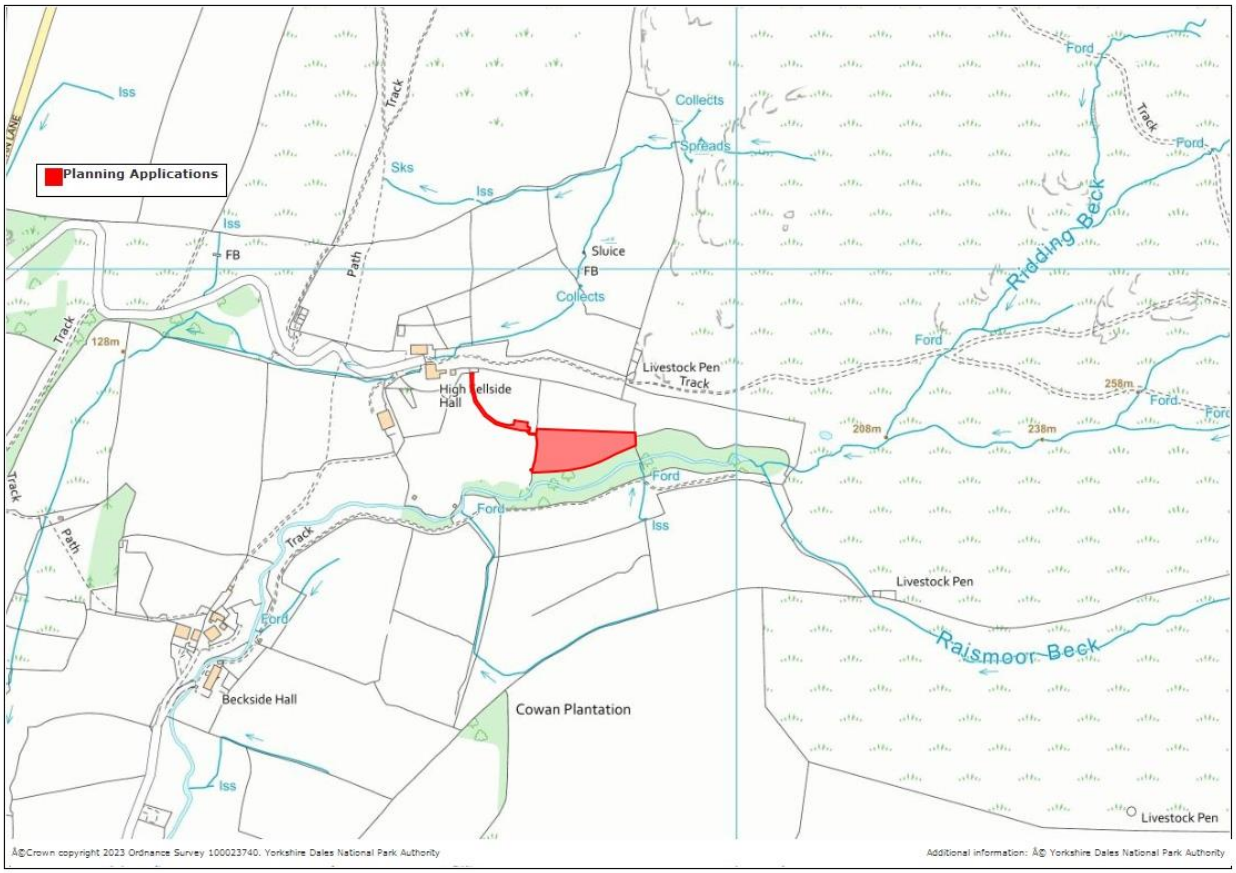
YORKSHIRE DALES NATIONAL PARK AUTHORITY

Committee:	Planning	**Parish:**	Middleton
Date:	30th May 2023	**Officer:**	Nicola Dinsdale
Applicant:	Mr Ian Handley	**Application No:**	S/11/25
Site Address:	High Fellside, Middleton, Carnforth, LA6 2NF		
Proposal:	Full planning permission for change of use of land to site four camping pods with associated landscaping, access and parking area, and installation of package sewage treatment plant		



REASON FOR COMMITTEE CONSIDERATION

1. This application is reported to Committee for the following reason: the application has been called to Committee by Cllr Ian Mitchell and the public interest reason given is:
    a. “The proposed camping pods will increase the variety of visitor accommodation for visitors;
    b. To extend the tourism season to be available all year round.
    c. To potentially reduce the pressure on housing stock. We could potentially see a reduction in holiday let’s and an increase in local occupancy if this application is approved.”

APPLICATION SITE

2. High Fellside is set in an isolated location accessed from the A683 close to Middleton Bridge by a narrow winding lane which rises up towards Fellside and the open moorland and serves two residential properties. The application site comprises two agricultural meadows to the southeast of High Fellside Hall which forms a large holiday let. The land is bound by a drystone boundary wall and is accessed by a gateway from a track leading towards Middleton Fell. The wooded gill of Middleton Hall Beck forms the southern boundary of the site with the land levels falling to the west down towards the A683 and the River Lune.

3. The land on the track to the north is set at high level above the site and forms a public right of way. This land is also designated as Common Land and Open Access Land, which extends to the east directly onto Middleton Fell.

PROPOSAL

4. The application seeks full planning permission for change of use of land to site four luxury camping pods. The proposal also includes the creation of a twin wheeled access track and parking area extending by approximately 90 metres in length, leading from the field gate to the parking area. The parking area will be surfaced with limestone with parking provision for six cars. A package treatment plant will also be installed to serve the proposed use.

5. The pods are of a contemporary design each will be clad in larch with an artificial AstroTurf roof covering. The four camping pods would be installed in two sizes, with the larger structures measuring approximately 10.35 metres by 3.97 metres having an overall height of 3.1 metres. The smaller two units will measure approximately 8.7 metres in length by 3.97 metres and 2.9 metres in height. Each unit would contain a lounge, kitchenette with shower/ WC and a log burning stove, with sleeping provision for 2 – 4 people per unit. Each unit will be fitted with patio doors that open onto an area of timber decking that extends to the full length of the pod and are approximately 3 metres wide. The decking areas are to be enclosed by a dark stained timber balustrade.

6. The pods would be positioned in a staggered formation on the sloping land, along the south perimeter of the most easterly field in close proximity of the wooded gill of Middleton Hall Beck. A topographical survey has been submitted and it would be estimated that minimal excavation would be required to alter the land levels in order to accommodate the pods.

7. The proposed vehicular track and parking area will be located within the field adjacent to the pods (to the west). From the parking area the pods would be accessed on foot, along the pathways consisting of closely mown grass, extending approximately 45 metres to the closest pod to 120 metres to the pod situated furthest away. The plans indicate that a garage building at High Fellside Hall will be used for the storage of bed linen, towels and cleaning/maintenance and will be accessed using an All Terrain Vehicle for changeovers and servicing.

8. In addition, the proposal includes an indigenous tree planting scheme along the line of the north and eastern drystone boundary walls. A small group will also be planted adjacent to the proposed parking area and small groups placed around each of the units. The fields will also be planted as wildflower meadows.

RELEVANT PLANNING HISTORY

9. The following applications are relevant:

There is no relevant planning history for his site.

CONSULTATIONS

10. The comments of statutory and non-statutory consultees are summarized below:

Clerk to Middleton PM – No response received.

Historic Environment Team - No objections.

Trees & Woodlands – No objection.

The woodland gill is marked as priority habitat and is significantly old (marked on the 1856 map).

The drainage pipework serving the proposed pods runs adjacent to the Priority Habitat Woodland (if the trees are marked acurately on the plan) and is within the drip line of the trees, with the outflow running through the woodland to the beck. As such there is potential for damage to the trees rooting environments. There has not been an Arboricultural Impact Assessment carried out to determine the effect of this.

Concerns are raised relating to the planting of so many large standard trees. Each tree will need around 70 litres of water a week during dry periods for the first three or four years (may be longer). That would equate to the landowner either watering the trees everyday or filling 100 water bags a week. Are they realistically going to do that? What happens if there is a water ban?

Whilst no objection from a trees/woodland point of view, there are grounds for concern, particularly due to poor detail with regard to landscaping, and the potential impacts on the adjacent woodland.

Fire Officer - South Lakeland – No objection. Advice provided regarding access for firefighting and water supplies.

Chief Environmental Health Officer CEHO - No objections.

Highways & LLFA - Cumbria SLDC – No objection

PUBLIC RESPONSES

Neighbour/interested parties' responses received: 2

11. This planning application has been advertised by site notice dated 20th January 2023.
Two responses have been received from the Friends of the Dales objecting to the proposal and are summarised below:

- The four luxury pods situated on the slopes of Holme/Middleton Fell are isolated from any other buildings.
- The use of the narrow road by visitors accessing the site.
- The benefits of the proposal on the local housing markets are unfounded.

- The biodiversity gain will only be so if adequately managed, instead the proposal will suburbanise a very remote area of countryside.
- The use of artificial grass for the covering of pods, introducing plastics into the environment, and is entirely at odds with the sustainability and biodiversity aims of the National Park.

ASSESSMENT

Key Issues:

- Planning policy
- Landscape Impact
- Landscaping
- Impact on Trees
- Biodiversity Enhancement
- Residential Amenity
- Rights of Way
- Trees
- Parish Council comments
- Equality Act

PLANNING POLICY

12. National Planning Policy Framework 2021 (para 176) states "Great weight should be given to conserving and enhancing the landscape and scenic beauty of National Parks, …… which have the highest status of protection in relation to these issues". The conservation and enhancement of wildlife and cultural heritage are also important considerations in these areas and should be given great weight in National Parks. The scale and extent of development within all these designated areas should be limited, while development within their setting should be sensitively located and designed to avoid or minimise adverse impacts on the designated areas.

13. With reference to "Building a strong, competitive economy," in particular "Supporting a prosperous rural economy," the NPPF at paragraph 84, encourages the development of agricultural and other land based rural businesses; sustainable rural tourism and leisure developments which respect the character of the countryside. Paragraph 85, of the Framework goes on to state that "it is important to ensure that development is sensitive to its surroundings."

14. Furthermore, the NPPF (para 130) requires Local Planning Authority's to ensure that new developments comply with a set of criteria. Most pertinent are parts (a) and (c). Part (a) requires new development to "function well and add to the overall quality of the area, not just short term, but over the lifetime of the development;" and part (c) requires new development to be "sympathetic to local character, history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change".

15. Paragraph 174 of the NPPF details that planning policies and decisions should contribute to and enhance the natural and local environment by: (a) protecting and enhancing valued landscapes, sites of biodiversity or geological; b) recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland; d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures; e) preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land

instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans; and f) remediating and mitigating despoiled, degraded, derelict, contaminated and unstable land, where appropriate.

16. Policies C5, T6 of the South Lakeland Local Plan (2006), and policies CS1.2, CS7.6, CS8.4, CS8.10 of the South Lakeland Core Strategy (2010), are the most relevant policies. Policy CS7.6 of the Core Strategy (2010) supports the creation, enhancement and expansion of tourist attractions in accordance with the development strategy under policy CS1. The policy notes that development should be of an appropriate scale and be located where the environment and infrastructure can accommodate visitor impact. Where a proposal is not readily accessible by public transport, then it will be permitted where it relies on a specific geographical resource or contributions are made to improve accessibility. Emphasis is placed upon widening the range of accommodation available.

17. Policy CS1 Places an emphasis upon development being within the principal key and local service centres with a reduced emphasis placed on smaller villages, hamlets and the open countryside and refers to new development within the countryside as an exception, being permitted where it has an essential requirement for a rural location.

18. Policy CS8.2 relates to the protection and enhancement of landscape settlement character. Proposals for development should be informed by and sympathetic to the distinctive character of the landscape. Development proposals should demonstrate that their location, scale, design and materials will protect, conserve and where possible enhance the local distinctiveness, the special qualities of the environment within the nationally designated areas of the National Park.

19. In general terms a camping pod of the type proposed falls within the legal definition of a caravan and consequently policy T6 of the South Lakeland Local Plan is the most relevant policy and refers to caravan development outside the Arnside and Silverdale AONB.

20. Policy T6 supports new caravan development or small-scale extensions to existing sites where there is no adverse impact on a) the conservation of the landscape and built environment'; b) the capacity of the surrounding road system and the adequacy of parking and access; c) the protection of wildlife, archaeological and geological features. Sites should have a closed season during the year to help the environment of sites recover from heavy use during the peak holiday period, to enable the natural recovery of the ground cover, the repair to paths and access lanes along with the protection of the landscape.

21. It is considered that policy T6 does not support this proposal because the proposal conflicts with its qualifying criteria. The four pods are large in scale and would be sited permanently ie. all year round. The proposed site is set in an elevated location within an open and exposed landscape. Although there is some limited screening afforded by the existing topography, the site can be seen in close views from the nearby public right of way, the open access land and common land, as well as being seen in long distance views from the west in the direction of the high fell above Killington and Rigmagden. Subsequently the proposed development does not meet the requirements of policy T6.

LANDSCAPE IMPACT

22. The site is located within the Lune Valley and is identified in the Cumbria Landscape Character Guidance and Toolkit as having a managed pastoral character, sloping pastures along the lower valley sides, fields bounded by stone walls and hedges. These are interspersed with woodlands, coppice and isolated trees

providing contrast with the unenclosed rough grazing, bracken and rocky outcrops found on the valley sides and the enclosing fells.

23. The application site is set in an elevated position and is visible in longer distant views from the rising land to the west of the site. Most prominently the site is seen from the nearby public footpath that runs along just above the fields to the north which also forms open access land and Common Land leading towards Middleton Fell. When viewed from these vantage points the proposed pods, the decking, the track, parking, external lighting along with any associated development and features would be highly visible and not screened by the existing topography and would form a prominent and discordant feature in the landscape. Although it is acknowledged that the site is partially screened by the existing woodland, from some vantage points, however given the site's wider prominence, the proposal has a harmful impact on the pastoral character of the landscape by introducing a planned arrangement of buildings that have a contemporary form and appearance with associated development. The natural undeveloped character of the site would be wholly undermined by this intrusive form of development.

24. The closely mown pathway serving each of the pods from the parking area, is likely to become worn with continued use and a visual feature in its own right. In time the path is likely to require some form of surfacing to maintain access when ground conditions are wet adding to its permanence and further eroding the undeveloped character of the land.

25. The proposed pods would be visually separate from the buildings of High Fellside Hall, sited all year round, and when up to full capacity will be capable of accommodating up to 12 guests with associated parking, paraphernalia and lighting. Given the existing undeveloped character of the land, the use would be an intensified level of human activity that would have an adverse visual impact and an adverse impact on the intrinsic character of the National Park landscape, including on the 'dark sky' quality of the National Park. The proposal is therefore contrary to policies T6, C5 and CS7.6.

LANDSCAPING

26. A comprehensive landscaping scheme has been submitted which comprises planting to be undertaken within the two fields. The landscaping scheme has been amended with a view to providing a more robust scheme by introducing a mix of younger trees and whips with more mature 'standard' native tree species with a view of enabling the woodland area to become established much sooner. The proposal is to introduce 100 mature trees with an approximate height between 3.7 and 6 metres and a further 200 trees of 60cm to 100cm in height which would be distributed within the specified planting areas.

27. The proposal has also details the planting of 7ha as wildflower meadows. Whilst the planting of trees is welcomed, the Authority's Trees and Woodlands Officer has raised concerns relating to the planting of the larger standards and their establishment and maintenance. Each tree would generally require in the region of 70 litres of water each week amounting to approximately 7000 litres per week for the larger standards trees alone. No specific information has been provided to explain how the trees will be maintained through to their establishment.

28. Although the amended planting scheme is relatively comprehensive, in the short-term the new tree planting would not be sufficient to provide screening of the site. It is likely that it would take several years for any planting to mature sufficiently enough to provide a degree of effective coverage and even then, the site would still be exposed in wider views from the west. At the current time, the site is not well screened and even with the proposed landscaping, the pods and associated development will be easily seen in both close and distant views and would have an adverse landscape impact and is contrary to polices T6 and CS8.2.

IMPACT ON TREES

29. The wooded area within the gill of Middleton Hall Beck is marked as priority habitat and is a mature woodland detailed on the 1856 map. Although the package treatment plant is outside the tree's root protection area (RPA), the waste pipes serving the units are located in close proximity to the trees and extends into the wooded gill and is within the trees protection area, which could potentially have a harmful impact health of the trees health. In addition, the Trees and Woodlands Officer has raised concerns relating to the potential impact of introducing new species to the site through the landscaping scheme, which could alter the historic woodlands long-term composition. In this case any new planting introduced should be of the same species as those already there, (with some variation to cope with Ash Dieback and climatic change). Without an arboricultural assessment a full assessment cannot be made.

30. Although the submitted landscaping scheme in its current form is not acceptable, this does not constitute a reason for refusal. Had the recommendation been for approval, then amendments would have been sought relating to the drainage and landscaping species, which could have been controlled by condition. However, given the landscaping concerns and the potential impact to the trees the proposal is in conflict with policy CS8.2

BIODIVERSITY ENHANCEMENT

31. A comprehensive tree planting scheme and the proposal to plant seven hectares of wildflower meadow would constitute a biodiversity enhancement measure and is consistent with policy CS8.4

RESIDENTIAL AMENITY

32. The closest property to the site is High Fellside Hall which is located approximately 160 metres to the east of the proposed site which is within the same ownership as the site. It is considered that although potentially increase in vehicular use and human activity at the site would not have any significant impact on residential amenity.

IMPACT ON HIGHWAY CONDITIONS:

33. The site is accessed from the A683 by a narrow lane that extends up to High Fellside. The Highway Authority has commented that the development would not have a material impact on highway conditions and has raised no objections to the proposal.

PARISH COUNCIL COMMENTS

34. Middleton Parish Meeting has been consulted with regards to this planning application. No responses have been received.

EQUALITY ACT

35. The Authority has a duty under s.149 of the Equality Act 2010 to have regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant characteristic and persons who do not share it. The relevant characteristics are: age; disability; gender reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex and sexual orientation.

36. It is considered that there are no overt reasons why this proposal would affect anyone with the protected characteristics such that the application should be permitted or refused on equality grounds.

CONCLUSION

37. The siting of the four large scale luxury pods along with associated decking, access track, parking, lighting, and other associated development are not sufficiently screened at the time of the application to make this an

appropriate site for this form and scale of development. There are practical concerns over the implementation of an amended landscaping scheme that relies on mature tree specimens requiring large amounts of water to be maintained. Visitor accommodation can have a positive effect on the local economy and increase opportunities for the public to enjoy the Park but it is considered that this is not the right site for such development.

38. The proposed development in this location would form a prominent and visually discordant feature in an otherwise undeveloped pastoral landscape of high visual quality, due to its siting, design, and scale. The introduction of the pods and associated development would have a significant harmful impact on the visual quality and intrinsic character of the National Park landscape in clear conflict with the NPPF requirement to attach great weight to conserving and enhancing the landscape and scenic beauty of the National Park.

39. The proposal is inconsistent with national planning policy and contrary to policies T6 and C5 of the South Lakeland Local Plan and policies CS7.6, CS8.2, CS8.10 of the South Lakeland Core Strategy.

RECOMMENDATION

40. It is recommended that permission be REFUSED for the following reasons:

In the opinion of the Local Planning Authority, the proposed camping pods, access track, parking, decking and external lighting would result in significant harm to the visual quality and intrinsic character of the National Park landscape. The proposal fails to conserve or enhance the landscape or scenic beauty of the National Park by reason of exposed location and prominence of the site, the unsympathetic appearance of the pods and associated infrastructure which would contrast sharply with the undeveloped, pastoral natural beauty of the area. The site is not well screened and would be easily seen from public footpath (555017), Common Land and Open Access Land, located to the north and east and would be seen in wider landscape views looking into the National Park from the west. The proposal is not sustainable development and is contrary to policies T6 and C5 of the South Lakeland Local Plan (2006), policies CS7.6, CS8.2 and CS8.10 of the South Lakeland Core strategy (2010), and the guidance within the National Planning Policy Framework (2021) [para. 176] and the first statutory purpose of the National Park (S.5 National Parks and Access to Countryside Act 1949).