

**Application Number: 21/11621** Full Planning Permission

**Site:** JUBILEE CAMPING, BROWNS LANE, DAMERHAM SP6 3EJ  
**Development:** Regularise the existing structures on the site associated with the use as a campsite (Retrospective)  
**Applicant:** Mr & Mrs Burrough  
**Agent:** Pure Town Planning  
**Target Date:** 08/02/2022  
**Case Officer:** Vivienne Baxter

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## 1 SUMMARY OF THE MAIN ISSUES

The key issues are:

- 1) Background
- 2) Principle of the development
- 3) Design and scale
- 4) Impact on the character and appearance of the area/AONB
- 5) Other issues raised

This application is to be considered by Committee because of contrary views from both Parish Council and Local Member.

## 2 SITE DESCRIPTION

The site lies within the Parish of Damerham to the south west of the village. It comprises part of the holding known as Manor Farm. The site area is not a specific parcel of land but includes a single area which incorporates all structures which are proposed to be retained. Accessed from Browns Lane, the site rises from the road and there is a backdrop of trees to the two larger structures which are visible from this point. The nearest public right of way runs parallel to the access track approximately 150m to the west. As well as agricultural land, the site also includes some woodland.

## 3 PROPOSED DEVELOPMENT

The proposal entails the retention of four timber buildings comprising a pitched roof shower block containing 8 individual cubicles, a pitched roof toilet block containing two rooms, each with 4 toilets, a pitched roof toilet block and a mono-pitched roofed toilet block, each with two toilets.

## 4 PLANNING HISTORY

Proposal	Decision Date	Decision Description	Status
21/10790 Application for approval under Regulation 75 and 77 of the Conservation of Habitats and Species Regulations for the use of the land as (tented) camping site for up to 28 days (under Class B permitted			Granted

development) and up to a further 28 days within the period 01 January 2021 to 31 December 2021 (under Class BA permitted development)

20/10607 Use of land for seasonal camping for up to 75 days per year; retention of toilets and showers on a permanent basis. 26/11/2020 Withdrawn by Applicant

## **5 PLANNING POLICY AND GUIDANCE**

### **Local Plan 2016-2036 Part 1: Planning Strategy**

Policy ENV3: Design quality and local distinctiveness

Policy ENV4: Landscape character and quality

Policy STR2: Protection of the countryside, Cranborne Chase Area of Outstanding Natural Beauty and the adjoining New Forest National Park

### **Local Plan Part 2: Sites and Development Management 2014**

DM13: Tourism and visitor facilities

### **Core Strategy**

CS19: Tourism

### **Supplementary Planning Guidance And Documents**

SPG - Landscape Character Assessment

### **Relevant Legislation**

Section 38 Development Plan

Planning and Compulsory Purchase Act 2004

National Planning Policy Framework

### **Relevant Advice**

NPPF Ch.11 - Making effective use of land

Chap 12: Achieving well designed places

### **Constraints**

SSSI IRZ Residential

Aerodrome Safeguarding Zone

Area of Outstanding Natural Beauty

Groundwater Protection Zone

Small Sewage Discharge Risk Zone - RED

Meteorological Safeguarding

SINC

Avon Catchment Area

### **Plan Policy Designations**

Countryside

## **6 PARISH / TOWN COUNCIL COMMENTS**

### **Damerham Parish Council**

Following decision, by the members of the Parish Council, a motion to recommend a PAR4 was proposed, seconded and Resolved (5), (1 abstention and 2 none votes due to conflict of interest.)

PAR 4: We recommend REFUSAL, the reasons listed below

This application for retrospective planning to retain buildings as permanent structures is contra to planning policy ENV4 and STR2 due to the visual intrusion and overbearing impact and possible noise and light pollution that they create with in the landscape of the AONB and dark skies reserve.

Considering retrospective planning permission for the buildings alone and not their possible use is unconceivable and should therefore be considered with the wider issue of their historical use of a campsite.

The Parish Council would look more favourably if these structures were to be used solely under permitted development (hence 28 day use) and therefore remain temporary and be removed on days when there is no camping taking place.

## **7 COUNCILLOR COMMENTS**

### **Cllr Edward J Heron**

Objects - contrary to policy, would result in both direct and indirect harmful impacts on the countryside

*Comments in full are available on website.*

## **8 CONSULTEE COMMENTS**

Comments have been received from the following consultees:

**AONB Office:** not in support

## **9 REPRESENTATIONS RECEIVED**

The following is a summary of the representations received.

Against: 45

- the campsite causes noise and disturbance every summer
- traffic congestion/road safety
- harmful to AONB/Dark Skies Reserve
- camp site isn't needed
- applicant has disregarded planning regulations
- structures are unsightly
- no agricultural benefit
- approving the application would make a mockery of the planning process
- little justification to allow their retention
- would set a precedent
- application should be assessed purely on the 28 days use
- campsite every summer will drive locals away
- concerns about where waste water would go
- campsite would not bring anything to the community
- retention of the blocks would harm the desire to sustain long views
- campsite threatens the tranquility of Damerham
- could end up as another 'Sandy Balls'
- first step in increasing capacity
- plenty of more appropriate alternative sites for a campsite
- inaccuracies on application form
- established hospitality businesses would lose visitors
- local residents seriously affected by the unauthorised campsite use
- larger blocks are visible from both road and public footpath
- buildings should be removed when the campsite is not in use
- applicants should adhere to permitted development rights

- the bus stop only has one bus a week
- facilities have no function on their own
- proposal is contrary to several policies
- loss of privacy and overlooking from the site
- inaccuracies in the application
- application should include the whole campsite proposal
- approval would be the 'thin end of the wedge'
- proposal shouldn't be considered in a Dark Sky Reserve/AONB
- campsite would destroy the village

An objection letter submitted on behalf of several local residents (20 households), many of whom have written in separately, raises the following points:

- a proposal for a facility in association with a use which has not been granted permission should not be considered
- the application doesn't demonstrate phosphate neutrality
- proposal should be considered with the associated elements of the campsite such as access tracks and extended use as was previously proposed

For: 4

- facilities are excellent and well maintained
- welcome addition to the locality
- will enhance the amenities for the benefit of the visitors and the environment/natural setting of the site
- campsite offers the opportunity for visitors to experience rural life
- buildings have a minimal impact
- those objecting don't understand the business
- campsite is an asset to the community
- local businesses should be supported
- villagers support the pub and village hall which create noise and disruption
- farm campsites are preferable to many

## 10 PLANNING ASSESSMENT

### Background

The application follows enforcement action as a result of the provision of several facilities buildings on land at Manor Farm. Whilst a planning application for their retention was submitted in 2020, that application also included the use of the land for camping purposes in excess of the permitted development rights for use of land for camping purposes (28 days per calendar year). It was withdrawn in late 2020. Since that time, discussions to address the concerns raised and account for temporary changes to the permitted development rights legislation due to the pandemic have been had. It was also considered necessary to serve a Temporary Stop Notice in the summer of 2021.

One of the main concerns in respect of the previous planning application was the impact of tourist accommodation on the European sites, in particular the increased level of phosphates occurring in the River Avon, designated as a Special Area for Conservation. This issue prevents 28 day camping from being permitted development unless measures are taken to mitigate against increased phosphates in the water environment. The applicants have now addressed this concern, completing a unilateral undertaking which requires all human waste to be tankered off site into a waste water treatment plant which does not discharge into the River Avon Catchment (application reference 21/10790). It was this particular issue that justified the issuing of the Temporary Stop Notice.

As this issue has now been addressed, this application should be considered on the basis that the use of the land as a campsite for up to 28 days a year is considered to be permitted development. There are no restrictions on the number of pitches allowed on the land for the 28 day period.

### Principle of Development

The buildings subject of this application are clearly intended for use in association with the 28 day permitted development rights for camping which the applicants have pursued for the last few years. Were they able to be removed i.e. not plumbed into the drainage tanks underground, they would constitute permitted development during the operation of the campsite. The fact that planning permission is required for their permanent retention and that it is a retrospective application are not relevant matters.

Policy CS19 supports the local tourism industry through, amongst other things, maintaining and enhancing tourist and visitor facilities and supporting new tourist provision in the countryside through farm diversification where local communities and the economy would benefit. Policy DM13 also supports farm diversification subject to new development being of an appropriate design and scale. It is therefore considered that the proposal is acceptable in principle.

### Design and Scale

As stated above, such a proposal is considered acceptable providing it is of an appropriate design and scale. In this respect, all four buildings have been constructed in timber which will weather down as a natural material. They have been placed on the ground and do not have foundations. The two larger buildings are comparable in their design and size to small stable buildings which are typical of a rural area. It is noted that in addition to cattle and pigs on the farm, the applicant also graze horses and these timber structures would not be out of keeping in this context when not in use in association with the campsite.

The buildings vary in height between 2.8m and 3.5m (with eaves levels 1.7m to 2.4m high). The two smaller buildings have a footprint of 9m<sup>2</sup> with the cumulative footprint of all buildings amounting to just 63m<sup>2</sup>. It is necessary to mention that agricultural permitted development rights would allow the construction of an agricultural building of up to 12 m in height and a floor area of up to 1000m<sup>2</sup> without the need for a formal planning application.

### Impact on character and appearance of area/AONB

It is acknowledged that the development has an impact on the character and appearance of the area. This does not automatically mean that the impact is harmful. The two smaller buildings are both set in excess of 200m from Browns Lane and are not readily visible from this public vantage point. From within the site, they are both situated with a back drop of trees which provide a good level of screening even during the winter months.

The two larger buildings are visible from Browns Lane and the public footpath although given their distance from both directions, are not considered to be intrusive features in their landscape setting. This part of the AONB is designated as Downland Hills which includes 'deciduous and coniferous woodland, clothing the crests of the slopes, silhouetted against the skyline'. The proposal would not interfere with this skyline.

## Other issues raised

The proposal would not give rise to overlooking of any nearby residential property, all of which are some distance from the buildings. There are no windows in the buildings and privacy is not an issue.

Noise and disturbance caused by visitors to the campsite (during the permitted 28 day period) is not a planning matter but a management issue. Noise complaints received by this authority's Environmental Health Service have been investigated on numerous occasions; but this has not resulted in statutory nuisance being proven..

The farm does not require planning permission to operate a campsite for 28 days each calendar year and as such, there is no requirement for the planning application to include use of the land as a campsite. Should the applicant wish to resubmit an application for additional days, it would be considered separately.

The conclusion of the Regulation 75/77 application dealt with the impact of this 'pop-up' campsite on the European sites and the waste generated during the 28 days of use will be tankered away to a waste water treatment facility which does not discharge into the River Avon catchment. That application also addressed the necessary Habitat Mitigation requirements.

Approval of this application would enable the facilities to remain on site all year round with limited impact on the character and appearance of the area. This does not affect the use of the land as a campsite which is permitted for just 28 days. Further, the retention of the buildings is unlikely to adversely impact the continuation of farming outside of the 28 days.

Whilst there have been many complaints and objections to the proposal, many of them relate to the principle of a campsite which is not for consideration at this time. It is accepted that visitors to the campsite will make use of the village facilities such as children's play area and pub. As there is no shop in Damerham, tourists are likely to go further afield to larger communities such as Fordingbridge where provisions can be purchased. In addition to this, the visitors would also be able to visit local attractions and overall, this would benefit both local community and the economy.

The proposal does not include any lighting within the buildings and externally, there are low key decorative string lights which are operated on a generator. The operation of these can be conditioned in order to minimise light pollution. Other lighting which has been drawn to our attention has related to events (beer/music festivals) held at the campsite which are regulated through different legislation and are not planning matters.

## **11 CONCLUSION**

The proposed retention of the amenity blocks would not have a significant impact on the character or appearance of this, Downland Hills part of the Area of Outstanding Natural Beauty given their small scale and timber construction.

## **12 OTHER CONSIDERATIONS**

It is acknowledged that the majority of concerns raised during the course of this application related predominantly about the issues generated by the campsite. The retention of the amenity blocks would have no impact on whether or not the campsite operates and would not affect traffic generation through the village and surrounding lanes.

It is fully accepted that there are some genuine concerns within the immediate locality about the campsite and the impact that it has on the amenity of nearby residents. However, legislation allows land to be used for up to 28 days a years for a variety of different uses (e.g.camping, motor events, markets, festivals etc.) without the need for any planning permission.

It is considered that the retention of these buildings would not have an impact upon the assessment of any subsequent applications that may be submitted in the future that may seek consent to use the land for camping/tourism (or any other use) beyond the permitted 28 day period.

## **13 RECOMMENDATION**

### **Grant Subject to Conditions**

#### **Proposed Conditions:**

1. The development hereby permitted shall be considered as having been commenced on the 9th March 2022

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development permitted shall be carried out in accordance with the following approved plans:

Planning Statement  
Ecological Impact Assessment  
site location plan  
MBN OB/1 - plans/elevations  
MBNJCF/2 plans and elevations (excluding storage container and catering cabin).

Reason: To ensure satisfactory provision of the development.

3. No additional external lighting shall be installed on the buildings. The decorative string lighting present shall not be illuminated between 2300h and dusk the following day.

Reason: To protect the amenities of the area in accordance with Policy ENV4 of the Local Plan 2016-2036 Part One: Planning Strategy for the New Forest District outside of the National Park.

#### **Further Information:**

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# New Forest

DISTRICT COUNCIL

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## PLANNING COMMITTEE

March 2022

JUBILEE CAMPING  
BROWNS LANE  
DAMERHAM SP6 3EJ  
21/11621

Scale 1:2500

N.B. If printing this plan from  
the internet, it will not be to  
scale.

