic. It was noted there used to be a layby for truck stops in this area, however it had to be removed due to anti-social behaviour.
- It was suggested to the Panel that the proposed biodiversity site was not close enough. Cllr Lamb was of the view that the proposed site did not meet with current policies and not what the Inspector had expected.
- There had been no consultation with Ward Councillors, the local community or the Town Council.
- There are already three petrol stations in the area. The resident was asked how long approximately it would take her to drive to them. It was noted:
 - 1st – 3 minutes
 - 2nd 3.5 minutes
 - 3rd 5 minutes

The agent for the application attended the meeting and provided the Panel with the following information:

- The agent said she was a Chartered Town Planning Consultant elected to the Royal Town Planning Institute with over 12 years Local Authority experience. She represents clients nationally with planning

submissions and planning appeals with a particular expertise in roadside services.

- The agent said that the 3 reasons for refusal by the Council of the 2019 application had been:
 - Impacts on the rural character of the landscape
 - Harm to amenity
 - Net loss to biodiversity
- The agent quoted the Inspector who had said 'The proposed development would not significantly harm the character and appearance of the appeal site and the surrounding area including the Wharfe Valley Green Infrastructure'. The Inspector had also said 'The hours of operation suggested by the appellant and details submitted in relation to noise and light would not adversely affect residential occupiers which could be mitigated through a suitably worded condition'.
- The agent said given the scheme is identical to the one already assessed by the Inspector which was found to be compliant in terms of character and appearance, impact and highways there was no reason why the scheme could not be approved.
- She acknowledged that the previous scheme had not had a reliable mechanism for net gain biodiversity to be delivered. It was her view that this issue had now been resolved as the applicant's legal representative had worked with the Council Officers, to produce an Agreement requiring biodiversity management before any work commences.
- It was her view that the application now complies with local and national planning policies and there was no valid reason for refusal. The Panel were advised that if there was a refusal this would mean an appeal which would likely result in costs being awarded against the Council due to the absence of a valid reason for refusal
- She again quoted the Inspector in terms of the economic benefits of the erection of the filling station, bringing local amenities and local employment opportunities.

In response to questions from Members the Panel were provided with the following information:

- The Inspector in assessing a very similar application had already concluded that there would no impact to amenity, there had been no objections to the application in relation to highways and had not objected to the principle of the application.
- Woodman Forecourts would be managing the site and had agreed to the proposed Section 106 Agreement. It was noted that there was one developer but two discreet companies with one company address. However, it was emphasised to Members that the identity of the applicant is not a material consideration to be taken into account in decision-making.
- Members were advised that gender neutral toilets could be considered as part of the application. It would be a requirement anyway under the recently updated Building Regulations.

- It was noted that there was no requirement to consult with the local community, particularly with regard to the proposed location of the biodiversity net gain offset site. It was acknowledged that local community consultation more generally was good practice, but not a requirement.
- 20 jobs would be created with a mix of full-time and part-time positions.
- The proposed site for net gain biodiversity was currently agricultural land.

Officers responded to questions from the Panel:

- Current guidance on use of off-site land for net gain biodiversity provides. No indication vis-à-vis specific distances of an offset site from a proposed development but options for an offset site required for it to be in or adjacent to the ward. It was acknowledged that the proposed site for biodiversity net gain was 2km away from the development site but was in the same ward.
- The Legal Officer provided advice to the Panel Members on the proposed Section 106 Agreement to be secured in relation to the proposed offset site biodiversity area. It was noted that the Section 106 Agreement would be tied to the piece of land set out for biodiversity in perpetuity and sought to ensure this could be robustly secured. The Inspector had previously been concerned about the mechanism to secure the offset site, rather than the principle of an offset site.
- If the proposed offset site became the subject of an application in future, it would have to be brought to Plans Panel.
- It was noted that the proposed offset site would be grassland providing 0.59 units. All details would form part of the Section 106 Agreement.
- Clarity was provided on policies within the relevant Neighbourhood Plan and their applicability to the development proposed, as these had been raised in public comments but were not necessarily relevant or applicable.

Members Comments included:

- Insufficient weight given to the Wetherby Neighbourhood Plan.
- No consultation with the local community
- Acceptability of using agricultural land for offset site and the fact that the site was 2km away from the development site was questionable.
- Loss of scrub land and impact on the environment.
- There would be the creation of local employment opportunities, which was a positive.
- The Panel were of the view that this was a difficult decision given the advice of the Inspector and the Council's current policies which remained as they had been at the time of the previous application. There had also been no change to the surrounding circumstances which would give a basis for refusal of the application in its current form.
- They were of the view that the developer should have consulted and tried to work with the Ward Councillors and the local community.

RESOLVED – To defer and delegate to the Chief Planning Officer for approval subject to the conditions set out in the submitted report.

62 22/04991/FU – Realignment of the existing stone wall to facilitate vehicle and pedestrian improvements to Bramham Road. Erection of two outbuildings. Replacement of an existing timber fence with a new stone boundary wall and gate pillars. Replacement of an existing single storey extension to Corner Cottage. Change of use of land to parking, with associated hardstanding/landscaping at Corner Cottage, 2 High Street, Clifford, Wetherby, LS23 6JF

The report of the Chief Planning Officer set out an application for the realignment of the existing stone wall to facilitate vehicle and pedestrian improvements to Bramham Road. Erection of two outbuildings. Replacement of an existing timber fence with a new stone boundary wall and gate pillars. Replacement of an existing single storey extension to Corner Cottage. Change of use of land to parking, with associated hardstanding/landscaping at Corner Cottage, 2 High Street, Clifford, Wetherby, LS23 6JF

A site visit had taken place earlier in the day. Slides and photographs were shown throughout the presentation.

The Planning Officer presented the application to the Panel providing the following information:

- This application was presented to the Panel at the request of Cllr Lamb, Wetherby Ward Member on the basis of the potential impact on the conservation area, the fact that the site is located at a key gateway to the village and the application had raised local concern.
- The site is in the vicinity of a number of Grade II listed buildings and structures:
 - Nunnery House
 - Head's House at Northways School
 - Clifford War Memorial
 - Baptismal Well
- The site is within Key Short Range View B as identified in the Clifford Neighbourhood Plan.
- The application was a revised resubmission of previously refused and withdrawn applications to realign the boundary wall, erection of two outbuildings, and single storey extension to Corner Cottage as considered under two previous applications. The applicant had provided further information and revisions required by officers, addressed outstanding concerns and these were set out at Paragraph 27 of the submitted report.
- Access to the High Street was proposed to be pedestrianised with parking provision which had been approved in 2020 and forms part of the application site.
- Hardstanding was proposed to be of crushed limestone finish with access to Bramham Road to be cobble sets. The wooden fencing was to be removed and replaced by a stone wall and set back 1 metre, with

the depth of repositioning varying along its length. This would create a wider footpath, which would be offered for adoption under a Section 278 Agreement

- Two outbuildings are proposed, one would serve as an ancillary structure for Corner Cottage, with a garage and the second would be a cycle store for the dwellings at Greyhound. Both outbuildings would be constructed of limestone facing walls, slate tiled roofs, timber doors and windows.
- The proposed replacement of an existing single storey extension would be 7.6 metres in width with a depth of 5.6 metres. The proposal is for the extension to have a flat roof to a height of 3 metres. The proposals for materials are stonework to the walls, with single ply roof with sliding doors to the south elevation. The extension is to be used as a kitchen-diner.
- The Panel were advised that the current stone walls would be dismantled and numbered so they could be reused. This would be conditioned to ensure that any new stone matched. It was noted that the applicant had worked with officers including the Conservation Officer.

A speaker in objection attended the meeting on behalf of Clifford Parish Council Clifford Local History Group and residents and provided the Panel with the following information:

It was the view that this application was of very little difference to previous applications. And he listed some of the similarities as:

- The blocking off of vehicle access from the High Street would mean that 8 properties with potentially two vehicles each would be using the proposed new entrance off Bramham Road.
- The historic boundary wall would be extended in height, but this should be built parallel to the rear of the boundary wall as required at a similar location on the High Street.
- Setting the extension back is considered to be a positive move in terms of visual amenity.

The main concern was of the demolition of the historic boundary wall, as this was a key part of the character of the village. The alignment and position of the wall forms a key view into the village. The conservation area and appraisal management plan identified magnesium limestone boundary walls as a positive contribution to the conservation area and should be retained. A historic map shows the wall in position from 1846.

It was noted that a previous application which had been refused had been to appeal and at the appeal the Inspectors view was that the wall should be retained. In 2021 a Conservation Officers view was the section of wall in question was extremely important, the alignment of the wall to the pavement edge is therefore as important as the form of the wall. It was the view that the wider depth proposed for the pavement would be an anomaly in this location. It was the view of residents that the historic wall sits perfectly alongside the Grade II listed buildings of the Nunnery and Northways School.

It was the view of residents that nothing had significantly changed in relation to the application and the wider impact on the conservation area. It was thought that more weight should be given to the protection of the conservation area and the historical assets of the village.

The local community objected to the application as it was contrary to NPPF in its emphasis on taking all possible steps to protect conservation areas, with no public benefits to outweigh the harm to Clifford conservation area and the listed buildings. It was also contrary to Clifford Neighbourhood Plan regarding the retention of stone boundary walls and relevant planning policies.

Responding to questions from the Panel the speaker provided the following information:

- The potential number of cars accessing on to Bramham Road were a concern. It was noted that there had been no recorded accidents in the area.
- Members noted that residents supported the bringing back into use of Corner Cottage, but their main concerns were with the demolition of the wall.
- It was acknowledged that the developer had sent advanced notification to Clifford Parish Council and the application had been looked at by the planning working group it was also put on the agenda with residents invited to the meetings for discussions. It was noted there had been no direct consultation with the developer.
- There were concerns in relations to accessibility if cobble sets are used for wheelchair users and users of buggies and pushchairs.

The agent for the applicant addressed the Panel and provided the following information:

- Since 2012 there had been one refusal and had gone to appeal, and subsequent applications which had been withdrawn and amended. There had been discussions at the appeal and these comments had been taken on board. This application has been redesigned with those comments taken into consideration.
- The previous application had seen the wall set back more and did not include the garage or the cycle store, the wall between the driveways or the raised section of wall shielding the remodelled extension.
- In discussions with the Conservation Officer, it was recognised that the insertion of the driveways and loss of trees in recent years has eroded the special character of the area.
- It was the view that the enclosure of the garage, cycle store would enhance the area.
- A model had been provided to show how the site would look before and after and was the view that the alignments made little change to the area. The realignment would not result in the removal of a stone wall, just a slight repositioning of the stone wall. It was noted that the applicant had employed the services of Peter Isherwood an accredited stone mason who would ensure the use of existing materials and traditional methods.

- In terms of highways this was said to be a key driver for the applicant for the safety of his tenants. There was to be no further dwellings so there would be no increase of vehicles but aims to improve existing access arrangements. Closing of the High Street Access and improving the visibility on to Bramham Road, it was the view this would be of significant public benefit. It was noted there would also be a wider footpath for pedestrians.
- The Panel were advised that a full pack of the submission documents had been delivered to the Parish Council and surrounding neighbours with the invitation that the developer could be contacted directly to discuss further. It was noted that no comments had been received.

There were no questions from the Members to the speakers.

Questions to officers provided the following information:

- It was noted that Highways Officers had considered the accessibility and the works proposed would be secured by way of a Section 278 Agreement. As part of this, officers would look at the cobble sets to ensure compliance with policies, but it was currently deemed from the view of Highways Officers that the impact of the cobble sets proposed was acceptable. However, the Accessibility Officer had not been consulted on the impact of the cobble sets and this would be taken forward.
- Officers provided information on the parts of the Neighbourhood Plan which had been considered and included GS2 – Key Views, DEV2 which included design standards and stone boundary walls and BE2 Conservation Heritage Assets. It was the officers view that the application was compliant with the relevant Neighbourhood Plan policies.

Members comments included:

- Frustration at the lack of consultation. It was the view that there was a good scheme but the lack of engagement with the community felt as if it was a scheme being done to the community, rather than with them, as they had not had the chance to provide their comments. It was the view that there were benefits to the scheme, but it was not clarified if those benefits outweighed the harm to the conservation area. It was the view that more engagement with the community should have been considered.
- Members could see there were a lot of benefits for this scheme, it would be safer and tidier and ensure continued use of the building, and the materials are suitable to the location. There was concern raised in relation to the use of the cobble sets for the pavement and the pavement width.
- Concern in relation to the movement of the historic wall.
- In relation to highway improvements, there had been no reported accidents in the location and therefore it was de facto the case that there were no identified concerns regarding highway safety.
- More engagement required between the developer and the residents.

- Members suggested that the application be deferred for further consultation with the local community and Ward Councillors on issues of concern.

RESOLVED – To defer for further consultation with residents, Local Ward Councillors and Parish Council.

63 22/05836/FU - Part retrospective application for part two storey side and rear extension; part first floor rear extension; dormer windows to rear at 43-45 St Wilfrids Circus, Harehills, Leeds, LS8 3PF.

The report of the Chief Planning Officer set out a part retrospective application for part two storey side and rear extension; part first floor rear extension; dormer windows to rear at 43-45 St Wilfrids Circus, Harehills, Leeds, LS8 3PF.

This application was returned to North and East Plans Panel following the deferral for one cycle from the previous meeting held on 12th January 2023. The officer recommendation had been to refuse the application due to design concerns. This had not been accepted by Panel Members and requested the application be revisited and returned to Panel for formal determination.

It was noted that the previous report was attached at Appendix 1 of the submitted report.

Members were provided with the following information:

- The Panel was shown revised plans which showed the revised scheme which had been formally submitted.
- The revised scheme altered the roof form of the two-storey rear extension to a flat roof with parapet wall and the reduced dormer windows.
- It was noted that the applicant had met with officers and local ward members to discuss an alternative design which would mitigate the harm and for a policy compliant scheme to be submitted. Officers had presented two potential options which reduced the internal space but retained the number of bedrooms required. The applicants and their representative were supportive of one of the proposals which changed the design which had been put to Members within the agenda pack. A newly revised set of plans had been submitted and shown at Panel as the last slide of the presentation slides.
- The newly revised scheme further reduces the dormer windows and sets them back from the eaves, the roof of the two-storey extension would have a mono pitch roof and is now policy compliant.

Officers requested Members to defer consideration of the application so that officers could bring back a report which clearly sets out the reasons why they would support planning permission.

Members commented that the newly revised scheme was a sensible proposal which the Panel welcomed.

The Panel suggested that the application, in its newly revised scheme as presented, should not be brought back to Panel for determination but should be delegated to officers.

RESOLVED – To defer and delegate to the Chief Planning Officer.

64 Date and Time of Next Meeting

To note the next meeting of the North and East Plans Panel will be on Thursday 9th March 2023 at 1.30pm.



Originator: Steven Wilkinson

Tel: 0113 3787662

Report of the Chief Planning Officer

NORTH & EAST PLANS PANEL

Date: 1st June 2023

Subject: 20/08547/FU - Change of use of land for the siting of 8No. glamping units for holiday use, storage building and ancillary works including a new access road at land off Hall Park Road, Walton, Wetherby, LS22.

APPLICANT:
Mr Hugh Barker

DATE VALID:
08.01.2021

TARGET DATE:
09.04.2021

Electoral Wards Affected:

Wetherby

Yes Ward Members consulted

Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

RECOMMENDATION: GRANT PERMISSION subject to the following planning conditions (with amendments or addition to the same as deemed appropriate):

1. Time Limit (3 years)
2. Approved plans list
3. Time limit of stay: 1 month max
4. Limit to 8 glamping units
5. Guest restricted to sleeping in glamping units only: No camping or motorhomes permitted
6. Anthrapods to be Bleriot Plus model as shown on plan BPN007OG
7. Details of Anthrapod colour finish
8. Plans showing location and details of solar array
9. Full details of the proposed storage building (materials and colour finish)
10. Main access gates to be setback from highway
11. Footpath link details to be approved and PROW to be brought into use prior to the development and to be maintained in perpetuity
12. Footpath access gate details (not swing in nor impact upon bridleway)
13. Details of fencing / boundary treatment inc access gate

14. Details of pumping station
15. Full details of the proposed Geo-grid system access road /parking areas, including type, spec, colour and infill material
16. Detailed plans of access road inc cross-sections and radii
17. Visibility spays to be maintained
18. Detailed plan of the proposed footpath link (inc route, material)
19. Full details of low impact lighting scheme to be submitted
20. Management plan to be submitted taking account of the Noise Impact Assessment (inc details of signage, points of emergency contact, site rules and restrictions)
21. Details of waste collection provision
22. No fires restriction
23. No amplified music
24. PD Rights removed fences and enclosures
25. Log burners, smokeless fuel only
26. Full Drainage details
27. Foul water drainage details
28. Piped surface water details
29. Separate systems for foul and surface water drainage.
30. EVCP
31. Cycle storage
32. Vehicle space to be laid out as approved
33. Access to be delivered prior to first occupation
34. Construction Environmental Management Plan (CEMP): Biodiversity
35. Biodiversity Enhancement & Management Plan (BEMP)
36. Biodiversity Monitoring Programme & Monitoring Report
37. Great Crested Newt mitigation and improvements to and future management of pond
38. Generator soundproofing details to be submitted
39. No removal of vegetation in bird nesting season
40. Landscaping details (full details of hard and soft landscaping inc species)
41. Bin storage details

INTRODUCTION:

1. The application is presented to North and East Plans Panel as a Member referral request has been received from Cllr Lamb. The request follows the receipt of an objection letter signed by the Wetherby Ward Members Cllr Lamb, Cllr Harrington and Cllr Richards (now former Councillor). The letter raises a number of concerns regarding the proposed development including conflicts with the Neighbourhood Plan, highway safety , health and safety , impact on residential amenity, impact on drainage and services, the appropriateness of Walton for tourist facilities, loss of agricultural land and the impact of the development on visual amenity and the Walton Conservation Area.
2. Given that the proposal concerns an application within the Members' Ward which they represent and that the Ward Members consider that the development would have a significant effect on the Ward, raising material considerations in their objection, it is considered that exceptions, as set out in the Officer Delegation Scheme, are met and it is appropriate to report the application to Plans Panel for determination.

PROPOSAL:

3. The proposal relates to a change of use of land for the siting of 8No. glamping units for holiday use, a storage building and ancillary works including a new access road.
4. The eight glamping units are Antropod Bleriot Plus Models (off-grid version) which are timber clad structures located above ground, supported by four metal legs. The units measure 7.3 x 3 metres externally and have a maximum height of 3 metres.
5. In terms of electricity the pods are powered by solar panels and a small backup generator. The solar panels measure 1.7 x 1 metre and will be sited on the ground directly adjacent to the units. Heating and hot water is provided by a small combi boiler, powered by LPG bottles which are located in a storage unit adjacent to the pods.
6. The proposal incorporates the creation of a new private access road extending from Hall Park Road, into the glamping site. The first 20 metres of the access road from Hall Park Road will be constructed of tarmac. The remainder of the access track will be constructed of a grass stabilisation product (Geogrid system).
7. The development will be served by a modest car park with 11 car parking spaces (including one electric vehicle charging space). A bin store and small timber storage shed are also proposed adjacent to the parking area.
8. The proposals also include the creation of a pedestrian link to the west of the site which links up with an adjacent footpath (non-definitive) leading into Walton Village.

SITE AND SURROUNDINGS:

9. The site is formed primarily of a modest agricultural field (shown as field 1 on the plans) which is setback approximately 90 metres from Hall Park Road (to the south-east) and is open in nature. The agricultural field measures approximately 1 hectares in size, is relatively flat and has been used for grazing. The field is enclosed by trees and hedge line. The site boundary (red line) also includes two spurs extending from the main field, one to the south-east (extending to Hall Park Road), which will provide vehicular access to the site and one to the west which will provide pedestrian access to a nearby footpath.
10. The applicant also owns the adjacent fields to the south and west side (blue line boundary), which are shown as Fields 2, 3 and 4 on the submitted plans. These fields are also utilised for grazing and will be retained for such use following the proposed development. A small pond is present in between Field 2 and 3. The fields contain vegetation to their boundaries. In particular, a hedge line is present along the boundary with Hall Park Road.
11. The site lies beyond the north-eastern extent of Walton which is a small village of approximately 225 occupants. The village benefits from a limited range of local services and community facilities which include a Public House, Church, Village Hall, and Cricket Club. The majority of the settlement is covered by Walton Conservation Area. The proposed glamping site is situated approximately 300 metres to the east of the Conservation Area, with more modern ribbon residential development in

between. As such the proposal is not considered to be within the setting of the Conservation Area.

12. Open agricultural fields are present to the north and east of the site. Hall Park Road contains grass verges and is bounded by vegetation adjacent to the application site, giving it the appearance of a rural country lane. Hall Park Road extends north-eastwards into the nearby Selby District Council administrative area.

RELEVANT PLANNING HISTORY:

13. The site has been subject to the following historic planning applications:
 - **H31/1/82/** - 4 bedroom detached house with attached double garage, to agricultural holding (Refused - 1982)
 - **H31/680/75/** - Outline application to erect residential development to vacant site (Refused – 1976)
14. Prior to the submission of this planning application a pre-application enquiry (PREAPP/20/002066) was submitted by the same applicant and agent relating to change of use of land for the siting of up to 6No. glamping units, albeit across a larger site. The feedback provided by the Local Planning Authority to this enquiry can be summarised as follows:

‘The principle of development is acceptable, subject to the submission of robust landscaping character assessment indicating no harm to the rural character of the area. The applicant needs to have regard to the detailed matters in relation to highways, visual amenity, drainage, contamination, ecology and residential amenity which have been outlined within the response above, in order to deliver a policy compliant scheme’

PUBLIC/LOCAL RESPONSE:

15. The application was advertised as affecting a Public Right of Way. Site notices were posted around the site and the application has been publicised in the Yorkshire Evening Post. The site notices were posted originally on 25.01.2021, with amendments publicised on 23.12.2021. A newspaper advert was also published on 29.01.2021.
16. Overall, 51 letters of representations have been received, largely from neighbouring residents and the local Parish Council. The letters are all in objection to the proposed development. The letters raise the following concerns:
 - Conflict with the Neighbourhood Plan / site rejected in the NP
 - Site rejected in the NP
 - Impacts on views of the church
 - Conflicts with BE2 (not a local business)
 - Glamping not mentioned, revert to local policy
 - Impacts on heritage assets
 - Impact on character and appearance
 - Impact on amenity / noise / Lack of on-site management

- Highway and pedestrian Safety / Additional vehicle trips
- Drainage / lack of sewer capacity / Flooding
- Ecological impact / Presence of Great Crested Newts
- Lack of lighting
- Loss of agricultural land
- Impact on trees
- Light pollution
- Size of site is inconsistent with the low number of units proposed.
- Lack of sustainability
- Lack of electricity / gas
- Future expansion
- Additional litter to village / adjoining fields
- Viability of the proposal
- Impact on adjacent farmland / animals / farming business
- Lack of need for such a development / Presence of nearby glamping site
- Access for fire engines / Lack of phone signal
- Lack of water
- Refuse disposal
- Impact on property prices
- Emissions from log burners

17. In addition, the local Ward Members object to the proposed development. A jointly signed letter has been received from former Councillor Richards, Councillor Harrington and Councillor Lamb at the time representing Wetherby Ward Members, raising the following concerns:

- Conflicts with the Neighbourhood Plan / Outside of the development limits
- Highway safety
- Health and safety
- Impact on neighbouring residents,
- Impact on drainage and services,
- The appropriateness of Walton for tourist facilities,
- Loss of agricultural land
- Impact of the development on visual amenity and the Conservation Area

CONSULTATION RESPONSES:

Statutory Consultees:

18. Environment Agency: No objections. The additional documents show site plans for foul drainage to public foul sewer. This would be our preferred method of disposal of foul effluent from the site. Informatives suggested in relation to landfill gas and surface water.
19. Yorkshire Water: Planning conditions in relation to disposal of foul water and piped surface water have been suggested if the application is to be approved.

Non-Statutory Consultees:

20. Local Plans: The diversification of agriculture, sustainable tourism and development of sites which are not well served by public transport are acceptable providing they are sensitive to their surroundings, have little impact on local roads and improve the sustainability of the site. Further information on expected levels of usage should be sought. The proposal appears to have considered ecological, landscape and visual impacts and been designed to minimise detrimental impacts though please refer to other officer comments.
21. Flood Risk Management: On the basis of the revised information there are no objections to the application, subject to the imposition of relevant planning conditions.
22. Highways Team: Location of the access gate and hardstanding for 20 metres are considered to be acceptable. Passing bays to the access road are acceptable. Concerns whether, grass stabilisation product would be appropriate for refuse vehicles. Further details requested in relation to areas to be used by refuse vehicles, footpath link, vehicular access radii. These matters are amongst those to be addressed by planning conditions.
23. Environmental Studies: No objections.
24. Contaminated Land Officer: The proposed structures are for holiday use only, and therefore limited/no breaking of ground is proposed for these structures. The applicant has confirmed the proposed site storage building is to be sited on a concrete slab with no significant foundations. Therefore, we have no objection to planning permission being granted, subject to the imposition of suggested planning conditions.
25. Landscape Officer: The layout plan has been revised to move the anthropod structures out the RPA's. Impacts of lighting need to be considered.
26. Nature Officer: There is an increase in Biodiversity units as a result of the scheme (12.71 units compared to 11.42 baseline). Hedgerow biodiversity units need increasing. Great Crested Newts are confirmed to still be using the on-site pond even though it is in sub-optimal condition.
27. Public Rights of Way: A gate is shown on the landscape proposal plan to the north of field 4, this needs to swing into the site and not onto the bridleway. Further clarification regarding the positioning of the gate would be helpful here. Overall, the proposal does not affect the non-definitive bridleway, as such no objections.
28. Ainsty Internal Drainage Board: Highlight that the Boards consent is required under the land drainage act and byelaws. Conditions recommended if application is approved.
29. West Yorkshire Police: Out of hour access to the site and parking facilities with access control measures restricting access to dissuade gatherings and potential encampments are recommended. Entrances and exits should have CCTV coverage. Cycle storage and boundary treatment advice given.
30. Ramblers Association: The development should not affect the Non-Definitive Bridleway connecting Hall Park Road and York Road which is close to the site.

RELEVANT PLANNING POLICIES:

31. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are determined in accordance with the Development Plan, unless material considerations indicate otherwise. The Development Plan for Leeds currently comprises of the Core Strategy as amended by the Core Strategy Selective Review (2019), Site Allocations Plan (2019), Natural Resources and Waste Local Plan (NRWLP) (2013) including revised policies Minerals 13 and 14 (2015), Aire Valley Area Action Plan (2017), saved policies of the UDPR (2006) and any made Neighbourhood Plan. The site falls within the boundary of Walton Neighbourhood Plan, as approved on 24 October 2018.

Local Planning Policy:

Core Strategy as amended (2019)

32. The following policies are relevant:

Spatial Policy 1 - Seeks to concentrate the majority of new development within the main urban areas and ensure that development is appropriate to its context

Spatial Policy 2 – Hierarchy of Centres and spatial approach to retailing, offices, intensive leisure and culture.

Spatial Policy 8 – Economic Development Priorities

P8 - Sequential and impact assessments for town centres uses

P10 - Seeks to ensure that new development is well designed and respects its context

P12 – Landscape quality, character and biodiversity

T2 - Seeks to ensure that new development does not harm highway safety and considers accessibility requirements

G1 - Enhancing and extending green infrastructure

G8 - Protection of species and habitats

G9 - Biodiversity improvements

EN5 - Managing Flood Risk

EN8 – Provision of electric vehicle charging points

Saved UDPR (2006) Policies

33. GP5 - General planning considerations
RL1 – Rural Land
N24 - Development proposals abutting the Green Belt or open countryside and assimilation into the landscape
N25 – Development and site boundaries
N35 - Agricultural land
BD5 - Design considerations for new builds and protection of amenity
LD1 - Landscape schemes

Natural Resources and Waste Local Plan (NRWLP)

- | | | |
|-----|---|---|
| 34. | General Policy 1
Water 4
Water 6
Water 7
Land 1 | General planning considerations
Development in Flood Risk Areas
Flood Risk Assessments
Surface Water Run Off
Land contamination |
|-----|---|---|

Walton Neighbourhood Plan (2017 – 2033)

HG5 – Key Views

BE2 – Supporting employment and enterprise

Relevant Supplementary Planning Guidance

35. Transport SPD

Climate Emergency

36. The Council declared a climate emergency on the 27th March 2019 in response to the UN’s report on Climate Change.

37. The Planning Act 2008, alongside the Climate Change Act 2008, sets out that climate mitigation and adaptation are central principles of plan-making. The NPPF makes clear at paragraph 152 and within Footnote 53 that the planning system should help to shape places in ways that contribute to radical reductions in greenhouse gas emissions in line with the objectives of the Climate Change Act 2008.

38. As part of the Council’s Best Council Plan 2020-2025, the Council seeks to promote a less wasteful, low carbon economy. The Council’s Development Plan includes a number of planning policies which seek to meet this aim, as does the NPPF. These are material planning considerations in determining planning applications.

National Policy:

National Planning Policy Framework (NPPF)

39. The National Planning Policy Framework (NPPF) sets out the Government’s planning policies for England and how these are expected to be applied. It provides a framework within which locally prepared plans for housing and other development can be produced. The NPPF must be taken into account in preparing the development plan and is a material consideration in planning decisions.

40. The following sections of the NPPF are most relevant for the purposes of determining this application:

- 4 Decision-Making
- 6 Building a Strong, Competitive Economy
- 9 Promoting Sustainable Transport
- 12 Achieving Well-Designed Places
- 14 Meeting the Challenge of Climate Change
- 15 Conserving and Enhancing the Natural Environment

41. The introduction of the NPPF has not changed the legal requirement that applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.
42. Chapter 6 of the NPPF relates to building a strong, competitive economy. Paragraph 81 states *‘Planning policies and decisions should help create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development. The approach taken should allow each area to build on its strengths, counter any weaknesses and address the challenges of the future...’*
43. Paragraph 84 states ‘Planning policies and decisions should enable:
- a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;*
 - b) the development and diversification of agricultural and other land-based rural businesses;*
 - c) sustainable rural tourism and leisure developments which respect the character of the countryside; and*
 - d) the retention and development of accessible local services and community facilities, such as local shops, meeting places, sports venues, open space, cultural buildings, public houses and places of worship’.*
44. Chapter 9 of the NPPF relates to promoting sustainable transport. Paragraph 111 states *‘Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe’.*
45. Chapter 12 of the NPPF relates to achieving well-designed places and states that the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities, and that Neighbourhood plans can play an important role in identifying the special qualities of each area and explaining how this should be reflected in development.
46. Paragraph 130 states that:
- “Planning policies and decisions should ensure that developments:*
- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
 - b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
 - c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*
 - d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
 - e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and*

*support local facilities and transport networks; and
f) create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.”*

47. Paragraph 134 states:

“Development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes. Conversely, significant weight should be given to:

- a) development which reflects local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes; and/or*
- b) outstanding or innovative designs which promote high levels of sustainability or help raise the standard of design more generally in an area, so long as they fit in with the overall form and layout of their surroundings”.*

48. Section 14 relates to meeting the challenge of climate change and flooding amongst others. Paragraph 152 states *“The planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure”.*

49. Section 15 of the NPPF relates to conserving and enhancing the natural environment. Paragraph 174 states *‘Planning policies and decisions should contribute to and enhance the natural and local environment by:*

- a) protecting and enhancing valued landscapes, sites of biodiversity or geological value and soils (in a manner commensurate with their statutory status or identified quality in the development plan);*
- b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland;*
- c) maintaining the character of the undeveloped coast, while improving public access to it where appropriate;*
- d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures;*
- e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and*

f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate’.

50. Paragraph 180 states “When determining planning applications, local planning authorities should apply the following principles:

a) if significant harm to biodiversity resulting from a development cannot be avoided (through locating on an alternative site with less harmful impacts), adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused;

b) development on land within or outside a Site of Special Scientific Interest, and which is likely to have an adverse effect on it (either individually or in combination with other developments), should not normally be permitted. The only exception is where the benefits of the development in the location proposed clearly outweigh both its likely impact on the features of the site that make it of special scientific interest, and any broader impacts on the national network of Sites of Special Scientific Interest;

c) development resulting in the loss or deterioration of irreplaceable habitats (such as ancient woodland and ancient or veteran trees) should be refused, unless there are wholly exceptional reasons and a suitable compensation strategy exists; and d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate.”

MAIN ISSUES:

- Principle of development: Rural Land
- Design and character
- Town Centre uses
- Economy & Tourism
- Residential amenity
- Biodiversity and Trees
- Highways considerations
- Drainage
- Policy BE2 of the Neighbourhood Plan
- Representations
- Other matters

APPRAISAL:

Principle of development: Rural Land

51. The site is not allocated for any particular form of development within the adopted Site Allocations Plan and the whole site lies within land defined as Rural Land.

52. Policy RL1 of the UDPR relates to Rural Land and seeks to protect the rural land for its own sake and as a recreational resource. Whilst this rural land remains the location of valued landscapes, agricultural, wildlife and natural features it is also the

setting for a prosperous rural economy. Glamping by its nature is a form of glamorous camping which seeks to provide tourism within a countryside setting and helps to support rural economies. As such, the principle of a modest glamping site would not be out of keeping with the aims of Policy RL1, subject to detailing planning considerations such as the impact on rural character (discussed later).

Design and character

53. Policies within the Leeds Development Plan and the advice contained within the NPPF seek to promote new development that responds to local character, reflects the identity of local surroundings, and reinforces local distinctiveness. The NPPF states that good design is a key aspect of sustainable development, creates better places in which to live and work, and helps make development acceptable to communities. It is therefore fundamental that new development should generate good design and respond to the local character. Policy P10 of the Leeds Core Strategy deals with design and states that *inter alia* alterations to existing, should be based on a thorough contextual analysis and provide good design that is appropriate to its location, scale and function. Developments should respect and enhance streets, spaces and buildings according to the particular local distinctiveness and wider setting of the place with the intention of contributing positively to place making, quality of life and wellbeing.
54. The Walton Neighbourhood Plan includes a design-led Policy (HG4). However, the site falls outside of the geographical remit of the policy as shown on the associated Policies Map. The policy is also entitled 'design in the village centre' and is referred to as housing development policy elsewhere within the plan. As such the policy is not relevant to this planning application.
55. The existing site is formed of open agricultural fields which are used for grazing. The site lies close to the eastern edge of the village of Walton within the urban fringe. Neighbouring residential dwellings are visible within the context of the entrance of the site, when travelling westwards along Hall Park Road. As such, the area is semi-rural in nature, given that it shows some influences of built development, including at night.
56. The proposed development incorporates 8 small glamping units. The glamping pods incorporate a Antropod design and they are raised slightly above ground on four metal legs. The pods are timber clad with metal front and rears. Three units are proposed adjacent to the south-east boundary of the site (closest to Hall Park Road), whilst the 5 remaining pods are situated adjacent to the north-west rear boundary of the site. The units are spread sparsely across the 1 hectare size and contain very limited ancillary development (solar panel and generator housing), helping to retain a sense of the openness. The development also incorporates a small car park (11 spaces including one for electric vehicle charging), which will be marked out discreetly and a modest timber site storage building.
57. The nearest glamping units will be setback over 100 metres from Hall Park Road behind the existing vegetation. This vegetation cover will be enhanced by substantial new planting to the boundaries at various canopy heights which will provide significant screening to the development. It is considered that a combination of the lower density layout, setback from main viewpoints, limited scale / number of the glamping units, the dark recessive colours of the units (secured by planning

condition) and the proposed landscaping enhancements will ensure that the development is not conspicuous within the landscape, even in winter months.

58. The site is served by an access road from Hall Park Road. The first 20 metres of the access road will be tarmac (for highway safety reasons). This element of the proposal will be prominent, however it will not be too dissimilar or out of keeping with other rural accesses in the area. The majority of the access road is narrow (with the exemption of two passing places) and will be formed by a geo-grid grass stabilisation product which will reduce the prominence of the road and will help it to assimilate into its surroundings. The access road will also be flanked by stock proof fencing to the adjacent fields between the site and Hall Park Road remaining in agricultural use (grazing land). A cattle grid is also proposed at the entrance of the site. These elements will help to positively reinforce rural character.
59. Policy HG5 of the Walton Neighbourhood Plan requires developments to respect and maintain key views which are highlighted within maps 3 and 4 of the Neighbourhood Plan, with particular attention paid to the views of St. Peter's Church. In this instance the proposal will not conflict with any of the long or short range views highlighted within the plan. In particular it will not impact upon views of St. Peter's Church from Hall Park Road, as it will be set below the canopy level of the trees which border the site.
60. The proposed development will also incorporate a low impact lighting scheme to minimise its impact at night-time. The development will incorporate low height solar lighting, which will point towards the ground to limit spillage. Only a limited number of the lights remain constantly on, with others proposed to be on sensors. The surrounding areas semi-rural nature also means that the area is influenced by some night-time lighting from nearby residential properties and streetlights within the village. It is considered that a low impact light scheme (full details to be secured by planning condition), within the development will not be significantly out of keeping with this character.
61. The applicant has also submitted a Landscape and Visual Appraisal which concludes that the scheme will be barely perceptible on the whole.
62. Overall, the proposal has been designed to minimise its visual impact. Whilst openness is a key characteristic of the existing site the development will result in very limited built development across the site and it is considered that the development will not materially alter the character and openness of the surrounding landscape given its modest scale, siting away from the main highway and mitigation measures which are proposed which include significant landscaping. As such it is considered that the proposed development complies with Policies P10 and P12 of the Core Strategy, Policy HG5 of the Neighbourhood Plan, Policies RL1 and BD5 of the UDPR and guidance contained within the NPPF.

Town Centre Uses

63. Tourism and hotel-style developments fall within the definition of Main Town Centre Uses. In general, planning policies such as Core Strategy Policy SP2 direct such development towards town centres. However, Paragraph 89 of the NPPF states that the sequential approach should not be applied to applications for small scale rural development. This is reflected within Policy P8 of the Core Strategy which relates to sequential and impact assessments for Main Town Centre Uses. Part D of the policy

states ‘a sequential assessment will not be required for rural offices or other rural development with a floorspace of less than 500 sqm’. In this instance the glamping development would create approximately 218 sqm of floorspace and would be well below the threshold to require a sequential test. Consequently, given its small scale and rural location, the proposed development will not be unduly detrimental to vitality and vibrancy of nearby centres.

Economic / Tourism considerations

64. In relation to the rural economy, the Core Strategy states that a balance needs to be struck between providing local employment opportunities, promoting sustainable patterns of development and protecting the character of the countryside and reflecting Green Belt purposes. Part v) of Policy SP8 (Economic Development Priorities) states a competitive local economy will be supported through...
‘Supporting the growth and diversification of the rural economy, consistent with the Settlement Hierarchy and the protection and enhancement of a high quality rural environment. Outside the Main Urban Area, Major Settlements and Small Settlements, the following proposals should be supported, where appropriate, conversion of existing buildings, promote the development and diversification of agricultural and other land-based rural businesses, support provision and expansion of tourist and cultural facilities in appropriate locations, retention and development of local services and community facilities’. Likewise, Paragraph 84 of the NPPF c) supports ‘sustainable rural tourism and leisure developments which respect the character of the countryside...’.
65. While the locational strategy of the Local Plan directs development to the main towns and villages it does not prevent some limited development taking place in countryside areas. Such an approach is compatible with the policy approach to supporting a prosperous rural economy as set out in the NPPF and SP8 of the Core Strategy. In this instance given its scale the proposal will only generate modest economic benefits and vitality to the rural economy. Nevertheless, the proposal is considered to align with Policy SP8 of the Core Strategy as far as it will represent the provision of tourist facilities in an appropriate location, whilst also respecting the character of the countryside. Furthermore, whilst Walton is only a small village, the proposed development is modest in scale and will not overwhelm the village.

Residential amenity

66. Core Strategy Policy P10 and saved UDP policy GP5 note that development should protect amenity whilst policy BD5 notes that “*all new buildings should be designed with consideration given to both their own amenity and that of their surroundings*”.
67. The proposed glamping units will be situated a significant distance from any neighbouring dwellings and as a consequence they will not result in any loss of light, over-dominance or overlooking, to the detriment of any neighbouring residents.
68. The proposal is situated beyond the north-eastern edge of the village of Walton. The residential dwellings to the south-west of the site are large detached dwellings set within substantial grounds, and form ribbon development along Hall Park Road.
69. The nearest glamping unit will be situated approximately 150 metres away from the nearest residential property and approximately 140 metres away from the nearest

part of the neighbouring curtilage. The boundary of the site will be situated approximately 50 metres from the neighbouring curtilage and 95 metres from the neighbouring property at its nearest point. However, the proposals incorporate a wildflower planting area to the south-west boundary of the site creating a buffer resulting in the main usable areas of the site being situated a further 50 metres back from the boundary. In addition, the access road is off set from the neighbouring curtilage by approximately 50 metres and will only serve 8 glamping units. The vehicular movements associated with use of the site are not expected to result in any material noise or disturbance. In general, a small-scale glamping development is unlikely to be a significant noise generator and this spatial relationship with the nearest neighbouring dwelling does not give rise to significant noise and disturbance concerns in principle.

70. The design of the development has also sought to minimise potential noise and disturbance issues. For instance, the units are small with a max occupancy of two occupants which discourages families and larger groups. The units have also been sited away from the south-west boundary of the site. Whilst there will be no permanent on-site management, the site will be visited daily and CCTV will be utilized. The units will be powered by solar panels, albeit each unit is supported by a 'silent running' back-up generator. Technical details submitted with the proposals indicate that the generator will generate a noise level of 53 dBA at a distance of 7 metres and will be housed in an acoustically sound proofed compartment. It is expected that the generator will only be required for ad hoc periods (for a maximum of 3 months in every 12).
71. Notwithstanding the above, the applicant has submitted a Noise Impact Assessment from NOVA Acoustics. The assessment concludes that there will be a rise in the ambient noise levels by 0.4 dB from the development which is classed as 'not significant' when assessed against the IEMA Guidelines and 'No Observed Effect Level' when assessed against NOEL. Likewise, ambient noise levels are not predicted to increase due to the vehicular traffic entering and existing the site. Internal noise levels within the nearest residential property (BS8233:2014 open window assessment) and are within the acceptable criteria. The noise study recommends several mitigation measures including no amplified music to be played on site and a maximum number of patrons. These will be subject to planning conditions. The applicant has also produced a draft management principles document which details how the site will be managed, the final details of which will be secured by a planning condition.
72. Overall, the proposal is not considered to have an unduly detrimental impact on the amenity of any neighbouring residents, in line with Policy GP5 of the UDPR.

Biodiversity and Trees

73. The proposal site and surrounding fields within the applicant's ownership, are designated within the Leeds Habitat Network as semi-improved acid/neutral grassland, scrub and hedge line. The pond to the south-west of the site is also recognised within the Leeds Habitat Network. Great Crested newts have been recorded within the pond. The proposals are supported by a Preliminary Ecological Appraisal Report and Ecological Impact Assessments by Brooks Ecological. The findings of an Ecologist's survey of the pond during breeding season have also been provided.

74. Policy G8 of the Core Strategy requires the protection of important species and habitats and Policy G9 of the Core Strategy requires developments to demonstrate biodiversity improvements. This proposal will result in a net biodiversity gain of 10% and proposes works, and a management regime, that will bring about an improvement to the pond as a natural habitat.
75. The ecologist's survey of the pond confirmed the presence of Great Crested Newts (eggs found). However, their findings also found that the pond is in sub-optimal condition given that it is shallow and is likely to dry up most summers. The pond is also accessed and grazed by cattle and has been heavily trampled. It is considered by the Ecologist that if the management of the land (and the pond) continues unchanged it is likely that the pond will succeed to marshy grassland in the next 5 – 10 years. The development has a small footprint, with much of the work taking place above ground with limited earthworks required. The duration of the construction will be short (6 – 8 weeks); and areas in immediate proximity to the pond will be avoided. Furthermore, the proposals will seek to manage the pond in a more favourable way for amphibians such as through fencing off the pond (or reduced grazing intensity) and deepening / dredging of the pond to create more open water and reduce cover of wetland plants. These mitigation works are likely to require a license from Natural England, with the full details secured by a planning condition, which will need to be discharged prior to development commencing. Overall, the mitigation to be agreed through planning conditions is considered to be satisfactory to address the potential impacts of the development on protected species and to deliver an improvement to their habitat.
76. In terms of trees/vegetation and biodiversity the proposed development contains well landscaped boundary, containing a mix of mature trees and hedging. This boundary treatment is of significant amenity value, albeit it is not formally protected by Tree Preservation Orders. A hedge line is also present to the boundary with Hall Park Road. The proposals seek to retain and protect the existing landscaping around the site, with the glamping units being sited outside of the Root Protection Areas of the trees and tree protection measures to be put in place during construction works.
77. The proposal will result in the loss of part of the boundary hedge, adjacent to Hall Park Road. Whilst this is regrettable it is required to create the new vehicular access and achieve appropriate sight lines at the junction. The hedge is to be re-planted further back, as part of the Landscape Plan for the site which will be secured by way of condition. The new access into the glamping field will utilise an existing break in the tree line, however minor works to vegetation group G24, adjacent to this access will be required. The development incorporates significant new planting proposals including large amounts of both large and small native trees, new mix native buffer whip planting, significant wildflower areas to the western and northern edge of the site. Overall, it is considered that the development will respect and enhance the existing landscaping and will result in a net biodiversity gain of 10%.
78. The Nature Conservation Officer has suggested a series of detailed planning conditions to help mitigate any potential negative impacts and secure enhancements. These include the need to agree a Construction Environmental Management Plan (CEMP), a Biodiversity Enhancement and Management Plan (BEMP), a Biodiversity Monitoring Programme and Monitoring Report (covering a 30 year period) and a Great Crested Newt Mitigation Confirmation.

79. As such it is considered that the proposal when looked at in the round, subject to various safeguards and mitigation measures which will be secured by planning conditions, will exceed the requirements of Policies P12, G1, G8 and G9 of the Core Strategy and Policy LAND2 of the Natural Resources and Waste DPD, Policies N24 and LD1 of the UDPR and guidance contained within the NPPF.

Highways considerations

80. Core Strategy policy T2 and saved UDP policy GP5 note that development proposals must resolve detailed planning considerations and should seek to maximise highway safety. This means that the applicant must demonstrate that the development can achieve safe access and will not overburden the capacity of existing infrastructure.
81. The proposed development lies outside the urban area of Walton, and as a consequence tourists who stay in the glamping pods will be expected to utilise private vehicles to access the site and also when visiting local attractions. The harm associated with this is deemed to be limited by the modest scale of the development, and the likely short nature of trips given the edge-of-settlement location. Furthermore, paragraph 85 of the NPPF acknowledges that *'...sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport)'*.
82. In this instance it is considered that the site will be sensitive to its surroundings and the provision of 8 glamping units will not have a material impact upon the local highway network. The location of the site also makes it attractive for cyclists and appropriate cycle storage provision will be secured via a planning condition. Furthermore, the proposals incorporate creating a pedestrian route to the west of the glamping site linking the site to a nearby non-definitive footpath which provides access into Walton Village. As such the proposal incorporates opportunities to improve access by non-car modes of travel.
83. The proposal incorporates the creation of a new access from Hall Park Road. Suitable visibility splays are achievable given that the applicant has control over the fields adjacent to the access. The first 20 metres of the access road from Hall Park Road will be tarmac in order to ensure safe access/egress and prevent any mud from spilling onto the highway. The proposal provides a small car park with 11 spaces which is considered to be appropriate to the scale of the development. The car parking area also provides adequate turning provision for refuse vehicles. Whilst the access road from Hall Park Road to the site is long it incorporates two passing places, which is considered to be sufficient given the anticipated low number of vehicle movements.
84. The proposed private access road utilises a geo-grid grass stabilisation product (ground reinforcement) for the majority of its length, which has been chosen to mitigate the visual impact of the access road. It is noted that the Highways Officer has raised concerns in relation to the appropriateness of this material in particular by refuse vehicles. However, technical product information has been submitted by the applicants which shows that the geo-grid can withstand axle weight loads of up to 35

tonnes, with a max load per square metre of 500 tonnes. The product also has benefits in terms of allowing natural drainage. On balance, the use of the geo-grid system is considered to be acceptable given the rural location and modest scale of the scheme.

85. The part of Hall Park Road directly to adjacent to the site does not contain any pavements (grass verge only). As such it would be potentially dangerous for occupants of the site to utilise this route on foot. In response, to this the previously outlined footpath link into Walton will provide an alternative route and occupants will be directed to this route and away from the main access, by a series of signposts and notices to be installed as part of the site development which will be secured by planning condition.
86. Overall, whilst the development is situated outside of the urban area and away from public transport routes it is considered to align with the guidance contained within paragraph 85 of the NPPF. In particular, the edge of settlement location and proposed footpath link are beneficial, and the site will also be attractive as a base for recreational cycling. As a consequence, the proposal is considered to comply with Policy T2 of the Core Strategy and guidance contained within the NPPF.

Drainage

87. A large amount of the local representations evidence that the surrounding village suffers from significant drainage issues in relation to sewerage capacity. Planning officers are aware that discussions have taken place between local ward members, Walton Parish Council and Yorkshire Water in relation to these matters recently, unrelated to the consideration of this planning application.
88. Representations from both Yorkshire Water and the Environment Agency, alongside comments from the Council's Flood Risk Management Team, have been received at various points since the submission of the planning application, often responding to what has been an evolving position and it is therefore helpful to clarify relevant matters.
89. When Yorkshire Water wrote to the Council on 10th October 2022, the written comments, amongst other things, set out that the "*foul network in the area does not have adequate capacity available to accommodate the anticipated foul water discharge from the proposed site*". This is a recognition of some of the local concerns that have been raised by local residents and ward members and given the historical issues with sewerage capacity noted above, it is certainly understandable why the current application has led to concerns being raised in relation to such matters.
90. Yorkshire Water's initial response went on to set out that ultimately a feasibility study would be required "*to determine suitable foul connection points, any available capacity in the public sewer network, together with timescales for any potential upgrading works required*". In pursuing discussions with the applicant in the first instance, planning officers sought the submission of such a feasibility study to inform the consideration of the application.
91. In the meantime, the applicant considered alternative options to meet the drainage requirements of the site, including through the use of an on-site drainage system.

However, when this raised an objection from the Environment Agency – with the EA also concluding that, as a first step, there would need to be a justification as to why a connection to the public drainage system would not be possible – the applicant returned to the question of providing a connection to the public drainage system.

92. Returning to the question of a feasibility study, the applicant sought advice from their own drainage advisors in relation to relevant matters following the initial comments received from Yorkshire Water and subsequent discussion with the Council. In setting out relevant matters, the applicant's drainage advisors gave significant weight to the case of *Barratt Homes Limited v Welsh Water* [2009] UKSC 13. The decision from the Supreme Court in the case assists in relation to relevant matters of process, including the extent of rights for developers to connect to sewerage infrastructure under the Water Industry Act 1991, and the extent to which a developer has a right to determine the point at which their private drain or sewer will connect to a public sewer. However, the narrow point of legislative interpretation addressed by the court highlights a more fundamental issue associated with the relationship between planning authorities and sewerage undertakers in England and Wales, as well as the proper control of drainage of new developments.
93. The decision of the Supreme Court noted that Section 106 of the Water Industry Act 1991 (as amended) states that the owner or occupier of any premises is entitled to have their drains or sewer communicate with the public sewer of any sewerage undertaker and thereby to discharge foul water from those premises. This is an absolute right and a statutory undertaker cannot refuse to permit connection on the basis that the additional discharge into the system will overload it, nor because it disagrees with the connection point. The burden of dealing with such additional discharge falls upon the undertaker in performance of its statutory duties and not the developer, so additional discharge has to be accommodated by the undertaker. Any individual wishing to take advantage of a connection is required to give notice to the sewerage undertaker.
94. It is therefore important that a sewerage undertaker (in this instance Yorkshire Water) is consulted as part of the planning process – as they have been thoroughly in this instance. As it effectively becomes a 2-stage process in ensuring that new developments have appropriate drainage and sewer connections, with the planning permission and then the statutory undertaker playing a role. The Supreme Court acknowledged that planning authorities had a role to play here, with a planning permission conditional upon there being an acceptable drainage solution in place prior to the commencement of a development being the 'tool' identified by the Court to achieve this. If, ultimately, it is the case that a drainage solution cannot thereafter be found, then this would prevent the development from proceeding at that point in time.
95. It is understood from correspondence with the applicant that they have shared their advice with Yorkshire Water and it is apparent in the comments most recently offered by Yorkshire Water that they have given weight to the matters discussed above.
96. With the above in mind, the proposal includes an indicative drainage layout which connects all 8 of the proposed glamping units and drains sewerage and grey water to a pumping station (within application site). This pumping station is proposed to then connect to the Yorkshire Water public sewer along Hall Park Road (connection point to be agreed with Yorkshire Water through the relevant process).

97. Yorkshire Water has not objected to this proposal in principle. They have sought that the technical details of the drainage will be secured by planning condition in accordance with the approach as advocated by the Supreme Court.
98. As would be expected planning officers have also sought extensive advice from the Council's own Flood Risk Management team in relation to these matters. The Flood Risk Management team share the view of planning officers that it would have been preferable for the applicant to submit full details of a drainage scheme for the site including a feasibility study up front, so as to offer greater certainty in these respects. This would have also avoided a situation where planning permission is potentially granted but then could not be implemented due to the inability to discharge a relevant drainage condition. However, the advice received from the Council's own advisors is that the approach of the applicant here is acceptable in principle bearing in mind the Supreme Court decision in particular. Principally, it is entirely reasonable for the applicant to pursue detailed matters in these respects through the condition discharge process following engagement in the relevant processes with Yorkshire Water outside of the planning system. To resist this would lead to significant risk that it is the local planning authority which is acting unreasonably in these respects.
99. As such, in recognition of the concerns which exist, but in achieving an appropriate balance in alignment with the relevant case law, it is considered that it would be appropriate to proceed by way of attaching a condition to any permission granted requiring a feasibility study to be carried out and any required operations to be implemented prior to development will be attached to the permission. This feasibility study will determine suitable foul connection points, any available capacity in the public sewer network as well as detail any required upgrade works and timescales. This, alongside other relevant conditions, will provide the necessary safeguards in relation to foul sewerage drainage. In particular, the proposals will not be able to result in any additional strain on the sewerage network until it has been demonstrated that the foul sewerage can be handled without having any detrimental impacts.

Policy BE2 of the Neighbourhood Plan

100. Other relevant policies of the Neighbourhood Plan have already been referenced elsewhere in this Report. Alongside these, Policy BE2 of the Walton Neighbourhood Plan is relevant. Policy BE2 relates to supporting employment and enterprise. The policy states *'Within the Plan area outside the Thorp Arch Estate, proposals that support the development of small scale enterprises, including the diversification of land based businesses, that satisfy national and local strategic planning policies and that meet the needs of and are compatible with the rural character of the parish, will be supported provided that they: a) Contribute to the semi-rural character and vitality of the local area. b) Protect residential amenity. c) Do not adversely impact upon road safety'*.
101. In response, the proposed development is considered to constitute a small-scale enterprise. As previously outlined the development is considered to be compatible and not unduly harm the rural character of the area. The proposal will also protect residential amenities and not have an adverse impact upon highway safety. It is noted that the policy also requires development to meet the needs of the Parish.

Whilst the development by its nature will predominantly meet the needs of people from outside of the Parish (tourists), in the broad sense it will contribute to the sustainability of the local economy and provide jobs (albeit limited) which are highlighted within the pre-text to the policy. As such the proposal is considered to comply with Policy BE2 of the Neighbourhood Plan. The support the Neighbourhood Plan gives small scale enterprises attributes positive weight in favour of the grant of permission within the decision-making process.

Representations

102. Overall, 51 letters of representations have been received, largely from neighbouring residents and the local Parish Council. An additional letter has been received from Councillor Harrington, Councillor Lamb and former Councillor Richards as noted above. The letters are all in objection to the proposed development. The letters raise the following concerns which are responded to in turn:

- Conflict with the Neighbourhood Plan / site rejected in the NP
 - Site rejected in the NP / Outside of development limits
 - Impacts on views of the church
 - Conflicts with BE2 (not a local business)
 - Glamping not specifically mentioned
 - Impacts on heritage assets
- *The application has been assessed against the relevant policies contained within the Made Walton Neighbourhood Plan. Whilst the application site was put forward for consideration for residential development within the Neighbourhood Planning process it was not chosen as one of the final housing allocations within the neighbourhood. However, this application does not relate to residential development and as such this is not relevant to the consideration of this planning application. Likewise, there is not NP policy which restricts such developments to within the development limits of the settlement. Conformity with Policy BE2 (small business enterprises) and HG5 (key views) have previously been considered within the appraisal above. Additionally, the proposal is situated within the setting of any heritage assets. Whilst it is noted that glamping is not mentioned specifically within the Neighbourhood Plan this does not mean that such proposals are unacceptable. In such instances where a NP is silent on an issue/use the development must be considered against the wider policies contained within the Development Plan (in this instance within the Core Strategy), as well as national guidance (NPPF).*
- Impact on character and appearance
 - *This issue has been considered within the appraisal above*
- Impact on amenity / noise / Lack of on-site management
 - *This issue has been considered within the appraisal above*
- Highway and pedestrian Safety / Additional vehicle trips
 - *This issue has been considered within the appraisal above*
- Drainage / lack of sewer capacity / Flooding
 - *This issue has been considered within the appraisal above*
- Ecological impact / Presence of Great Crested Newts
 - *This issue has been considered within the appraisal above*
- Lack of lighting

- *The proposals are supported by a low impact lighting scheme, detailed considerations of which will be secured by planning condition.*
- Loss of agricultural land
 - *This issue has been considered within the appraisal above*
- Impact on trees
 - *This issue has been considered within the appraisal above*
- Light pollution
 - *The proposals are supported by a low impact lighting scheme, detailed considerations of which will be secured by planning condition. Such a scheme is unlikely to result in significant light pollution.*
- Size of site is inconsistent with the low number of units proposed.
 - *The number of glamping units, will be controlled by a planning condition (max 8 glamping units). In this instance the low density nature of the scheme, is positive in terms of its impacts on the semi-rural character of the area.*
- Lack of sustainability
 - *This issue has been considered within the appraisal above*
- Lack of electricity / gas
 - *The development will be powered by solar panels and back up generators which will be used on an ad hoc basis.*
- Future expansion
 - *The application has been assessed on the basis of the scale of development which was applied for. Any future planning applications will be assessed on their individual planning merits.*
- Additional litter to village / adjoining fields
 - *The development incorporates communal bins and refuse collection.*
- Viability of the proposal
 - *The proposal is not seeking to depart from any planning requirement / obligations as such the viability of the scheme is not a matter for consideration.*
- Impact on adjacent farmland / animals / farming business
 - *The relationship between the glamping site and neighbouring agricultural fields will be managed by stock proof fencing. A low density glamping site give rise to no significant concerns in this regard*
- Lack of need for such a development / Presence of nearby glamping site
 - *This is not a material planning consideration in this instance*
- Access for fire engines / Lack of phone signal
 - *Fire engines will be able to assess the site if required. Lack of phone signal is not a material planning consideration.*
- Lack of water
 - *The site has a water supply*
- Refuse disposal
 - *The development incorporates refuse disposal*
- Impact on property prices
 - *This is not a material planning consideration*
- Emissions from log burners
 - *A planning condition attached requiring the use of smokeless fuel*

Other matters

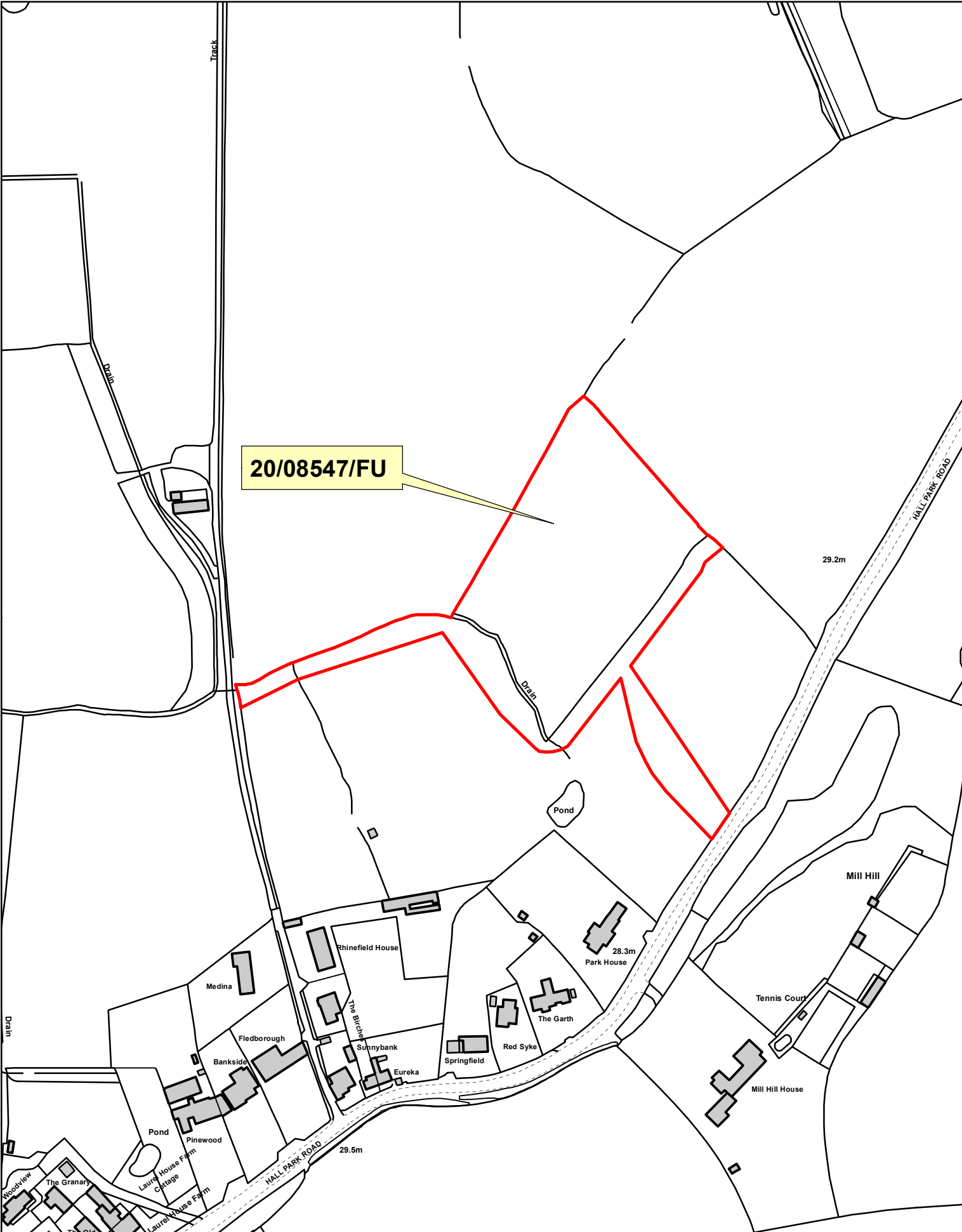
103. *Loss of Agricultural Land* – The NPPF requires the benefits of the best and most versatile agricultural land to be considered. Policy N35 of the UDPR also states that *‘Development will not be permitted if it seriously conflicts with the interests of protecting areas of the best and most versatile agricultural land’*. In response, the site is classified as Grade 3 agricultural land (Grade 1 being the highest), which is moderate to good. Overall, the proposal will result in a small loss of agricultural land. Furthermore, the proposed use is not invasive and would not prejudice an agricultural use returning in the future. As such it is considered that the proposal will not seriously conflict with the interests of protecting areas of the best and most versatile agricultural land’ in line with the requirements of Policy N35 of the UDPR.

PLANNING BALANCE & CONCLUSIONS:

104. The principle of development is acceptable, and the proposal will have benefits for the local economy, diversifying the local tourism offer further. It is also considered that the proposal would not be detrimental to the character and appearance of the area, any neighbouring residents or highway safety. Biodiversity net gain, the protection of protected species and appropriate drainage can also be secured via appropriate planning conditions. Furthermore, the development complies with Policy BE4 of the Neighbourhood Plan, to which positive weight can be attributed. As such it is considered that no demonstrable harm would arise from the development and the development is considered to accord with up-to-date planning policies within the Development Plan.
105. As such, the application is recommended for approval, subject to the planning conditions outlined at the beginning of the report.

Background papers:

Application file: 20/08547/FU



NORTH AND EAST PLANS PANEL





Covert

Mill Hill

The Site

Mill Hill

HALL PARK POND

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