

**DESIGN & ACCESS STATEMENT FOR VARIATION/REMOVAL OF CONDITION 1 OF APPROVAL REF 2021/1686 PROPOSED CARAVAN PARK MAPPLEWELL MEADOWS FARM, HILL END ROAD, BARNSELY**

**Background**

An application for a touring caravan park ref 2021/1686 was made to Barnsley MBC at Mapplewell Meadows. The Application was registered on 10/02/22

The application was presented to the Planning Board on Tuesday 7<sup>th</sup> June 2022 with a recommendation for refusal from the Case Officer. The minutes of the meeting record that:

“In accordance with the agreed protocol recorded that a vote was taken on this planning application with the amendment to APPROVE the application.”

The vote recorded was 16 in favour and 3 against. It was also recorded in the minutes of the meeting that Cllr Leech supported the proposals but did not take part in the debate or voting.

This represents overwhelming support for the proposal.

It was resolved, by Members, that the application be approved with delegation of planning conditions to Planning Officers, against the Officers recommendations, on the grounds that there would be very little effect on the greenbelt due to the proposed size of the site and various economic benefits the site would bring to the local area.

The minutes of the meeting held on 7<sup>th</sup> June, 2022 were taken as read and signed by the Chair as a correct record at the subsequent meeting held on 5<sup>th</sup> July 2022

Subsequently the approval notice was issued with several conditions including :

**Condition 1**

The use of the site for touring caravans and motorhomes hereby permitted shall only be carried out by the applicant i.e. Mr Paul Marsh, and shall be for a limited time of 5 years from the date of the decision notice. When the site ceases to be occupied by the applicant, or at the end of the 5 years, whichever shall first occur, the use hereby permitted shall cease and all materials and equipment brought on to the premises in connection with the use shall be removed.

**Reason: To ensure the site is managed and operated in accordance with the justification put forward by the applicant in order to minimise the impacts on the character and amenities of the surroundings in accordance with Local Plan Policy GD1.**

There is no record of any discussion at the meeting involving Members that a temporary approval was to be granted or the consent being designated in favour of the Applicant only.

The minutes of the meeting do not record that this matter was raised at all.

Further, the Applicant, and some of the Members who attended the meeting verify that these matters were not discussed or considered.

This condition was imposed to mitigate the fact that Officers wishes had been overturned by the Planning Board.

The reason stated for this condition is:

**Reason: To ensure the site is managed and operated in accordance with the justification put forward by the applicant in order to minimise the impacts on the character and amenities of the surroundings in accordance with Local Plan Policy GD1.**

### **Justification put forward by applicant on original application**

It is unclear exactly what 'justification' is referred to. However, the application included the following information:

*Mapplewell is allocated as green Belt in the recently adopted Local Plan.*

*Mapplewell Meadows comprises several paddocks and stabling for horses and open grassland interspersed with woodland. See Ecology Report for further details.*

*There are no trees on the proposed caravan site or associated access*

*The land is situated to the east of Darton with Mapplewell to the north, Wilthorpe to the south and Smithies to the east.*

*There are no residential properties affected by the proposals.*

*Due to the nature of the activities and extensive number of locations for the activities to take place there are no fixed parking arrangements.*

*As is typical of this type of rural location (for example Clumber Park near Worksop) where parking is at the visitor's discretion with guidance by site/event management as necessary periodically.*

There is no proposal shower or toilet block at the moment but if successful this will be considered with the appropriate applications to the L.P.A..

This will be a seasonal site opening March to October.

There will not be any static caravans on this area and is only a touring site.

The proposal will benefit the area by:

- job creation on Mapplewell Meadows Farm .
- Attract visitors to Barnsley with easy access to town centre as the site drops into urban Barnsley.
- within 20 minutes' drive to over 10 major attractions locally.
- A boost to the surrounding economy
- When holding events on Mapplewell Meadows it offers visitors the facility for stay over and visit Barnsley.

The Local Plan sets out the key elements of the planning framework for Barnsley, and the approach to its long-term physical development to achieve the Council's vision of what sort of place Barnsley wants to become.

The document reflects the council's hopes and aims for the people who live, work, run businesses and enjoy leisure in Barnsley.

Policy GB1 Protection of Green Belt explains that the general extent of the Green Belt is set out on the Key Diagram within the 'Plan'. The detailed boundaries are defined on the Policies Map. Green Belt will be protected from inappropriate development in accordance with national planning policy.

Most of Barnsley's countryside is Green Belt and account for almost 75% of the borough (The Green Belt in the last development plan proposals map, the UDP, amounted to 77% of the Borough). The Green Belt will continue to fulfil its longstanding role in the Borough of helping to conserve the natural environment by restraining development and assisting in the process of urban renaissance.

National guidance in the NPPF sets out some uses which are generally acceptable in the Green Belt.

The NPPF states at paragraph 89 that a local planning authority should regard the

### **Reason for Condition 1**

The reason that Officers stated for the 'condition 1' being imposed is:

**Reason: To ensure the site is managed and operated in accordance with the justification put forward by the applicant in order to minimise the impacts on the character and amenities of the surroundings in accordance with Local Plan Policy GD1.**

The Design and Access Statement submitted with application 2021/1686 makes no reference to how the site will be managed.

It is unclear how the site management would be a material consideration, other than any obligation on applicants to operate businesses and the like in a reasonable manner on all developments.

It therefore follows that designating the approval to an individual is unreasonable and unnecessary.

The Policy, GD1, referred to states:

Policy GD1 General Development Proposals for development will be approved if:

There will be no significant adverse effect on the living conditions and residential amenity of existing and future residents;

They are compatible with neighbouring land and will not significantly prejudice the current or future use of the neighbouring land;

They will not adversely affect the potential development of a wider area of land which could otherwise be available for development and safeguards access to adjacent land;

They include landscaping to provide a high quality setting for buildings, incorporating existing landscape features and ensuring that plant species and the way they are planted, hard surfaces, boundary treatments and other features appropriately reflect, protect and improve the character of the local landscape;

Any adverse impact on the environment, natural resources, waste and pollution is minimised and mitigated;

Adequate access and internal road layouts are provided to allow the complete development of the entire site for residential purposes, and to provide appropriate vehicular and pedestrian links throughout the site and into adjacent areas;

Any drains, culverts and other surface water bodies that may cross the site are considered;

Appropriate landscaped boundaries are provided where sites are adjacent to open countryside;

Any pylons are considered in the layout; and Existing trees that are to remain on site are considered in the layout in order to avoid overshadowing.

The correlation between this Policy and Condition 1 is unclear, or why a temporary approval or designated site operator is appropriate to meet these policy requirements.

### **Pre-application advice**

Prior to the submission of this application to remove Condition 1 we consulted Planning and received the following response:

This was an application that initially went to Planning Board with an officer recommendation of refusal. The Members of the Board overturned that recommendation and approved the scheme but they did request that it was necessary to impose a temporary and personal permission given the Green Belt location and that the weight they had attributed to benefits of the proposal was very specific and may not persist in perpetuity. This was the reason for imposing the condition to limit it for 5 years and make it personal to Paul Marsh.

In terms of a new application, if there are no other changes to the scheme other than you want to remove the temporary consent you could apply to vary condition 1 so it removes the wording that references the permission only being for 5 years. We will require a statement justifying why you think it would be acceptable to allow a permanent permission on this site given its Green Belt location. This should be backed up by evidence to show how the site has been operating, numbers of caravans on site throughout the year, where they are parked etc.

We would also need evidence to show that the applicant has complied with the other conditions on the attached decision notice. We would then need to assess the planning merits of that submission in the usual way.

The suggestion that it was Members that requested temporary consent or to make the approval personal cannot be verified as the minutes of the meeting do not record this and persons present do not recollect these events.

Therefore, the reason for the condition cannot be justified and appears to be at the whim of Officers without consultation.

It was suggested that this application should include a statement to justify why we think the use is acceptable in then greenbelt.

Bearing in mind the overwhelming vote by Board Members in favour of the scheme and the reason recorded in the minutes of the meeting this is sufficient justification.

### **Operation the Caravan Site**

The first visitors to the camp site was on the 20<sup>th</sup> September 2022 and were from Buckinghamshire

Town & Country Planning approval was before that date but some on site works were required to comply with 'planning conditions'. This delayed the implementation of the booking system.

The total number to date of UK visitors is 200 plus 25 more bookings for the remainder of this season.

There has been in excess of 20 visitors from overseas.

In order to attend the caravan site, it is necessary to visit the website [www.mapplewellmeadowsfarm.co.uk](http://www.mapplewellmeadowsfarm.co.uk) to book online.

It is necessary to answer various questions such as name, address, email address, vehicle registration number etc and payment is required

Once a booking is confirmed visitors will receive a booking confirmation (as attached). Please note that parts are redacted due to General Data Protection Regulations.

There is a dedicated member of staff that checks that the booking is from holiday makers only with private vehicles. Commercial vehicles such as vans, pickups or vehicles used for work related purposes nor vehicles carrying goods or fare paying passengers nor sign written vehicles, are not allowed. Also, tents are not accepted.

If it is felt that a booking is not from a genuine holiday maker then the booking will be declined/cancelled.

To date there has been over 20 bookings from persons from abroad, therefore, a translation facility has been added to the website.

Upon arrival visitors are directed to the caravan area, sited and the facilities and site rules explained.



*VIEW OF SITE WITH CARAVANS IN-SITU*

Condition 1 also limits the approval to a specific individual (the Applicant, Mr Paul Marsh). The reason appears to be that this will “order to minimise the impacts on the character and amenities of the surroundings in accordance with Local Plan Policy GD1.”

As there was no discussion prior to or at the Planning Board meeting regarding this requirement and nothing to explain the reasoning for this. Clearly the limitation to the use by Mr Marsh does not affect the impact upon the green belt or character of same.

Further, the land and amenities thereof may be bequeathed to his dependants or heirs. To dilute this asset is unreasonable and unnecessary.

In addition to Condition 1 (which is the subject of this application) Officers imposed the following Additional requirements:

Condition 2 -The development hereby approved shall be carried out strictly in accordance with the plans (Plan no. 20-117 01 Rev B, 20-117 01 Rev C, CEMP and BEMP) and specifications as approved unless required by any other conditions in this permission.

Although two different versions of the same drawing are listed, the requirements of this condition have been met.

Condition 3 Prior to the use commencing the existing gates at the entrance shall have been relocated to the position shown on the approved drawing no. 20-117 01 Rev B and shall be retained as such thereafter.

Before the use commenced the existing gates were not relocated but were retained to provide additional site security during the times when the site is closed. During the periods when visitors are on site the gate is fixed in the open position. This is a quite remote location and, during periods when the site is unoccupied, the additional security is necessary to discourage intruders, travellers etc. As this only occurs when the caravan site is not in use it is no detriment to highway safety.



*NEW ENTRANCE GATE IN OPEN POSITION*

#### Condition 4

Prior to the use commencing, the dedicated passing place along the access track, as shown on the plan received on the 27th July 2022 shall be in place and thereafter remain as a dedicated passing place for the lifetime of the approved use.

The associated passing places were provided prior to the site opening.



*PASSING PLACE AND SPEED HUMPS*

#### Condition 5

The boundary treatment to the site shall be in accordance with the details shown on drawing no, 20-0117 01 rev C received on 10th August 2022. The boundary treatment shall be completed before the use is commenced.



#### *FENCING TO CARAVAN SITE BOUNDAR*

The associated fencing was in place prior to the site opening.

Regarding Condition 6 & 7, the development was carried out in accordance with the Construction Environmental Management Plan dated 29th July 2022 ref no. 220178/CEMP

The scheme was implemented in accordance with the biodiversity and enhancements management plan dated 5th August 2022 ref 220178/BEMP/REV1.

#### **Conclusion.**

The Planning Board, at the Public meeting held on Tuesday 2<sup>nd</sup> June 2022, resolved that the application be approved with delegation of planning conditions to Planning Officers, against the Officers recommendations, on the grounds that there would be very little effect on the greenbelt due to the proposed size of the site and various economic benefits the site would bring to the local area.

Despite the Board's conclusion that the proposal would have very little effect upon the greenbelt, Officers unilaterally decided that it was necessary to overrule the Board and impose conditions relating to green belt issues.

The Applicant has demonstrated that the site is operated successfully and well managed.

The site has attracted visitors from around the UK and from overseas.

Local businesses have reported that visitors have utilised local shops and benefitted the local economy.

The Applicant has made a financial commitment and incurred cost in terms of time and effort to implement the development of the caravan site, which is an asset to the locality.

The site is well managed and has had no adverse affect upon local amenity.

It has been shown that this is a very appropriate use in this greenbelt location and the continued use should be welcomed by the Local Planning Authority.

**Therefore, the removal of the requirements of Condition 1 of approval ref 2021/1686 should be supported by Officers and the Local Planning Authority,**