

**SCOTTISH BORDERS COUNCIL**

**APPLICATION TO BE DETERMINED UNDER POWERS DELEGATED TO  
CHIEF PLANNING OFFICER**

**PART III REPORT (INCORPORATING REPORT OF HANDLING)**

**REF :** 18/00686/FUL

**APPLICANT :** Thomas And Pamela Atkinson

**AGENT :**

**DEVELOPMENT :** Change of use of land (optional locations )to site 2 No glamping units for holiday let

**LOCATION:** Land North West, East And South East Of Flatt Farmhouse  
Newcastleton  
Scottish Borders

**TYPE :** FUL Application

**REASON FOR DELAY:**

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**DRAWING NUMBERS:**

Plan Ref	Plan Type	Plan Status
1:12500	Location Plan	Refused
1:1500	Location Plan	Refused
(shelter belt)	Location Plan	Refused
LOG CABIN DETAILS	Other	Refused
Hobbit House	Floor Plans	Refused
Hobbit House	Elevations	Refused
x 3 Hobbit House projections	Other	Refused

**NUMBER OF REPRESENTATIONS: 0**

**SUMMARY OF REPRESENTATIONS:**

No representations.

Roads Planning Section: has no objections to this relatively small scale tourism development. The increase in traffic that this development would bring is unlikely to have a negative impact on the local road network.

Environmental Health Section: seeks the imposition of planning conditions to regulate the provision and supply of water to the site, and to manage foul and surface water drainage. With respect to land contamination, it is advised that the return of the completed questionnaire has been sufficient to address concerns that there is historic land contamination present, but an informative is recommended to guide the Applicant, in the event of the signs of land contamination being encountered during the progress of development.

Economic Development: supports the change of use of land to locate 2 glamping units as it fits with the Scottish Borders Tourism Strategy 2013-2020 strategic target by:

- o Increasing volume of overnight visitors.
- o Increasing overnight visitor spend.

- o Ensure the Region's accommodation offerings meet consumer demands and where opportunities are available can act as an attractor of demand in themselves.
- o Ensure a relevant range of types of accommodation is available across the Region to meet evolving market demand and expectations. Identify opportunities where better quality and new products can 'lead' and generate new demand and will continue to raise average quality quotient across all forms of accommodation.

Visit Scotland and the Landscape Architect were consulted, but have not responded to the public consultation.

Landscape Section: does not object subject to the imposition of planning conditions to require the retention and protection of existing trees. In particular, it is considered that given the remote location of the sites, which are located away from public roads and proposed in association with existing blocks of woodland, Landscape does not consider that there would be much visibility of the glamping accommodation from sensitive receptors and they would be seen in the local area in association with a working farm and a backdrop of woodland. It is however suggested that the agreed detailed locations should be adjacent to woodland and existing walls rather than in or straddling them. The relative proximity of Sites 1, 2 and 3 to existing tracks makes these the more preferable, in terms of limiting any further infrastructure. Sites 1 and 3 are particularly attractive and unspoilt locations, and might be more desirable located as they are a short distance from the working farm buildings. However, as long as the proposed units were located outwith the Root Protection Areas of adjacent trees as calculated in accordance with BS 5837:2012 so that no damage is done to the trees, there would be no further concerns about this proposed development.

#### **PLANNING CONSIDERATIONS AND POLICIES:**

Local Development Plan 2016

PMD1, PMD2, ED7, ED8, HD3, EP1, EP13, IS4, IS7, IS9, 1S12

SPGs Trees and Development 2008; Landscape and Development 2008; Placemaking and Design 2010; Waste Management 2015

**Recommendation by** - Stuart Herkes (Planning Officer) on 26th July 2018

#### **SITE DESCRIPTION AND PROPOSED DEVELOPMENT**

This application proposes the erection of two holiday let accommodation units within the vicinity of Flatt Farm, on four different sites, mostly within the surrounding countryside, within fields and shelter belts; with one accommodated within what is currently a silage clamp in the farmyard.

The identification of four sites responds to advice given at the pre-application stage by my predecessor, which essentially advised that if there was a concern on the part of the Applicants, to move the accommodation units around on a discretionary basis, then the Applicants might reasonably identify within their planning application, all of the sites that they would propose to use (or are considering for this use). Thus, it was advised, if these were ultimately approved, then this would give the operators the discretion to site and operate the proposed accommodation units as they saw fit between these sites. However, at the time that the pre-application advice was given, and as far as I can tell, there was no particular details of the proposed holiday accommodation units themselves, which were identified as glamping pods. The current proposals - although described in relation to 'glamping'; and in one case, even as a 'glamping lodge' - are not in fact typical of the more standard temporary holiday let units that are normally associated with glamping proposals. Instead, the current proposals are a 'hobbit house' and a chalet (described as a 'luxury log cabin' within the planning application form).

The Applicants have provided a detailed description of the proposed 'hobbit house' structure, which would be a crescent-shaped timber-built and clad structure, which although somewhat unusual, is reasonably a type of unit that would not reasonably lend itself to anything other than short-term residential occupation. They have not however provided any equivalent detailed description of the proposed log cabin beyond two obliquely taken photographs of the front elevation of what appears to be a more substantial residential unit,

and potentially one that would appear readily capable of longer-term residential occupation. It is advised in writing only, that the 'luxury glamping lodge' would have a footprint of 6m by 4m; which would apparently be augmented on all sides by a 1.5m veranda (which would therefore extend the overall footprint to 9m by 7m). It is advised that the ridge height would be 2.9m. The structure indicated by the photos is timber-built and clad. In the event of approval, there would certainly be a need to regulate the precise form and design of anything that was approved under the description of "glamping unit", to ensure that appropriate control was maintained over this aspect of the proposals. Also, and unless conditions were imposed to regulate the matter, it would also have to be considered that the siting of the 'hobbit house' and 'log cabin' would be discretionary, and that the approval might in fact allow the siting of more than one of each, on more than one site at any one time - potentially four 'hobbit houses' on all four sites; or 'four log cabins' on all four, if no restrictions were otherwise applied.

The Applicant has not indicated in the tick box system whether or not any new access arrangements would be required in relation to these proposals. However, the distances of the proposed sites from roads that can be used by most cars and personal vehicles, is considerable. Surface water drainage is to be by way of 'natural field drainage'; foul drainage would be to a septic tank and soakaway or composting; the water supply would be from a private source - specifically it is advised, from the farm and would go through a uv and filtration system.

## PLANNING POLICY

The main policy within the statutory development plan, which this proposal requires to be assessed under, is Planning Policy ED7: Business, Tourism and Leisure in the Countryside. This policy provides direct support - under the first criterion b. - to the principle of leisure, recreation or tourism development in the countryside, which the current proposal, for the siting and operation of holiday let units, reasonably meets.

Beyond the principle though, the policy also requires consideration of six other criteria (the second set of criteria, a. to f.) which require that the proposal should not have any unacceptable impacts upon the environment or amenity of the site and surrounding area. This includes specific reference to the amenity and character of the surrounding area (criterion a.); the need to address the siting and design criteria of Policy PMD2 in particular (criterion e); and requires that where a new building is proposed, the Applicant should provide evidence that no other existing building or brownfield site is available to accommodate the need (criterion c.). Further, it is advised that account should be had of the impact of the expansion or intensification of uses (criterion d) and of accessibility considerations in accordance with Policy IS4 (criterion f).

Finally, it is advised within Policy ED7 that where a proposal comes forward for the creation of a new business, specifically including any tourism proposal, a business case that supports the proposal would be required in support of the planning application.

The Applicant has identified each of the proposals as being capable of definition as a "caravan". While this may be the case based on the size of the units described, the details provided do not reasonably demonstrate whether or not what is proposed would satisfy the definition of "caravan" with respect to their construction. This has not been satisfactorily demonstrated within the supporting details - particularly with respect to the log cabin/chalet unit, for which there are no detailed specifications or elevation drawings. However, notwithstanding this, it cannot be ruled out then that there may be potential for what is proposed, to be capable of being sited and operated as caravans. As such then, it is additionally necessary within the assessment of this application, to consider whether or not the proposals might accord with Policy ED8 - Caravan and Camping Sites as well as Policy ED7. (On a practical point, I would note that there is some overlap between the provisions of Policy ED7 with those of Policy ED8. I would propose then to consider the proposal under Policy ED7 in the first instance, returning within the ulterior assessment under Policy ED8, to consider specifically those provisions that are not equivalent to those within Policy ED7).

## BUSINESS CASE

The Applicant has provided a 'Business Plan' document, but this offers no detailed financial information beyond a projected profit in 2019 (which presupposes optimum operation); or any other information that might provide any empirical evidence for considering that the specific proposal would be liable to be capable of viable operation, and be as successful as the Applicants anticipate. Much of the advice given in the business plan is generic, and of a nature and character that any potential operator of this type of

accommodation might cite in support of their proposal (e.g. general advice and figures about tourist accommodation markets in Scotland and Northumberland); or anecdotal (e.g. mention of conversations with other pod operators in other parts of the UK). It also describes the proposed operation of the accommodation letting business (e.g. likely pricing and marketing proposals) and types of customers that the accommodation is intended to attract. However, ultimately there is no detailed empirical information gathered from any existing operation, which might have been presented to substantiate whether or not the projections are realistic.

It is apparent from the Business Plan, and from on-site observations, that the Applicant does operate a Bed and Breakfast business including one self-catering structure, which is immediately accessible from the driveway to the farmhouse. The latter was consented under Planning Consent 16/00097/FUL as a 'BBQ hut'. In a covering letter which is separate from the business plan, the Applicants do allude to the success of the operation of this self-catering structure - and to a loss of customers who were unable to book it and were disinterested in staying at the more conventional accommodation provided within the Bed and Breakfast itself. However, this advice is anecdotal, and is not supported by any actual figures or details. The business case might reasonably have referenced the actual experience of operating the existing tourist accommodation facilities at the site - principally the BBQ hut - providing actual figures with respect to uptake by guests and earnings generated from its operation. The proposed addition of new holiday let units to an existing tourist accommodation business would at least, reasonably have benefited from actual evidence that the existing business is itself viable, and a going concern, with some prospect of attracting more customers to the site and surrounding area based on the actual experience of marketing to, and catering for, tourists and visitors seeking accommodation in the area.

This having been said, I would acknowledge that there are some fundamental differences between the existing type of accommodation on offer to guests at Flatt Farm at the moment, and the type of accommodation that is proposed here in this application. The existing cabin is directly off, and accessible from, the existing access road; and therefore the advised popularity of this structure is not necessarily the same as the potential for uptake of the proposed units which would be at greater remove from the Bed and Breakfast, and notably much further off the beaten track. Therefore while a detailed business case would certainly have been of benefit to this application for the above noted reasons, it would not reasonably have demonstrated the need for such disparate and isolated sites for the proposed accommodation units. Accordingly, and had the Applicant been proposing additional accommodation of the same or similar type to the BBQ hut to be sited in equivalent situations and relationship to the Bed and Breakfast business, then a detailed financial case may well have been persuasive here, and have provided the necessary reassurance that there was a demonstrable need for additional similar self-catering accommodation units on site. However, what is proposed would not be well-related to the existing Bed and Breakfast business at Flatt Farmhouse, and this aspect of the proposal requires to be accounted for, in itself.

The aforementioned covering letter advises that those customers who did not settle for a room within the Bed and Breakfast, went elsewhere to find "quirky accommodation". Putting to one side the lack of evidence given in support of this point, it is understandable why the Applicants might in these circumstances seek to cater to an alternative market, and to look at offering different accommodation possibilities to their potential customers. However, neither the letter nor the business case presented, address the specific point as to the perceived need for such isolated sites (as opposed to more self-catering units of the type they already operate, given its popularity). It is moreover, questionable whether the proposed chalet or lodge - itself a relatively conventional holiday accommodation unit - would in fact address a concern to offer more unusual accommodation experiences to guests. In short, and notwithstanding the anecdotal advice given, it is not apparent that the proposals - including their siting and types of unit proposed - would in fact address a need or opportunity that is itself demonstrated by the performance of the existing tourist accommodation business at Flatt Farmhouse, or the owners' experience of guests' preferences and feedback.

Ultimately, it may be that the Applicant can provide appropriate details of their existing tourist accommodation business to demonstrate that it is a viable tourist accommodation destination, and that their projected profit is realistic in these terms (that is, based on the actual experience of marketing and operating the existing business). Had this been the only concern with these proposals, then it would certainly have been appropriate to have asked the Applicant to provide appropriate and detailed information about the performance of their existing holiday let business, to date. However, and returning to the six criteria that any proposed business use in the countryside is required to address under Policy HD2, I would advise that all of the proposed sites in this case, both cumulatively and individually, variously raise concerns with respect to their impacts upon the environment and amenity of the site and surrounding area. Beyond this, the

proposed log cabin unit, where it is capable of accommodating a long-term or permanent residential occupation, additionally raises concerns that are only appropriately considered under Policy HD2 of the Local Development Plan. Taking account of these concerns, which are addressed in more detail below, I am content that an addendum to the business case from the Applicants addressing the above noted concerns, would not have allowed me to set aside my concerns with respect to the proposed locations and operation of the actual specific sites that they have identified.

I note Economic Development's support for the proposal but again, this is based on generic advice that opportunities generally exist within tourist development in the Scottish Borders, and that the latter would be beneficial to the wider local economy. While this is undoubtedly the case, it is not in itself an informed consideration of the viability of this specific proposal. The exact same advice could reasonably be given relative to any tourist development proposal in the Scottish Borders. As such, it has nothing to say about this specific proposal. A full and detailed business plan might have allowed for a more authoritative response from Economic Development in this respect, but without that, their advice is not, I consider, reasonably interpreted as an informed view of the potential success of this specific proposal. Without the latter, it cannot, I consider, be accorded any significant weight in this decision.

## ENVIRONMENT AND AMENITY

Notwithstanding that the Applicant only proposes to operate two of the identified sites at any one time, the specific sites are somewhat random in their situations (in two cases actually between a shelter belt and field); and in all cases, they are not readily accessible to normal vehicles, either being within fields - in two cases, very far into these same fields - or accessible from tracks that are currently only negotiated by farm vehicles. This in itself would raise concerns that there would be substantial and extensive works to accommodate services, and access and parking, particularly if all four sites were to be operational; or capable of being operated as proposed. The need for enhanced access into these different sites around the farm, would in themselves exaggerate considerably the impacts upon the rural character of the site and setting at Flatt Farm, for example with new access roads, parking areas, fencing and other facilities retaining and accommodating the actual operation of what is proposed; that is, beyond the actual 'hobbit house' and log cabin themselves.

Moreover, and as noted above, there is also a requirement under Policy HD2 to rule out any more appropriate existing buildings or brownfield sites that might have accommodated the same needs without involving any greater or further development than is necessary. Only one of the sites is within the farmyard (the back of an existing silage clamp), whereas the rest are scattered far and wide about surrounding fields, yet there are older traditional farm buildings within the farmyard, that would appear capable of conversion to tourist accommodation use; structures which superficially at least, could be made into attractive holiday letting units if they were no longer required by the farm. It may be that such buildings are still operated by the farm, but the business case has not demonstrated that these have been considered and appropriately ruled out. Ultimately there is something of an unsubstantiated leap within the application from these buildings and sites within and around the farmyard, to remote areas of surrounding fields. It is simply not tenable that the mostly greenfield sites identified, are the only opportunities that the Applicants would have to accommodate tourist letting units, and it would appear that more appropriate, certainly more accessible and sustainable sites have been ruled out, in favour of deliberately more remote, harder to access sites, without any full accounting for the reasons for this, or the consequences of making these 'further afield sites' accessible and serviceable as tourist accommodation units.

With regard to the site within the farmyard, it is not clear how this specific site could be operated in such close proximity to the working farmyard without there being potential for conflict between this proposed tourist accommodation unit and normal farm operations. This includes the potential for a mix of traffic and of different vehicle types and movements. Again, it suggests that even this site actually within the farm, would require to be accommodated with its own access road and parking to allow the two uses to prevail in such close proximity. Ultimately though, it has not been demonstrated that this site has sufficient amenity in itself to be an attractive tourist accommodation destination for visitors. On the contrary, given the proximity of the working farmyard and potential for noise and smells to impact any unit in this close proximity, it would appear that this particular site has very little amenity that would suggest that it would be liable to appeal to paying guests.

The same point is also substantially true of the other sites, which are generally within fields and/or field shelters. While these would benefit with some remove from the farmyard itself, they otherwise appear quite

random, and no more or less liable to appeal to guests than any other section of surrounding fields and shelter belts. Again, the Applicant has not substantiated the identification of these particular and quite remote sites, as sites that would specifically be liable to be attractive to visitors, and capable of viable operation as tourist let accommodation sites.

An additional concern is the lack of any attention to impacts upon existing trees and shelter belts on or near the site. In two cases, these would potentially even be directly 'hollowed out', to accommodate the proposals, even although the latter could easily be removed in their entirety from the tree belts, and set back sufficient distance as to avoid any and all needless impacts upon trees; and stone walls for that matter. The randomness of the choice of sites ultimately demonstrates little concern to accommodate the proposals sensitively or discretely within the landscape. On the contrary, there appears to be a particular concern to ensure that accommodation is provided 'off-the-beaten-track' in remote, potentially difficult to access spots. However, any and all works required to make them accessible and to service them, would be liable to exaggerate the impacts of the development, spreading it over a much greater area than is actually necessary, particularly if it is to be accompanied by new access tracks, and parking areas; other potential related structures such as fencing and other ancillary structures required to make the accommodation accessible and operationally discrete from the farming operations within the surrounding fields. All in all, the actual 'hobbit house' or log cabin is reasonably only the 'tip-of-the-ice-berg' of what these proposals would actually entail, were they to be approved.

Ultimately and regardless of the type of accommodation units identified, and regardless of the existing Bed and Breakfast business, I would consider that the proposed sites in themselves, are simply not appropriate locations for tourist accommodation, in being too remote and too spread out from the group of buildings at Flatt Farm. They would spread development unnecessarily far and wide into the surrounding landscape with no specific justification having been given for this, or for the choice of specific sites identified; particularly given the potential for development to be accommodated in more accessible, and seemingly sustainable locations, where units might benefit from the same access and servicing arrangements. Additionally the potential for related impacts upon trees, and rural scenery (upon stone walls in some cases), and the likely concomitant spread of access roads and parking areas, would all exaggerate the unacceptable impacts upon the amenity and character of the site and its landscape setting. In one case at least, something must also be said about the lack of any concern to separate farming activities and operations from the tourist accommodation operations, which beyond road safety concerns, might also be liable to make the farm unviable or require other development to achieve appropriate separation of these operations.

Taking account of the generally sporadic and disparate form of development, I consider that the proposal in its cumulative effect, would not relate well to its setting as a whole, as well as in the above noted specific concerns. For different reasons, the specific site's are potentially liable to be unappealing to guests - for example in their close proximity to farming operations; their isolation and remoteness from other developments; and their potential lack of amenity. It has not been demonstrated that any of these are in fact situations that paying guests would purposively seek out as their preferred option. I note the general references to 'glamping' as an experience or type of activity holiday in which more remote locations and situations might be offered, but this is not any justification of the specific proposed sites, whose selection is not substantiated in any terms that would justify the particular locations and forms proposed (including those that needlessly contradict existing field boundaries). If anything, the existing landscape is to be put to the service of the proposal (new access roads; tree belts hollowed out etc.); rather than there being any concern to accommodate what is proposed sensitively within its environs. There is, or at least there is potential for, something of a contradiction between tourist accommodation that seeks to offer more authentic or natural experiences; and the potential for extensive, if not in places, substantial, works, being required to actually deliver these.

For the above noted reasons, I would consider the proposal to be unacceptable in its impacts upon the site and surrounding area - both cumulatively and individually - chiefly in its unnecessary spread of development, far and wide, around the farm, into the open countryside. In this context, the lack of any business case to substantiate the viability of the proposals and the particular concerns that would be met by the proposed types of accommodation, and the specific proposed sites themselves, is material. There is no justification for the type and form of development that is proposed, beyond the general advice that what is proposed would tap into a wider market for 'glamping' experiences. It is also material that the Applicant has not demonstrated that the proposals could not be accommodated in closer proximity to the Farmhouse and in circumstances that did not exaggerate the impacts upon, and into, the local landscape (for example making use of an existing converted building or an area where the accommodation units might be

accommodated both discreetly and discretely relative to the farm and surrounding area). In short, it is not accepted that the Applicant has reasonably arrived at the proposed sites having properly investigated the potential for the use of other sites, which within the hierarchy of development outlined within Policy ED7, would have been liable to have been considered more acceptable.

## DESIGN, OPERATION AND DISPOSAL

An additional point of concern is that the Applicant is proposing the introduction to the site of two new and different structures, which do not reflect any existing types of building - including the previously approved BBQ hut. This would only add to the sporadic and unsympathetic nature of the proposed development. Where holiday accommodation units might have been justified by a business case, there would have been a concern to limit the number of new and different types of structures to those which at least belonged within the same assemblage or collection of development types, rather than an assortment of different designs adding up to a confused character of development, liable to appear less considered and planned.

In the event of approval, conditions might reasonably require that the units be used for short-term holiday lets only, in order to ensure that they would only be operated as tourist/visitor accommodation, and not as any permanent residence.

Something does though need to be said about what would occur were the units to prove unattractive to guests and customers of the tourist accommodation business, and therefore whether or not, or how, they might be disposed of in the event that they were not required by the Applicants' holiday letting business. Given that these are potentially capable of operation as caravans, and are therefore temporary structures, it might be required under planning condition that they could be removed from the site by a particular point in time were their use as holiday lets to cease. There is however an ulterior concern to be considered, which is whether or not they might be capable of being used as long-term or permanent dwellings, were they sited and then demonstrated through the operation of the business to be unviable as holiday-maker accommodation. In such circumstances, it is possible that they might be the subject of applications proposing their use, or their sites' use as residential accommodation.

I would accept that the proposed 'hobbit house' accommodation - which is described more fully in the supporting details than the log cabin - is by reason of its size and design, a temporary tourist let accommodation unit, which by virtue of its design, would be unlikely to accommodate any long-term (let alone permanent) residential occupation. However, the same is not intrinsically true of the proposed log cabin, which - in so far as it is actually described - is potentially more likely to be capable of accommodating a long-term or permanent, residential unit (or four, depending on what might ultimately be sited and operated under any consent issued).

As such - and certainly without any detailed or empirical evidence of the potential viability of the site's potential for operation as a viable tourist accommodation unit first having been given at this stage - there is a risk that approval of this particular unit might in time at least, result in an application for an isolated dwellinghouse; or four such houses; or otherwise allow for a permanent residence to be established in this situation/these situations. Again, it is reasonably allowed that the Applicant might have been able to provide some reassurance through their business case that this would be unlikely to happen, but since this has not been addressed, and since no business need for this specific type of accommodation unit has in fact been given (as opposed to a pod or similar, more temporary and limited unit, including the 'hobbit house'), there is no basis to accept that what is proposed would be liable to operate viably in the long-term. The viability of specifically offering a chalet or chalets for let in this particular location, has not been demonstrated satisfactorily. Therefore it cannot be ruled out that an approval in this context might be liable to promote future applications for houses on these sites, were their operation as holiday let units demonstrated empirically, to be unviable through their actual operation as such.

## OTHER CONCERNS

I note the lack of any objection from Roads, but the latter only acknowledges impacts upon the surrounding roads network, and does not consider more local impacts such as the need for new parking and access facilities, and the potential for conflict with farming operations at the farmyard.

I note that the Landscape Section considers that the proposals would be relatively discreet in landscape terms and is therefore supportive subject at any rate, to no trees being damaged. However, there is a clear

intent on the Applicants' part to site the accommodation in two cases, partially within an existing tree belt. It is unclear how these two sites might be operated without existing trees being removed and damaged in the process. Landscape, I understand, would anticipate the Applicant being required under its proposed conditions to re-site or avoid Root Protection Areas, but any such requirement would clearly be at odds with the operation of these two sites as they are defined by the Applicant. I would also be concerned that Landscape - like Roads - has omitted to consider the ulterior impacts that would be associated with the upgrade and provision of these sites to accommodate vehicular access, parking and turning, and the provision of services, which might make these sites far less discreet in their overall impacts (including in landscape and visual terms) than the proposed holiday accommodation units would otherwise be in isolation.

I note Environmental Health's concerns with respect to water supply and drainage, but also its advice that its concerns might be met by planning conditions. However, again, given the lack of detail provided with respect to the operation of the specific sites and the paucity of information supporting this application, it is not adequately foreseeable how these specific matters could or would be addressed satisfactorily, in each specific case; and particularly on the more remote sites. I would not be content to leave these matters to regulation under conditions. As with the potential for ulterior road access proposals, the lack of attention to these matters, does suggest that the proposal in so far as it is described, is only a part of what would ultimately require to be delivered on site, to make the proposed sites habitable; not to mention attractive to tourists.

The Applicants' description of the sites being subject to "natural field drainage" is an ambivalent description with regard to whether or not there would actually be any active surface water management at the sites; while it is unclear how water would be supplied to each of the sites from the farm. As with the road access and parking arrangements, it is ultimately unclear whether or not significant works would be carried out to accommodate appropriate services to each of the sites, or whether these matters would not in fact be addressed at all. (It is unclear whether the sites would have sufficient amenity to make them pleasant and attractive holiday locations, or whether a lack of appropriate basic facilities would make them unappealing tourist accommodation sites). Again, had this been the only concern, it would have been appropriate to have sought further advice from the Applicant as to what was intended in each specific case, but it is ultimately one of a number of loose-ends, which cumulatively make it very difficult to anticipate what precisely the impacts of this proposal would actually be; other than greater detail would have been required to provide sufficient reassurance that the arrangements were viable, and would not lead to any ulterior extensive development, and would not have any unacceptable impacts upon existing infrastructure and services at Flatt Farm and further afield.

In summary, as far as the advice of the above noted consultees is concerned, I have taken account of their respective views, but I would respectfully consider that all have underestimated the actual impacts of what would be liable to occur were the application approved in its current form, and that the impacts would not reasonably be regulated under appropriately worded conditions in this case. This is given the situations involved, and given the lack of details given, with respect to what is actually intended with regard to vehicular access; site services and landscape impacts.

Were any large areas of trees impacted, there would be potential also for ecology concerns. While the risk is lower relative to the coniferous shelter belt, impacts upon the woodland to the west, would be more of a concern. However, in the event of approval, there would, I accept, appear to be sufficient capacity to remove development out of the Root Protection Areas of these trees, in that one case. This issue - at least in that specific case - could be managed under an appropriately worded planning condition.

The degree of set back from surrounding properties is such that there would be no concerns with respect to impacts upon residential amenity of any neighbouring properties.

There are no proposals with respect to the management of refuse and waste from the sites. Again, it is unclear whether any such provision would further exaggerate landscape and visual impacts, or whether a lack of such provision, would undermine the attractiveness of the sites to guests. As with regard to access, services and landscaping, it would appear that this type of issue would in fact be more reasonably managed in closer proximity to the Bed and Breakfast business itself, in similar or equivalent physical proximity as the existing BBQ hut.

POLICY ED8 - CARAVAN AND CAMPING SITES



In so far as the proposals may relate to the siting and operation of caravans, the proposals also require to be assessed under Policy ED8, Section A, which relates to new and extended caravan and camping sites. This specifically seeks that new caravan sites should preferably be accommodated near existing developments in order to help support local shops and services (a measure that would also have potential to reduce vehicle journeys and movements if holiday makers are able to access shops and services conveniently). This section of the policy also requires that caravan proposals should: (a) must be of the highest quality and in keeping with their local environment and should not cause unacceptable environmental impacts; (b) must be acceptable in terms of impacts on infrastructure; and (c) must be in locations free of flooding.

I am content that the consideration required under Policy ED8 is largely replicated in the assessment of the proposals that I have already made in relation to Policy ED7, but with particular regard to Policy ED8, I would note that Policy ED8 does not provide any alternative basis for the sporadic and isolated character of development proposed, and on the contrary, would look to see caravans accommodated not in any remote situation but actually in areas adjacent to the Development Boundary. There are no unacceptable flood risk impacts in the context of this proposal, and therefore the proposals do not specifically fail to address criterion c. of Section A of Policy ED8, however, I do consider for the reasons already noted within my assessment under Policy ED7 that the proposal does fail to address criteria a. and b. noted above, and therefore that the application should also be refused on this basis, in addition to the failure to comply with Policy ED7.

## CONCLUSION

The lack of an appropriate level of detail within the business case with respect to the performance and direction of the existing business operation, and the lack of any detailed and site specific justification for the specific proposals, are recurring concerns. Had the actual sites and proposed accommodation units otherwise been considered capable of being supported subject to such clarifications, then it would have been reasonable to have asked the Applicant to address these particular deficits ahead of the determination of this application. However, beyond any reassurance that the Applicant might have been able to give with respect to the business' viability and its own consideration of its need for the specific type of accommodation and sites sought here, I would nonetheless consider that the current application is only reasonably refused for the following reasons:

The operation of holiday let accommodation units at the proposed sites would be, singularly and collectively, unacceptable in its impacts upon the rural amenity, character and setting of the site and surrounding area, principally in the lack of concern to accommodate these units sensitively relative to their surroundings. There has specifically been no consideration of the potential to reuse any existing buildings, or make better use of brownfield sites in closer vicinity to the farm and access road; ahead at any rate, of proposals to break into the open countryside, and at considerable distance, in at least three cases, from the existing buildings at the Farm. There is a reasonable expectation that the proposals should be accommodated as sensitively as possible within their sites and landscape setting, making efficient use of existing resources and seeking to minimise their impacts upon the site and its surroundings. Where the need could not be met by existing buildings and brownfield land, then it would reasonably be expected that the proposals might otherwise seek to replicate the situation of the advisedly successful BBQ unit, including in terms of its proximity to the existing Bed and Breakfast business. However, rather than seek to reproduce this, or otherwise, contain the proposals appropriately, these particular proposals appear unnecessarily exaggerated in their impacts, and would appear liable to be exaggerated further, when tree clearances, access and services provisions are factored in.

Moreover, the Applicant is proposing at least one residential unit type which would be capable of conversion to long-term or permanent residential use without the need for such a unit first having been justified within the business case (which is itself somewhat contradictory in the stated need to provide more quirky accommodation possibilities, but then identifying a more conventional holiday let unit to service this need). Since no such need has been demonstrated satisfactorily, and since no reassurance has been provided that the isolated log cabin (or log cabins) can be operated viably as short-term holiday accommodation unit(s), the need for this specific type of accommodation in such an isolated situation, would not be reasonably supported.

In summary, the proposal does not accord with Planning Policies ED7, ED8 or PMD2 of the statutory development plan, and the Applicants have not otherwise provided sufficient justification in support of the

specific proposals that would allow the adverse impacts of the proposals upon the amenity and environment of the site and its surroundings, to be set aside.

#### **REASON FOR DECISION :**

The planning application should be refused for the following reasons:

The proposal is contrary to Adopted Local Development Plan Policies ED7 and PMD2 in that: (i) the Applicant has failed to demonstrate that there is not an existing building(s) or brownfield site(s) available that would more appropriately and sympathetically accommodate the proposal, thereby avoiding the need to develop isolated greenfield sites; and (ii) its siting and layout would not respect the amenity and character of the site and surrounding area; including neighbouring uses and neighbouring built form. Further, the Applicant has failed to provide adequate business justification to demonstrate that the proposal is capable of being developed and operated viably as holiday accommodation, including any justification of the specific sites proposed, and of the specific type of accommodation units proposed;

The proposed development is contrary to Adopted Local Plan Policy ED8 in that there is no justification for such an isolated countryside location for the proposed caravans; and in their siting, these would also not be of the highest quality or in keeping with their local environment, and would cause unacceptable environmental impacts, primarily by spreading a caravan development far and wide over a much larger area than is actually necessary or justified by the supporting business case.

#### **Recommendation:** Refused

- 1 The proposal is contrary to Adopted Local Development Plan Policies ED7 and PMD2 in that: (i) the Applicant has failed to demonstrate that there is not an existing building(s) or brownfield site(s) available that would more appropriately and sympathetically accommodate the proposal, thereby avoiding the need to develop isolated greenfield sites; and (ii) its siting and layout would not respect the amenity and character of the site and surrounding area; including neighbouring uses and neighbouring built form. Further, the Applicant has failed to provide adequate business justification to demonstrate that the proposal is capable of being developed and operated viably as holiday accommodation, including any justification of the specific sites proposed, and of the specific type of accommodation units proposed.
- 2 The proposed development is contrary to Adopted Local Plan Policy ED8 in that there is no justification for such an isolated countryside location for the proposed caravans; and in their siting, these would also not be of the highest quality or in keeping with their local environment, and would cause unacceptable environmental impacts, primarily by spreading a caravan development far and wide over a much larger area than is actually necessary or justified by the supporting business case.

**“Photographs taken in connection with the determination of the application and any other associated documentation form part of the Report of Handling”.**