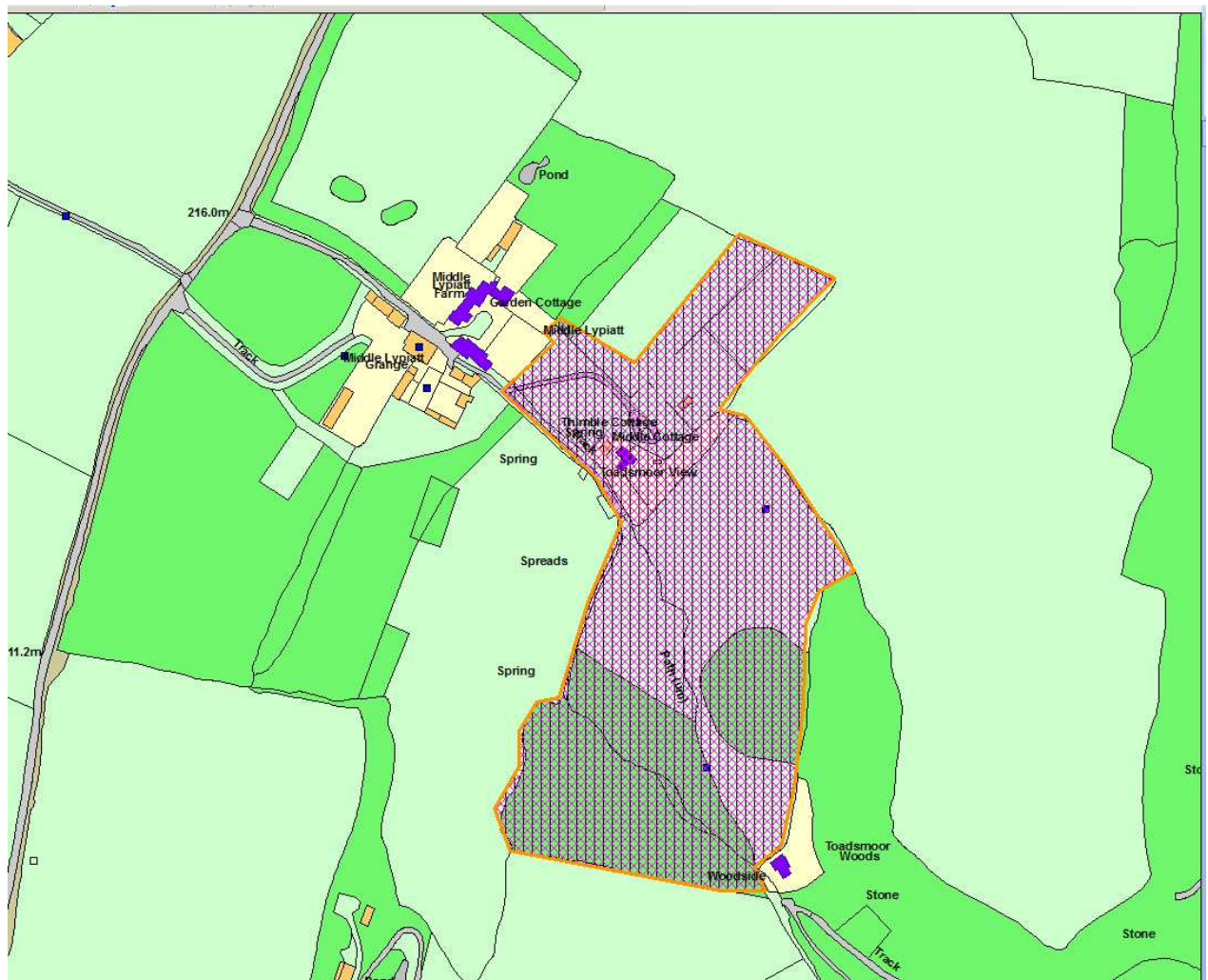




Development Control Committee Schedule 02/04/2019

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| Item No: | 03 |
| Application No. | S.18/2502/FUL |
| Site No. | PP-07430445 |
| Site Address | Land At Middle Lypiatt Cottage, Middle Lypiatt, Stroud, Gloucestershire |
| Town/Parish | Bisley With Lypiatt Parish Council |
| Grid Reference | 387900,204561 |
| Application Type | Full Planning Application |
| Proposal | Erection of three 'glamping tents', access road and car park (part-retrospective) and other associated works (387817 - 204593) |
| Recommendation | Refusal |
| Call in Request | Cllr Timothy Williams |





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|------------------------------|---|
| Applicant's Details | Mr Thomson Middle Lypiatt Cottage, Middle Lypiatt, Stroud, Gloucestershire, GL6 7LP |
| Agent's Details | Ridge And Partners LLP Thornbury House, 18 High Street, Cheltenham , GL50 1DZ, |
| Case Officer | Sarah Crawley |
| Application Validated | 17.12.2018 |
| CONSULTEES | |
| Comments Received | Biodiversity Officer Planning Strategy Manager (E) Development Coordination (E) Conservation North Team Contaminated Land Officer (E) Bisley With Lypiatt Parish Council |
| Constraints | Aston Down Airfield Consultation Zones Ancient Woodland Area of Outstanding Natural Beauty Consult area Kemble Airfield Hazard Key Wildlife Sites - Polygons Listed Building Within 50m of Listed Building Bisley Town Council Affecting a Public Right of Way Rodborough 3km core catchment zone Village Design Statement |
| OFFICER'S REPORT | |

MAIN ISSUES

- o Principle of development
- o Design and appearance
- o Residential Amenity
- o Highways
- o Landscape
- o Ecology
- o Archaeology and Heritage Assets

DESCRIPTION OF SITE

The site comprises an extensive area of land around the detached property known as Middle Lypiatt Cottage which is a Listed Building standing within the Cotswold Area of Outstanding Natural Beauty. There are extensive areas of land in the ownership of the property outside



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the residential curtilage. The area proposed for use as a "glamping" site is situated to the south-east of the dwelling. The land level here falls steadily to the south with varying levels from east to west across the rough grass land before tree cover becomes more evident. A public footpath passes alongside the southern boundary of the property and then down through the site to the lower southern boundary. The vehicular access to the main dwelling has been taken from the track to the west and leads to the immediate north-east of the property where a gravel surfaced looped drive and extended parking area have been created.

PROPOSAL

The proposal is for the provision of three "glamping" tents on permanent wooden platforms having elevated decks with associated works such as ground levelling, septic tanks and pathways. It is also proposed to form additional pathways, a viewpoint with picnic bench and a pond within the site.

Retrospective permission is also sought for the vehicle driveway, turning loop and parking area to the north of the Listed Building.

REPRESENTATIONS

Statutory Consultees:

The Senior Contaminated Land Officer had no comment on the application.

The Highway Authority had no objection subject to conditions.

The Senior Biodiversity Officer had no objection subject to recommended conditions.

The Parish Council supported commenting "Three "glamping structures_&A are proposed on a 13 acre self enclosed site of rough pasture in the grounds of the Grade II Middle Lypiatt Cottage. The site is surrounded by semi-mature woodland and hedgerows. Bisley Parish supports tourism that is low impact, environmentally respectful, and does not add significantly to local traffic. We believe the structures will not be visible from the surrounding landscape apart from a possible view from Eastcombe /The Vatch. However the applicant proposes to plant additional native trees along the south of the site to enhance screening so that there is no visual intrusion into and from the AONB. The structures will be dark green to further reduce intrusion. There will be no artificial light, so dark skies will be protected. A native hedgerow will be planted alongside the public footpath that runs through the site, protecting walkers and visitors from each other. We suggest a small percentage of holly will help further screening. A new pond will be installed. The ecological survey suggests there is no significant wildlife on the site but it is within the Rodborough Common SAC impact area and not far from Swifts Hill, an important SSSI. So we welcome the new tree planting, pond, and hedge that will enhance opportunities for wildlife, and wildlife corridors, improving the environmental quality of the site & fulfilling Local Plan policies ES6 and ES8. Wood burning stoves will provide heat/cooking so the site is energy efficient. For waste each tent has its now septic tank so local water course are protected fulfilling SDLP CP14. The _&Aglamps_&A will be organically installed on a 'trial' basis - one in 2019. The Local Plan identifies a wish to see tourism "flourish" in the District "according to demand" so the applicant's strategy fulfils this policy objective. The applicant will provide guidance to visitors



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so they are encouraged to use the many local footpaths and the bus routes, thus encouraging walkers/cyclists; the applicant has said they are happy to collect and return visitors to local rail/bus stations as per their support to current visitors to their B&B at the cottage (fulfils Local Plan Policy EI11). There will inevitably be some car borne visitors so we acknowledge the request for the (part -retrospective) car access track and six parking spaces. If the project is approved and visitors do support the parish's pubs and shops in Eastcombe and Bisley, then we welcome this potential economic bonus for our local businesses"

A ward councillor made a representation of support.

The response of the Planning Strategy team is detailed below.

The response of the Conservation Team is detailed below

Public:

Representations of support were also received.

NATIONAL AND LOCAL PLANNING POLICIES

Revised National Planning Policy Framework 2018 is available to view at -
<https://www.gov.uk/government/collections/revised-national-planning-policy-framework>

Planning (Listed Buildings and Conservation Areas) Act 1990

Section 66(1).

Stroud District Local Plan.

Policies together with the preamble text and associated supplementary planning documents are available to view on the Council's website:

https://www.stroud.gov.uk/media/1455/stroud-district-local-plan_november-2015_low-res_for-web.pdf

Local Plan policies considered for this application include:

- CP1 - Presumption in favour of sustainable development.
- CP2 - Strategic growth and development locations.
- CP3 - Settlement Hierarchy.
- EI10 - Provision of new tourism opportunities.
- EI12 - Promoting transport choice and accessibility.
- CP13 - Demand management and sustainable travel measures.
- CP14 - High quality sustainable development.
- CP15 - A quality living and working countryside.
- ES3 - Maintaining quality of life within our environmental limits.
- ES6 - Providing for biodiversity and geodiversity.
- ES7 - Landscape character.
- ES8 - Trees, hedgerows and woodlands.
- ES10 - Valuing our historic environment and assets.

The proposal should also be considered against the guidance laid out in:



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Stroud District Landscape Assessment SPG (2000)

The application has a number of considerations which both cover the principle of development and the details of the proposed scheme which will be considered in turn below:

PRINCIPLE OF DEVELOPMENT

Initially Planning Strategy responded -

"The Local Plan has been adopted and full weight should be given to its contents, in accordance with paragraphs 11 and 12 of the NPPF. There is a presumption in favour of sustainable development as applied locally through the policies contained within the Local Plan. Consequently, decision makers should approve proposals that accord with the Local Plan without delay, but should refuse proposed development that conflicts with the Local Plan, unless material considerations indicate otherwise.

The application is for the erection of three glamping tents, an access road and car park (both part retrospective) and other associated works. Pre application advice has been given which requested a number of matters be looked at.

The Local Plan supports new tourist accommodation located at higher tier settlements within settlement boundaries in order to protect the countryside and maximise the tourism benefits to local people. In exceptional cases, tourist accommodation can be supported in lower tier settlements in association with a specific countryside attraction or where no suitable buildings capable of re-use exist or a countryside location is essential for the proposed use. In these cases, the site must be compatible with the landscape setting, have adequate access to infrastructure and reasonable access to local services.

The site is located at Middle Lypiatt, an unclassified settlement. No sequential assessment has been provided as to why such tourist accommodation cannot be provided at higher order settlements in the area, such as Stroud. It is located 981m as the crow flies from Stroud's Slade Ward SDL (Tier 1). In terms of lower tier settlements it is 1117m from Eastcombe SDL (a fourth tier settlement) as the crow flies. Both distances are outside the 800m suggested for walking to shops and services agreed at Local Plan examination in respect of Policy EI6. The distances here also are misleading as road or footpath distances are much longer and across undulating landform. The applicant has previously indicated that the majority of Glamping sites are on farms and so in rural locations. However, this proposal is not part of any farm diversification scheme where such uses may be appropriate within the environs of and to support a working farm.

The application does not state that there is a relationship to a specific countryside attraction to justify this location. The application refers to the accommodation would appeal to visitors wishing to explore a number of attractions within the District. However, this is just as relevant for other more sustainable locations in this area.

The application does not address existing buildings on site which could be re-used but that in any case a countryside location is considered essential for Glamping. The Local Plan favours re-use or the provision of temporary structures such as tents in countryside locations rather than new build.



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The form of the development may not appear to be particularly intrusive within the local landscape as the site appears currently as paddock land within a layered landscape of treelines, hedges, woods and grazing fields within countryside. Three tent pods would not appear to be an intensive use of the land. However the platforms are a more permanent form and associated infrastructure such as septic tanks are not temporary. Three sporadic tents and platforms would not appear to be an intensive use of the land, but the concern remains with the existing BnB use at the Cottage and the likely family sized visitor use of the tents which would increase noise and activity in this valley. The associated use may impact the character with lighting and noise.

The development appears to offer adequate site access and on-site infrastructure.

In terms of reasonable access to local services, Middle Lypiatt does not contain any local services to support this development and services in the area are a car drive away as the development scale indicates family use and parking. The application does not refer to local businesses supplying produce of benefit to this rural area. It is reasonable to expect visitors to have access to a basic range of goods and services nearby and that the benefits of tourism are reflected in the local economy.

With regard to other policy considerations, it is advised to seek ecological advice on the requirements in terms of the site's location within the recommended recreation catchment zone of the Rodborough Common SAC and going into the future the potential Cotswolds Beechwoods SAC, having regard to compliance with Policy ES6. It may be that development will require a proportionate contribution to strategic mitigation measures. It is noted additional planting of hedges is proposed.

The site has a grade II listed building and policy ES10 should be carefully considered in this context. It is advised to seek heritage advice on any potential impacts.

Conclusions

New tourist accommodation should be located within designated settlements with a range of local facilities. This site is located at Middle Lypiatt, an unclassified settlement. The applicant can argue that Glamping, as a particular type of tourist accommodation, is an exceptional case requiring a countryside location. However where a countryside location is essential the Council favours re-use or the provision of temporary structures in countryside locations rather than new build. In this case, whilst the tents are of a more temporary structural form and character than new buildings, the platforms are a more permanent form and associated infrastructure such as septic tanks are not temporary".

Following this further observation were submitted in support of the application expanding on the need for the rural location and why it was considered that the development met the requirements of the local plan. This submission was again considered by Planning Strategy which resulted in the following -

"The Local Plan supports new tourist accommodation located at higher tier settlements within settlement boundaries in order to protect the countryside and maximise the tourism benefits to local people. This policy was found sound and compliant with national advice at that time.



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In exceptional cases, tourist accommodation can be supported in lower tier settlements in association with a specific countryside attraction or where no suitable buildings capable of re-use exist or a countryside location is essential for the proposed use. In these cases, the site must be compatible with the landscape setting, have adequate access to infrastructure and reasonable access to local services. It is noteworthy that the letter indicates that there should not be a reliance on public transport to access local facilities and services, contrary to the policy intent. The footpath distances are much longer and across undulating landform. The applicant has previously indicated that the majority of Glamping sites are on farms and so in rural locations. However, this proposal is not part of any farm diversification scheme where such uses may be appropriate within the environs of and to support a working farm.

The appeal case cited in November 2014 was prior to the adoption of the Local Plan and the Local Plan Inspectors detailed consideration of the policies. The Local Plan has been adopted and full weight should be given to its contents, in accordance with paragraphs 11 and 12 of the NPPF.

Conclusions

New tourist accommodation should be located within designated settlements with a range of local facilities. This site is located at Middle Lypiatt, an unclassified settlement.

The site is not close to village services and facilities, and there is no detailed case for linking benefits with specific local businesses beyond presence and potential opportunity. Statements elsewhere have been more detailed and explicit on this aspect. There is no detail on the visitor attractions they would wish to utilise in the local area.

The letter emphasises the benefits of tourism and that the District is underperforming (but no source is provided). There is still not an exceptional case here yet to support sufficiently the scheme from a policy perspective.

On the planning balance you will need to consider whether there are any material considerations here that indicate a change in the planning weight accorded to rural tourism benefits in the NPPF and the adopted Local Plan policies".

It is not considered that there are material considerations here that indicate a change in the planning weight accorded to rural tourism benefits.

RESIDENTIAL AMENITY

The use of the proposed glamping pods would give rise to a modest increase in vehicular movements but these are not considered to result in a significant impact upon residential amenity. Due to the distance between unrelated dwellings and the site there should not be any unacceptable impact upon residential amenity arising from the use and occupation of proposed glamping pods.

HIGHWAYS

The Highway Authority had no objections to the application subject to the inclusion of recommended conditions should planning permission be granted.



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LANDSCAPE

A visual impact assessment of the site has been submitted. This assessment and accompanying documents generally concludes that with additional hedge planting the development should not impact unacceptably upon the wider setting of the Cotswold Area of Outstanding Natural Beauty. Subject to appropriate planting the scheme would not appear unacceptable in this setting.

ECOLOGY

The Senior Biodiversity Officer considered the scheme acceptable subject to conditions should planning permission be granted.

ARCHAEOLOGY AND HERITAGE ASSETS

The Conservation Team commented "The proposed glamping pods would be situated at a reasonable distance from the Listed Building and would sit at a lower level within the neighbouring field well outside the residential curtilage of the dwelling. As a result there would be no unacceptable impact upon the setting.

The driveway changes to serve the dwelling and the glamping pods appear to have been completed. The surface treatment is acceptable. However, the "looped" turning area and driveway planting are at odds with the simple status of the building and would benefit to being reduced to a simple turning area that would have a lesser impact upon the setting of the Listed Building".

RECOMMENDATION

The proposal is NOT considered to comply with the provisions of policies listed in the reasons for refusal and contained in the adopted Stroud District Local Plan, November 2005 and the core planning principles set out in the NPPF.

HUMAN RIGHTS

In compiling this recommendation we have given full consideration to all aspects of the Human Rights Act 1998 in relation to the applicant and/or the occupiers of any neighbouring or affected properties. In particular regard has been had to Article 8 of the ECHR (Right to Respect for private and family life) and the requirement to ensure that any interference with the right in this Article is both permissible and proportionate. On analysing the issues raised by the application no particular matters, other than those referred to in this report, warranted any different action to that recommended.

For the following reasons:

1. The site is in a rural location in an area with no pavements and little street lighting and which is poorly served by public transport and facilities. As a result visitors would be most likely to rely on private vehicles contrary to point i) of Core Policy CP13 and point 3 of Core Policy CP14 of the Adopted Stroud District Local Plan, November 2015.



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2. The proposed development is not essential to the maintenance of a farming enterprise and whilst the site uses the benefit of a rural location it is not essential that it is located in this position and so is contrary to point two of CP15 of the Adopted Stroud District Local Plan, November 2015.
3. The site lies outside the defined settlement boundary. It has not been adequately demonstrated that the site relates to a particular countryside attraction nor would it assist with rural regeneration or community wellbeing. The proposal does not re-use existing buildings nor is the countryside location essential for the proposed use. The site is also not considered to have reasonable access to local services. As a result the development would be contrary to points one, two and five of Delivery Policy E110 of the Adopted Stroud District Local Plan, November 2015.

Informatives:

1. In accordance with Article 35 (2) the Local Planning Authority have worked with the Applicant.
2. The application was determined using the following plans and documents
 - Site Plan Proposed of 20/11/2018
Plan number = 001 Version number = (Photomontage info)
 - Site Plan Proposed of 20/11/2018
Plan number = 001
 - Biodiversity Survey of 20/11/2018
 - Planning Statement of 20/11/2018
 - Other of 20/11/2018
Plan number = Visual Impact Statement
 - Site Location Plan of 05/12/2018
 - Proposed floor plan of 17/12/2018
Plan number = 500
 - Proposed Elevations of 17/12/2018
Plan number = 501
 - Section of 17/12/2018
Plan number = 502
 - Additional information of 30/01/2019