

Report to Planning Committee

Application Numbers: 2020/0552, 2020/0549, 2020/0645 and 2021/0338

Appeal Refs: APP/N3020/W/21/3272020, APP/N3020/W/21/3272871, APP/N3020/W/21/3272865 and APP/N3020/W/21/3276147

Site Address: Ramper Covert Woodland next to Lay By, Mansfield Road, Arnold NG5 8PH

Case Officer: Bev Pearson

Four applications were refused permission on the above site and the Inspector considered all four appeals in one decision notice. The primary matters under consideration were impacts on the openness of the Green Belt and whether or not the various proposals were inappropriate development; highway matters and the impact on trees, which are subject of a Tree Preservation Order (TPO).

Appeal A

Proposal: Proposed change of use to 20 pitch campsite, alteration to the existing access, siting of a mobile WC block and a communal Tipi between May and September until 2023.

Refused permission by the Borough Council on the following grounds:

The proposal would result in built form and ancillary structures in an area that there have previously been none. This will have a material effect on openness of the Green Belt. Whilst it is accepted that the site is screened, the formation of an access to an acceptable specification to meet the local highway authority requirements will also impact on openness. There would be glimpsed views into the site and the parking areas the impact of which would be further intensified by the urbanisation of parked vehicles and associated infrastructure such as lighting, signage, tipi tent and amenity block. All these factors result in harm to openness and are therefore should not be approved unless very special circumstances exist. Very special circumstances will not exist unless the harm can be clearly outweighed by other considerations. It is considered that the very special circumstances of social, economic and environmental benefits in this instance do not outweigh the harm. Taking into account the above matters, the proposal is considered to be contrary to NPPF Part 13, LPD 24 - Tourist Accommodation and Policy LPD 19 Landscape Character and Visual Impact.

The Inspector found that the proposal would be detrimental to the openness of the Green Belt through the structures proposed to be erected and works required to improve the access and parking, therefore, the development would be inappropriate

development within the Green Belt and very special circumstances needed to justify the proposal do not exist.

Appeal B

Proposal: Change of use to natural burial ground and modifications to the access.

Refused permission by the Borough Council on the following grounds:

The proposal would result in development and built form in an area where there are previously been none. This will have a material effect on openness of the Green Belt. Whilst it is accepted that the site is screened, the formation of an access to an acceptable specification to meet the local highway authority requirements will also impact on openness. There would be glimpsed views into the site and the parking areas the impact of which would be further intensified by the urbanisation of parked vehicles and associated infrastructure such as lighting and signage. All these factors result in harm to openness and are therefore should not be approved unless very special circumstances exist. Very special circumstances will not exist unless the harm can be clearly outweighed by other considerations. It is considered that the very special circumstances of social, economic and environmental benefits in this instance do not outweigh the harm. Taking into account the above matters, the proposal is considered to be contrary to Part 13 of the NPPF (2019).

The Inspector found that the proposal would be detrimental to the openness of the Green Belt through the works required to improve the access and parking. The Inspector also thought it would be difficult to restrict the erection of headstones, which would be detrimental to openness, through a condition. Therefore, the development would be inappropriate development within the Green Belt and very special circumstances needed to justify the proposal do not exist.

Appeal C

Proposal: Shed for forestry work and ground maintenance, storage of machinery and equipment and welfare facilities for workers'

Refused permission by the Borough Council on the following grounds:

In the opinion of the Local Planning Authority the proposed building by virtue of its siting and scale would result in harm to the openness of the Green Belt and therefore should not be approved unless very special circumstances exist. Very special circumstances will not exist unless the harm can be clearly outweighed by other considerations. It is considered that no clear and robust justification has been submitted to evidence that the proposed building is reasonably necessary and as such very special circumstances have not been demonstrated to justify the proposal. Taking into account the above matters,

the proposal is considered to be contrary to Part 13 of the NPPF (2019) Policy 3 of the Aligned Core Strategy (2014) and Policy LPD19 of the Local Planning Document (2018)

Insufficient information has been submitted to fully assess the impact of the proposal on the trees, particularly the trees that are protected Tree Preservation Order 000129 (Ramper Covert) and the Sherwood Estate/Kighill Road Tree Preservation Order N0005 and N0028. As such the proposal is considered contrary to LPD 19 of the Local Planning Document (2018)

The Inspector found that the erection of a shed for forestry work was on the exception list identified in paragraph 145 a) of the NPPF and is, therefore, appropriate development within the Green Belt and therefore it is not necessary to consider the impact upon openness or very special circumstances. The appeal was allowed.

Appeal D

Proposal: Temporary siting of a double tipi and a WC trailer for use under 28 day permitted development rights between May 31st and October 31st.

Refused permission by the Borough Council on the following grounds:

The proposal would result in structures in an area where there have previously been none. This will have a material effect on openness of the Green Belt. Whilst it is accepted that the site is screened, there would be glimpsed views into the site and the parking areas, the impact of which would be further intensified by the urbanisation of parked vehicles and associated infrastructure. All these factors result in harm to openness and therefore should not be approved unless very special circumstances exist. Very special circumstances will not exist unless the harm can be clearly outweighed by other considerations. It is considered that the very special circumstances of social, economic and environmental benefits in this instance do not outweigh the harm. Taking into account the above matters, the proposal is considered to be contrary to NPPF Part 13, LPD 24 - Tourist Accommodation and Policy LPD 19 Landscape Character and Visual Impact.

The Major Road (A60) carries 18,500 vehicles 2-way AADT (Annual Average Daily Traffic), where over-taking can take place fronting the proposal site. Therefore, for reasons set out in DBRB (Design Manual for Roads and Bridges), no direct accesses can be constructed, and a ghost island right turn lane will need to be provided for an access to the camp site, tipi tent at this location. The road fronting the site is subject to overtaking, any sudden cars stopping on A60 as visitors to the development are unsure where the site access will be located, will cause Road safety concerns and may lead to rear end shunts. The traffic generated by the proposed development would have an adverse impact on through traffic and a likely source of unacceptable

danger to other users of the highway, particularly because of the heavy volumes of traffic using A60 Mansfield Road. As such the proposed development would be detrimental to highway safety and considered contrary to NPPF Section 9 Promoting sustainable transport and policy LPD 61- Highway Safety.

Insufficient information has been submitted to fully assess the impact of the proposal on the trees, particularly the trees that are protected by the Kighill Road Tree Preservation Order and 000129 (Ramper Covert) Tree Preservation Order. As such the proposal is considered contrary to LPD 19 - Landscape Character and Visual Impact.

The Inspector found that the proposal would be detrimental to highway safety, in that no highway improvements were proposed (unlike appeals A and B). Also, whilst the use and structures would be intermittent, it was concluded that the openness of the Green Belt would be impacted and the proposal would, therefore, be inappropriate development and very special circumstances needed to justify the proposal do not exist. In terms of the impact upon trees, the Inspector gave this limited consideration as the appeal is dismissed for other reasons.

As a result, three of the appeals have been dismissed (A, B and D) and one allowed (C).

Recommendation: To note the information.