

Planning Committee: 04 February 2014

Item Number: 8

Application No: W 13 / 1781

Town/Parish Council: Warwick

Registration Date: 27/12/13

Case Officer:

Penny Butler

Expiry Date: 21/02/14

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Warwick Castle, Castle Hill, Warwick, CV34 4QX

Proposed use of land as a temporary medieval glamorous camping site for approximately 5 months between 17th May and 1st September at Foxes Study, Warwick Castle. FOR Merlin Attractions Operations Ltd.

This application is being presented to Committee due to the number of objections received.

RECOMMENDATION

Planning Committee are recommended to GRANT planning permission subject to the conditions listed.

DETAILS OF THE DEVELOPMENT

The proposal is for the temporary use of land for the purposes of "glamorous camping" (or "glamping") in the grounds of Warwick Castle Park for 5 months from May to September. The proposed use is therefore for the establishment of a temporary camp site. A variety of sizes of tent would be pitched ranging from 4m to 5.8m high, which would all be of cream coloured canvas. An illustrative zoning plan has been provided showing a camping area containing 54 tents, with the sleeping tents dispersed throughout existing trees, and the western corner of the site containing the dining, kitchen, toilet and shower tents. The tents are to be sited outside of Flood Zones 2 and 3. A recreation area is depicted close to the River Avon within the eastern most part of the site which will be used for informal entertainment and recreation. This is proposed in response to the noise and disturbance concerns raised by local residents following last years camping event. The zoning plan allows a degree of flexibility as to where tents are positioned to ensure no damage to tree roots. Also proposed is a 0.6m wide trench for the disposal of grey water leading to a 4m by 2m soakaway, and two trenches for utilities. Once the use ceases, the pitches would be re-seeded and the trenches refilled.

The proposal forms part of the Castle's strategy for continuing to attract visitors to ensure its economic viability and to ensure funds continue to be available for the upkeep and ongoing refurbishments. Evidence from the glamping event that took place in 2013 has shown that 30% of visitors staying in the tents used

restaurants in the town centre, creating economic benefits for the wider local area.

THE SITE AND ITS LOCATION

Warwick Castle is a Grade I Listed Building, a Scheduled Ancient Monument and Warwick Park and Gardens are designated as Grade I on the English Heritage Register of Historic Parks and Gardens. The Castle Park is within a designated Area of Restraint in the Local Plan, and within Warwick Conservation Area.

The application site is located about 450m to the south-west of the Castle on the western bank of the River Avon, near the southern end of the island, and in an area of Castle Park known as Foxes Study. The site area is some 2.15 hectares and is well screened from views from the Castle, Conservatory and grounds to the north by a clump of trees adjacent to the Goyssel Brook leading to the River Avon.

There is a hard surfaced path running around the edge of the lawned vista running from the Conservatory down to Foxes Study. 100m to the north-west of the application site lies the main public car park which is enclosed by a chain link fence. Further to the west outside the Park are dwellings on Tudor Close, Stuart Close and Temple Grove. The boundary of the nearest dwellings in Stuart Close are 100m from the application site, on the opposite side of the Castle drive.

The application site slopes gently upwards from east to west, occupying a plateau which is elevated above the River bank, and is currently grassed with an existing gravelled path providing access. There are a large number of trees within the application site which will all be retained. The part of the site immediately adjacent to the River bank is within Flood Risk Zones 2 and 3.

PLANNING HISTORY

There is an extensive planning history at the Castle. Most notably, planning permission was granted for a timber maze on a small part of the site in 2011 (W/11/1520). Planning permission was granted for the construction of the car park in 1980 (W80/0632).

It is noted that a planning application was submitted in July 2013 (W/13/0940) for a camp site but this was not accompanied by sufficient supporting information and therefore was not validated.

RELEVANT POLICIES

- DP1 - Layout and Design (Warwick District Local Plan 1996 - 2011)
- DP2 - Amenity (Warwick District Local Plan 1996 - 2011)
- DP3 - Natural and Historic Environment and Landscape (Warwick District Local Plan 1996 - 2011)
- DP9 - Pollution Control (Warwick District Local Plan 1996 - 2011)
- DAP4 - Protection of Listed Buildings (Warwick District Local Plan 1996 - 2011)

- National Planning Policy Framework
- DAP2 - Protecting the Areas of Restraint (Warwick District Local Plan 1996 - 2011)
- DAP3 - Protecting Nature Conservation and Geology (Warwick District Local Plan 1996 - 2011)
- DAP8 - Protection of Conservation Areas (Warwick District Local Plan 1996 - 2011)
- DAP11 - Protecting Historic Parks and Gardens (Warwick District Local Plan 1996 - 2011)

SUMMARY OF REPRESENTATIONS

Warwick Town Council: No comments received at the time of writing report.

Public response: Seven objections received raising the following concerns:

- Noise and disturbance till unsocial hours (generally until 10pm) arising from traffic noise, people, car doors closing, children and entertainers. Such noise continued into the early hours of the morning when the use operated in 2013. Increased use of the Castle drive by vehicles and people from campers accessing the town centre, often late at night. Normal noise from the Castle is acceptable given there is respite during evening hours. Reassurances from the Castle that noise would be managed have not materialised. The noise levels have inhibited neighbours use of their gardens and forced them to keep windows closed.
- The permission granted for the car park in 1980 included a condition preventing its use during evening hours.
- Too close to residential property.

Environmental Health: EH received two complaints over the summer months of 2013 regarding the use, with one complainant said to be acting on behalf of several local residents. These complaints concerned frequent disturbances in the evening from young children shouting as well as the use of the toilet/shower blocks into the late hours. Environmental Health investigated these complaints through regular monitoring of the surrounding residential areas, however, it was not possible to substantiate these.

When comparing the proposed site layout to the previous years, it appears that consideration has been made for relocating the campsite as far away as possible from the nearby properties to minimise any potential noise impact on local residents. To quell residents concerns about any future noise issues it would be beneficial for a management plan to be produced detailing how noise from the site would be managed including (but not limited to); arrangements for monitoring noise, the implementation of a site curfew and arrangements to enforce such measures.

TPO Officer: Recommends a condition requiring decompaction of the site by 'Terralift' technology following the event. Applicant to submit a plan to identify the proposed locations of generators and plant capable of heat exchange under actual crown spreads, and the proposed locations for storage of fuel and other toxins.

WCC Ecology: Recommend a trench note to protect badgers and amphibians during works.

WCC Archaeology: No comments.

Natural England: Unlikely to affect any statutorily protected sites or landscapes. Standing advice for protected species should be applied, and biodiversity and landscape enhancements considered.

English Heritage: Raise no objection subject to conditions. The site lies within the Grade I Registered Warwick Castle Park. The landscape was largely developed in the late eighteenth and early nineteenth century, most notably to the designs of Capability Brown. The development lies with the area of woodland known as Foxes Study just to the west of the River Avon. In addition it is within the Warwick Conservation Area which encompasses both the park and the town.

The key question is the impact of the proposals on the significance of the park. Visually it would seem that the proposals will not be visible from beyond the woodland, since the tents will only be present in the summer months when the trees are in leaf, however, they recommend that the tents should be dull in colour as this would have less visual impact than bright white.

There will be relatively little impact on below ground archaeology. There is some concern at the potential for ground compaction and the effect that this will have on the trees, although it is understood that the applicant will put measures in place to mitigate this problem.

In terms of the historic environment, the level of impact would seem to be minimal because it is a temporary permission. It is essential that conditions are imposed to ensure the tents are an appropriate colour, are removed each year and appropriate mitigation is carried out each time.

ASSESSMENT

The main issues relevant to the consideration of this application are as follows:

- Impact on the heritage assets
- Impact on residential amenity

Impact on the heritage assets

The policy context for this proposal is set out within Policy DAP4 which requires development to not adversely affect the setting of a Listed Building and Policy DAP11 which does not permit development which harms the historic structure, character, principal components and settings of Registered Parks. Policy DAP8 requires development to preserve or enhance the Conservation Areas and Policy DP3 requires proposals to protect and enhance the landscape character of the area, particularly respecting its historic character. In addition, proposals that introduce built development in a way that harms the open character of Areas of

Restraint will be contrary to Policy DAP2, although this policy predates the NPPF, which does not repeat this designation and can therefore be considered out of date.

This landscape was laid out in part by 'Capability' Brown, however, evidence shows that the layout of Foxes Study has been continually modified with more recent planting not being informed by historic record. Foxes Study acts as a visual stop to the view from the Conservatory which leads the eye towards the River and this is of principal landscape significance. The siting of the proposed tents will introduce structures into a part of the Registered Park not currently developed, which will be visible from the island across the River and from the car park. The tents will not be visible from the most important viewpoint, the Conservatory, due to the existing planting bank. In this respect the impact on the setting of the Listed Buildings is small, and this is the most significant value to locating the tents in this location. The proposed temporary use will not lead to any permanent harm or impact on the setting, as once the use ceases the site would return to its former condition.

The proposed cream coloured canvas tents with a small amount of coloured scalloping and trim are considered visually appropriate in this woodland context as the natural cream colour will not appear garish. However, given the screening of the site from important views, it is considered that the proposal would preserve and respect the historic landscape and character. There would be a minimal impact upon openness due to the siting of the tents within the trees. It is considered that the impact will be 'less than substantial', bearing in mind the altered character of the area, as the surrounding planting will remain unaffected.

The NPPF states that where a development will lead to a less than substantial harm to the significance of a heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use. The NPPF also states that significant weight should be placed on the need to support economic growth through the planning system. The camp site will encourage visitors to explore further into the designed landscape than many visitors, which could be argued to increase public appreciation and thus the value of the site. Warwick Castle is a major employer in the town and the tourism it attracts provides customers and trade for other businesses within the town centre. The applicant has stated that the continued attraction of visitors to the Castle is vital for its economic viability and to ensure that funds are available for the annual upkeep of the Listed Buildings and grounds. Attractions such as the proposed camp site present an opportunity to maintain visitor numbers and therefore the financial viability of the Castle.

Given the acceptability of the siting in this particular part of the Park, it is considered that the proposal should be approved, whilst the economic implications of the proposal are also considered to add further significant weight to the case for approval. The development is therefore considered compliant with the NPPF and Local Plan Policies DAP4, DP3, DAP11, and DAP8.

Impact on residential amenity

The proposed use operated for several months in 2013 and during this time some residents experienced noise and disturbance they considered unacceptable, however, complaints were investigated by the Environmental Health Officer through regular monitoring, but it was not possible to substantiate these. The matter of noise has therefore been carefully considered by the Environmental Health Officer.

In response to the concerns raised to the Castle, the proposed camp site has been relocated about 30m to the east, further from the residential properties, and a specific area has been identified for recreation and entertainment at the western most part of the site. These measures will minimise the potential noise impact on local residents by locating the noisiest use furthest from neighbouring property. It is acknowledged that there will be a significant impact upon the level of amenity and quiet enjoyment currently experienced by the properties backing onto the Castle Park. However, it is not considered that this should prevent use of the grounds that generates any noise and activity during reasonable hours.

In normal circumstances it is not considered that siting a camp site 100m away from existing dwellings would lead to an unreasonable loss of amenity or privacy. The recreation area on the zoning plan is sited nearly 200m from the nearest residential property, and given the distance and intervening trees, this is considered acceptable providing that a management plan is submitted detailing how noise from the site would be managed. This would need to include arrangements for monitoring noise, the implementation of a site curfew and arrangements to enforce such measures. The proposal would also mean that the car park would be in use during evening hours, but this has been considered by the Environmental Health Officer. Due to the history of past complaints it would not be appropriate to grant permission for longer than one season, in order that the impact can be re-assessed following operation with such a plan in place. The granting of planning permission would not prevent separate action being taken under environmental health nuisance legislation, should noise remain a problem on site. It is therefore concluded that, subject to the recommended conditions, the proposals would comply with Policies DP2 and DP9, which seek to protect the amenities of adjoining occupiers, and prevent unacceptable noise pollution.

Other matters

The camping area is located outside of Flood Zones 2 and 3 therefore the proposed camp site would not be at unacceptable risk of flooding, and would not lead to increased risk of flooding elsewhere. The proposed installation of a soakaway to deal with grey water will provide a sustainable means of drainage which would accord with Policy DP11.

There would be no significant harm caused to trees since the only ground work proposed is the installation of trenches outside Root Protection Areas, and due to the nature of attaching the tents to the ground by pegs and the flexibility for siting tents within the zoned camping area. The tents would however lead to compaction of the soil, so where this is beneath Root Protection Areas it will be necessary to decompact the soil by mechanical means following cessation of the use, and this can be required by condition. The impact of the proposal upon

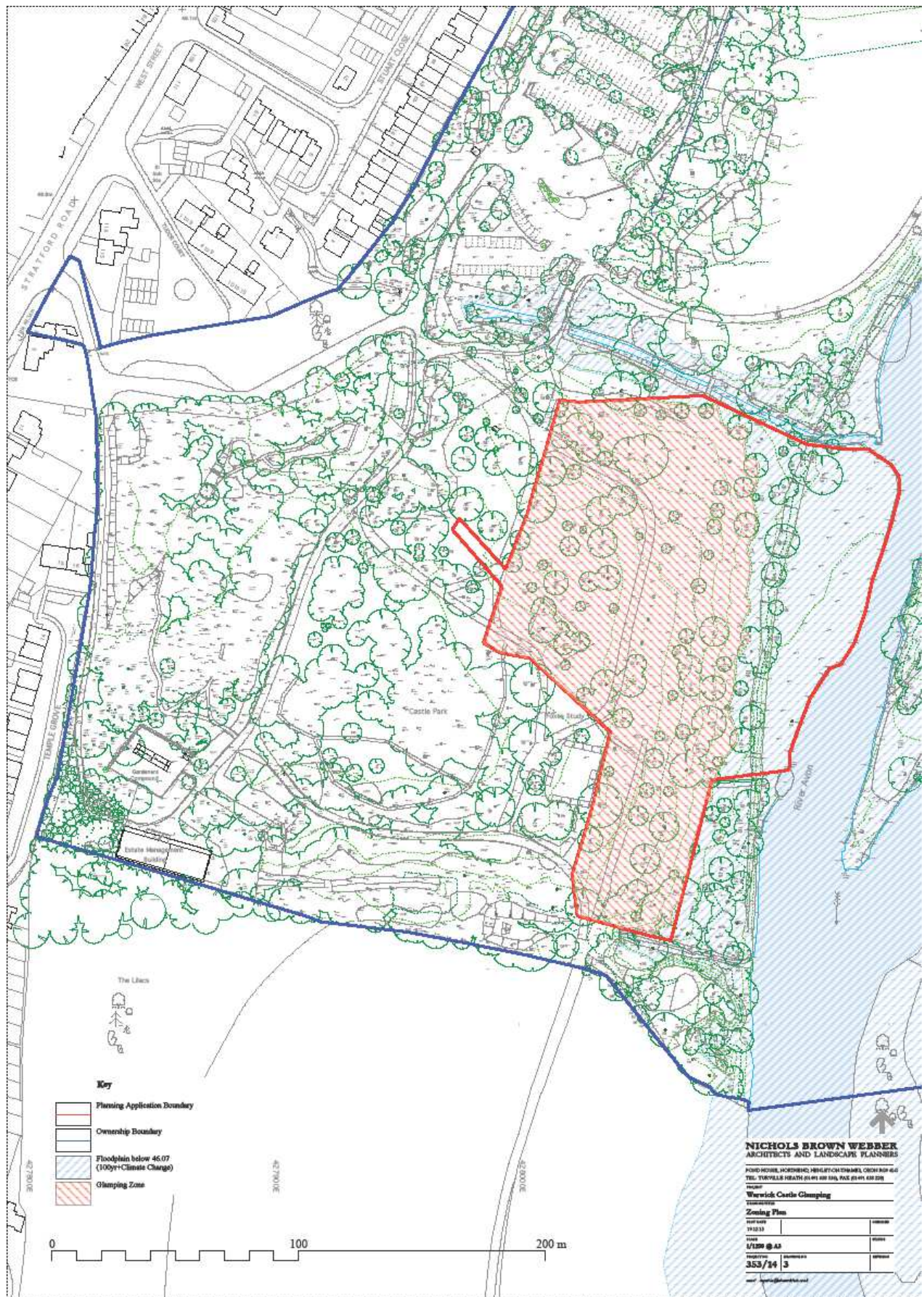
ecological interests is not considered to be of such significance as to require further investigation or mitigation proposals. The application is therefore considered compliant with Local Plan Policies DP3, DAP3 and DP4.

SUMMARY/CONCLUSION

CONDITIONS

- 1 The use hereby permitted shall be discontinued on or before 2nd September 2014 and the site restored to its former condition on or before 2nd November 2014 by the infilling of excavated trenches and soakaways, and decompaction of the pitches using 'Terralift' methodology followed by reseedling using an indigenous grass seed mix. A copy of the Terralift completion certificate produced by the decompaction company shall be submitted to the local planning authority by 2nd December 2014. **REASON:** In order that the local planning authority have the opportunity of reviewing the impact of this development on the amenities of occupants of other properties in the vicinity in the light of experience of its operation in accordance with Policies DP2 & DP9 of the Warwick District Local Plan 1996-2011, and to protect existing trees in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.
- 2 The development hereby permitted shall be carried out strictly in accordance with the details shown on the site location plan and approved drawing(s) (1, 2, 3, 5, 6, Tent Specifications) and specification contained therein, submitted on 20 December 2013. **REASON :** For the avoidance of doubt and to secure a satisfactory form of development in accordance with Policies DP1 and DP2 of the Warwick District Local Plan 1996-2011.
- 3 Before the use hereby permitted is commenced, a management plan shall be submitted to and approved in writing by the local planning authority detailing how noise from the site will be managed including (but not limited to): arrangements for monitoring noise; the implementation of a site curfew; and arrangements to enforce such measures. The provisions of the approved management plan shall be complied with in full at all times hereafter. **REASON:** To minimise noisy activities in the interests of protecting the amenities of surrounding residential uses, in accordance with Policies DP2 and DP9 of the Warwick District Local Plan 1996-2011.
- 4 Before the use hereby permitted is commenced, a plan to identify the proposed locations of generators and plant capable of heat exchange under actual crown spreads, and the proposed locations for storage of fuel and other toxins, shall be submitted to and approved in writing by the local planning authority. All such generators and fuel or other toxins shall hereafter be sited in the locations denoted on the approved plan.

REASON: To protect existing trees in accordance with Policy DP3 of the Warwick District Local Plan 1996-2011.



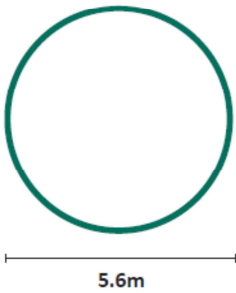
Standard Tent

No. of Tents: 40



All tents to be cream fire retardant natural canvas with scalloping (colour pattern around the edge) This image shows red scalloping trim; other colours including blue, green and yellow will be used to add variety.
There will be no flags

Floor Plan:



Diameter	5.6m
Max Apex Height	4m
Wall Height	2.1m