

**Planning Committee:** 18 June 2024

**Item Number:** 6

**Application No:** [W 23 / 0739](#)

**Town/Parish Council:** Baddesley Clinton  
**Case Officer:** Jack Lynch

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**Registration Date:** 22/05/23

**Expiry Date:** 21/08/23

**Grand Union Farm, Rising Lane, Baddesley Clinton, Solihull, B93 0FJ**

Proposed camping site including all associated ancillary site development works  
FOR Mr George Lymperis

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This application is being presented to Planning Committee due to an objection from the Parish Council.

**RECOMMENDATION**

Planning Committee is recommended to grant planning permission, subject to the conditions listed at the end of this report.

**DETAILS OF THE DEVELOPMENT**

The applicant seeks full planning permission for a change of use from agricultural land to a small-scale eco-retreat camping site with 15 pitches and the provision of a mobile welfare unit to provide toilet and shower facilities. The camping pitches are proposed to be spread around the site. No permanent buildings are proposed, and no removal of trees or habitat is proposed.

**THE SITE AND ITS LOCATION**

The application site is a wooded area surrounding an artificially installed pond adjacent to Rising Lane within the West Midlands Green Belt. The site is located to the North east of Lapworth approximately 250 metres from the nearest run of dwellings and 1.2 km from Lapworth train station. The access of the site is just over 100 metres to the east of the canal network.

**PLANNING HISTORY**

No relevant planning history

**RELEVANT POLICIES**

National Planning Policy Framework

Warwick District Local Plan 2011-2029

- DS5 - Presumption in Favour of Sustainable Development

- PC0 - Prosperous Communities
- CT5 - Camping and Caravan Sites
- SC0 - Sustainable Communities
- DS18 - Green Belt
- BE1 - Layout and Design
- BE3 - Amenity
- TR1 - Access and Choice
- TR3 - Parking
- FW4 - Water Supply
- NE2 - Protecting Designated Biodiversity and Geodiversity Assets
- NE3 - Biodiversity
- NE4 - Landscape
- NE5 - Protection of Natural Resources

#### Guidance Documents

- Parking Standards (Supplementary Planning Document)
- Warwickshire Landscape Guidelines
- Net Zero Carbon (Supplementary Planning Document)
  - Policy NZC4

### **SUMMARY OF REPRESENTATIONS**

**Baddesley Clinton Parish Council** – Objection. Concerns include: Inappropriate development in the Green belt, impact to biodiversity, increased traffic and noise disturbance.

**WCC Landscape** – Objection. Concerns include associated works being out of character with the relatively undeveloped rural nature of the landscape setting.

**WCC Highways** – No objection.

**Warwickshire Fire and Rescue Service** – No objection, subject to imposition of condition regarding fire hydrants and water supplies.

**Environment Agency** – No objection. They note that they have no reason to believe the watercourse for drainage is not a flowing watercourse as opposed to a periodically dry ditch and would therefore be appropriate.

**WDC Safer Communities, Leisure and Environment** – No objection.

**WDC Tree Officer** – No objection, subject to the imposition of a condition requiring the submission a tree protection plan.

**WDC Conservation** – Neutral comment.

**National Trust** – Objection. Concerns include, the proposal being out of character with the surrounding rural landscape, increased noise and light levels and risk of fires.

## **Public Response –**

One objection comment. Concerns include: Contrary to policy CT5, Impact to highway safety, noise concerns.

One support comment. Points include: Recreational and educational benefits of proposal.

## **ASSESSMENT**

### Principle of development

Policy CT5 of the Warwick District Local Plan states that Camping and caravan sites for holiday and recreational use will be permitted where they can be satisfactorily integrated into the landscape without detriment to its character, are in a location accessible to local facilities and would not generate significant volumes of traffic. Any buildings required must be essential and ancillary to the use of the land. The conversion of appropriate rural buildings will be permitted subject to compliance with other policies in the Plan. New buildings may be acceptable outside the green belt where it can be demonstrated that existing buildings cannot be utilised in preference and where they are of a design and scale appropriate to the area. The policy goes on to state that within green belt areas, camping and caravan sites and associated buildings will be considered inappropriate development.

The proposal is for holiday and recreational use which, by its nature and design integrates well into the existing landscape. WCC Landscape have objected to the scheme on the basis that they believe it is “out of character with the relatively undeveloped rural nature of the landscape setting”. Officers have considered these comments, however, in this instance, officers consider that camping by its nature, is in a rural landscape, and the proposal will be sympathetically and sensitively sited within the landscape and will be screened from the street with hedgerows. The proposal will serve to protect and enhance the surrounding landform and landscape and its design and layout incorporate and respect the existing landscape features and characteristics. Furthermore, the proposal will be within relatively close proximity to nearby facilities and as such, officer deem the location appropriate in this instance.

Accordingly, the principle of development is considered acceptable in accordance with Local Plan Policy CT5, subject to an assessment being made of the other relevant planning considerations set out below.

### Green Belt

The NPPF, Paragraph 154, states A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt with exceptions to this being, the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

Policy DS18 of the Warwick District Local Plan states the Council will apply national planning policy to proposals in the green Belt. Para 154 of the NPPF states certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. This includes material changes in the use of land, within a number of examples given, including use for recreation.

The proposed use of this site will be for a small eco – retreat camping site. This use is considered to be outdoor recreation. The proposal includes the siting of 15no pitches as well as the siting of a temporary mobile welfare unit and formalising the existing hard standing to a car park. The tents will not be erected permanently on the site throughout this period, it is the expectation that most users will bring their own tent for the limited period, the pitches do not contain any raised platforms. The welfare unit is moveable and does not require planning permission. It is considered that the proposed pitches do not have a detrimental impact on the openness of the Green Belt and do not conflict with the purposes of including land within it.

Accordingly, the proposal is considered to be in accordance with the NPPF and Policy DS18 of the Local Plan.

#### Impact on neighbouring / residential amenity

Policy BE3 states that development will not be permitted that has an unacceptable adverse impact on the amenity of nearby uses and residents. At the same time, the policy also requires development to provide acceptable standards of amenity for all future users and occupiers of the development.

The application site lies to the south of Rising Lane between the canal and Netherwood Lane. The site is surrounded by agricultural fields and the access to the site is approximately 250 metres from the nearest dwellings within the run of development in Lapworth. The site is surrounded by mature hedges and trees.

Safer Communities, Health and Community Protection have been consulted and offered no objection to the proposed scheme. The site is at an appropriate distance from neighbouring dwellings and officers are satisfied that the proposed scheme will not generate harm to the amenity of neighbouring uses.

Therefore, the proposed works accord with Policy BE3 subject to conditions.

#### Visual impact / impact on landscape

Policy BE1 requires new development to positively contribute to the character and quality of its environment through good layout and design. Policy NE4 broadly supports the above, stating that new development should positively contribute to landscape character.

No permanent facilities are proposed. Neither will there be any loss of trees or hedgerows, that currently act as a frontage to the site, therefore the site will

largely not be visible from Rising Lane. Access onto the field would be via an existing break in the roadside hedge that follows the internal access road.

WCC Landscape have objected to the proposed scheme highlighting that the proposed works are out of character with the relatively undeveloped rural nature of the landscape setting. Officers have considered Landscapes objection; however, the proposed use and associated works will not be visually intrusive, rather it will be sympathetically and sensitively sited within the landscape and will be screened from the street with hedgerows and vegetation. The proposal will serve to protect and enhance the surrounding landform and landscape and its design and layout incorporate and respect the existing landscape features and characteristics. The lighting proposed as part of the scheme is sensitive to the surrounding natural landscape. Solar lights and tea lights will be located at each pitch and by walkways to provide appropriate light while respecting the natural surroundings. A condition has been attached requiring the submission of specific lighting details (including details of hours of operation) to be submitted to and approved in writing by the Local Planning Authority.

Accordingly, officers are satisfied that the development is acceptable in general design and layout terms and as such accords with Policies BE1 And NE4.

#### Access and parking / Highway safety

Policy TR1 requires development to provide safe, suitable and attractive access routes for all road users while policy TR3 requires development to make provision for parking which complies with the parking standards set out in the most recent Parking SPD.

No new site access is proposed, as the existing field access from Rising Lane will be used. This access road already serves the site.

The objections from the Parish Councils and public objectors are noted. The imposition of conditions, including a temporary permission should permission be granted, will allow for the continued monitoring of the effect of the proposal.

The Highways Authority have been consulted and raise no objection to the proposal.

Officers are therefore satisfied that the development will in no way be detrimental to highway safety and the parking provisions are equally acceptable. As such the development accords with Policies TR1 and TR3.

#### Ecological impact and biodiversity

Policy NE2 requires designated areas and species of national and local importance to be protected for biodiversity and geodiversity. Policy NE3 requires development not to lead in any losses to biodiversity and to avoid any negative impacts on existing biodiversity.

The County Council Ecologist has been consulted and following the submission of the Preliminary Ecological Assessment, they are satisfied that the proposal is acceptable subject to the imposition of a Biodiversity Management Plan and Protected Species Method Statement Condition, as well as the imposition of the relevant informative notes. The applicant has submitted a Biodiversity metric as part of this planning application that demonstrates a biodiversity net gain. It should however be noted that in this instance the requirement for sites to demonstrate a biodiversity net gain of 10% is not applicable as the application was received prior to 12 February 2024.

Officers are therefore satisfied the development is acceptable in this regard and accords with Policies NE2 and NE3.

### Sustainability

As required by the Council's Net Zero Carbon Development Plan Document (DPD) Policy NZC4, an Energy Statement has been submitted which demonstrates a consideration to sustainable construction and design in accordance with Local Plan Policy CC1 – Planning for Climate Change Adaptation. The applicant has demonstrated how parts of the requirements of the policy have been complied with and included justification for why some measures have not been incorporated.

The proposed mobile welfare unit will be connected to a portable lithium electric lithium battery storage system and fitted with solar panels.

The proposal is therefore considered to comply with DPD Policy NZC4.

### Other matters

#### *Fowl and Sewerage*

All fowl water from the mobile welfare unit leads to a Marsh Industries Ensign 16PE (population equivalent) sewage treatment plant and passes through a second aeration chamber, where it is treated to remove the dissolved constituents. The bacteria then flows to a final settlement chamber and is discharged via a polylok filter.

Treated water will then be discharged into a watercourse trench on the west site of the car park. According to the records the Environment Agency holds, this watercourse is already being discharged to by the National Trust discharge consent T-11-36353-T at Baddesley Clinton House. The Environment Agency have highlighted they have no reason to believe this is not a flowing watercourse as opposed to a periodically dry ditch. The discharge consent for the National Trust refers to the watercourse as a tributary of the Cuttle Brook.

### **SUMMARY / CONCLUSION**

The principle of development is considered acceptable in accordance with Policies CT5 and DS18 of the Warwick District Local Plan 2011-2029. Officers are satisfied there would be no harm to neighbouring amenity nor would there be any harmful

impacts on future users of the site as a result of noise. There would be no detriment to highway safety; the access is considered safe and suitable in the proposed location and the appropriate amount of parking is proposed. For the above reasons, it is recommended that planning permission be approved, subject to the conditions listed below.

**CONDITIONS**

- 1 The development hereby permitted shall begin not later than three years from the date of this permission. **Reason:** To comply with Section 91 of the Town and Country Planning Act 1990 (as amended).
  
- 2 The development hereby permitted (including ground clearance works) shall not commence until a protected species method statement for great crested newts, badgers, nesting birds and hedgehogs (to include timing of works, toolbox talk, ecologist supervision of initial vegetation clearance, procedure if protected species are found and reasonable avoidance measures) has been submitted to and approved in writing by the Local Planning Authority. Such approved measures shall thereafter be implemented in full.

**Reason:** To ensure that protected species are not harmed by the development

- 3 Prior to the commencement of the development hereby approved (including all preparatory work), a sufficiently detailed and proportionate Tree Protection Plan and Arboricultural Method Statement, together referred to as the scheme of protection, that will detail how all the retained trees (both within the site and outside the site where they might exert and influence upon, or be impacted by, the development) are to be protected from harm during the development shall be submitted to and approved in writing by the Local Planning Authority. The Tree Protection Plan should be overlaid upon the approved plan of the development. The development thereafter shall be implemented in strict accordance with the approved scheme of protection.

**Reason:** In order to protect and preserve existing trees within the site which are of amenity value in accordance with Policies BE1 and NE1 of the Warwick District Local Plan 2011-2029.

- 4 The development hereby permitted shall not be occupied until a scheme for the provision of adequate water supplies and fire hydrants necessary for firefighting purposes at the site, has been submitted to and approved in writing by the local Planning Authority. The approved scheme shall be implemented in full prior to occupation of any development to the satisfaction of the Local Planning Authority.

**Reason:** In the interests of Public Safety from fire and the protection of Emergency Fire Fighters.

5 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan (submitted on 22/05/2023) and approved drawings:

-Proposed Plans And Elevations revision V2, and specification therein, submitted on 22/05/2023.

-MARSH ENSIGN 16 PE (SIXTEEN PERSONS) GRAVITY OUTLET.EN 16 PE STD-B, and specification therein, submitted on 04/07/2023, and

-Proposed Block Plan Revision V4 and specification therein, submitted on 24/05/2024

Reason: For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies BE1 and BE3 of the Warwick District Local Plan 2011-2029.

6 The development hereby permitted (including site clearance) shall not commence until a Biodiversity Management Plan (BMP) to include a detailed schedule of habitats and protected species mitigation, and biodiversity enhancement measures including habitat management and long-term monitoring, to result in a biodiversity net gain (to include location of measures, installation timescale, timing of works and species lists for proposed planting has been submitted to and approved in writing by the Local Planning Authority. Such measures should be shown on all applicable annotated site plans and elevations, such approved mitigation and enhancement measures shall thereafter be implemented in full and maintained in strict accordance with the approved details in perpetuity.

**Reason:** To enhance the nature conservation value of the site and ensure biodiversity net gain in accordance with NPPF, ODPM Circular 2005/06.

7 No lighting or illumination of any part of any building or the site shall be installed or operated unless and until details of such measures (including details of hours of operation) have been submitted to and approved in writing by the Local Planning Authority and such works, and use of that lighting and/or illumination, shall be carried out and operated only in full accordance with those approved details. **Reason:** To ensure that any lighting is designed and operated so as not to detrimentally affect the amenities of the occupiers of nearby properties in accordance with Policy BE3 of the Warwick District Local Plan 2011-2029.

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