

## CLARIFICATIONS ON THE OFFICERS REPORT FOR THE PROPOSED LEISURE USE AT SPAUNTON QUARRY AND COMMENTS IN SUPPORT FOR THE RETENTION OF THE EXISTING BUILDING

### PLANNING APPLICATION: NYM/2018/0791/FL

#### INTRODUCTION

The applicant welcomes the fact that it is common ground with the Planning Authority that the principle of the application is acceptable 'as the proposal would not conflict with the landscape objectives of Development Plan Policies CPA, DPI2 & DPI6'<sup>1</sup> of adopted planning policies.

This note however sets out several matters which are concerning in the officers report. We have set out these details in the following sections:

- A. Comments on the published report
- B. Adopted Local Plan Policies
- C. Emerging Local Plan Policies

#### A. THE PUBLISHED REPORT

It is hugely disappointing that the recommendation of the report has been reversed from an approval to refusal especially since the proposed reason for refusal is about the retention of a 'prominent unattractive brick quarry building as a meeting room'. In reality, on the 15<sup>th</sup> May, prior to the visit of Elected Members to the site on the 17<sup>th</sup> May, a number of sustainable design concepts created by Digg and Co Studio to upgrade the visual appearance of the existing building were sent to the planning authority. These were sent as examples to show how the applicant considers the existing building could be adapted to ensure it fully integrates within the landscape and cultural associations of this location.

To date no one has provided any feedback on which of these design concepts would be favoured by the National Park. Indeed, despite the fact that the applicant has always asserted that it was proposed to upgrade the existing building in terms of its visual appearance, there has been this insistence that the existing building has to be removed at all costs despite the unsustainable nature of such actions.

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<sup>1</sup> Page 6 of the officers' report, end of third paragraph.

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There are several ways forward with regard to this issue:

In the first instance it would be appreciated if the National Park would provide their input into the submitted design concepts for the existing building. All these concepts are landscape led and fully sustainable potential solutions to the retention of the existing building.

To assess these potential solutions would either mean the application needs to be deferred from determination at the June Committee or alternatively Members could resolve to grant planning permission in principle subject to discussions with officers on the preferred treatments for the building once Members have had the opportunity to consider the submitted design concepts.

Other matters to raise with regard to the published June report include:

- The published picture is not of the application site (as mentioned prior to the April Committee meeting)
- The site plan on page 2 is the wrong one. An amended plan showing only one entrance to the leisure site has been submitted.
- It is misleading to imply that a public footpath crosses the site. The public footpath runs to the north of the application site although it does cross the quarry itself.
- There is no consideration that the existing building can be appropriately upgraded. The sole focus of the report is to demolish an existing building whereas both adopted local plan policy and in particular emerging planning policies (see details below in sections B and C) state that existing building should be re-used.
- Page 4, last bullet point is clearly incorrect as the applicant has provided three design concepts to explain and give choices as to how the existing building can be fully improved.
- Page 6 advises that the retention of an existing building is unacceptable as it would harm the full restoration of the quarry. However, the report then advises that a different timber building could be acceptable. These statements fail to consider the design concepts already submitted which fully articulate that a 'timber clad' structure can be provided for the existing building and such works are fully sustainable. It is wholly wrong to assert that an existing building has to be demolished due to a desire to make sure the restoration plan for the quarry is implemented in full when sustainable, well-conceived options are proposed for an alternative leisure use which the NYMPA themselves consider is acceptable in principle and in accord with planning policies.
- Page 7 at paragraph 2 misleads in the fact that it states that there is a need to omit 'the retention of the poor quality brick quarry building as the caravaners amenity building' but in reality the proposal is not to keep the current visual amenity of the brick quarry building but to fully upgrade this as shown the choice of design concepts submitted to the officer prior to the visit of the

Members to the site. Further, as mentioned on site by the applicant, it is important to the success of the enterprise that this building is aesthetically very pleasing.

- Page 7 at paragraph 3 misleads in the fact that the applicant has never refused to negotiate – the intransigence is in the fact that officers are only seeking to negotiate to remove the structure and are unwilling to retain and upgrade this structure. Again no consideration has been made of the submitted landscape led design proposals for the existing building. Indeed, it is considered that the submitted design concepts for the retention of the building will ensure that it makes a positive contribution to the landscape. Officers state that the existing building is at the entrance to the quarry, they then consider that ‘if retained, (even with new pantiles, timber cladding and new windows & doors) the building would undermine and dilute the appearance and character of the restoration of this former quarry to a more natural landscape appearance’. This statement, that the building is indeed at the entrance to the quarry, ensures that it is in the most appropriate place for such a facility. In this location it would welcome leisure visitors to the site.
- At page 5, paragraph 3 the applicant welcomes and has already stated that compensatory tree planting is agreed. We propose that this planting could be around the existing electricity substation area in order to be most effective.

## B. ADOPTED LOCAL PLAN POLICY

The reason for refusal refers to Development Policy 14 and Development Policy 16 of the Core Strategy. The relevant sections of these policies are referred to below.

### Development Policy 14 – Tourism and Recreation

The quality of the tourism and recreation product in the National Park will be maintained and improved through adopting the principles of sustainable tourism. New tourism development and the expansion or diversification of existing tourism businesses will be supported where:

- **4 It will make use of an existing building.** Proposals for new buildings will be expected to demonstrate that the facility cannot be satisfactorily accommodated within an existing building in that location (**our emphasis**).

Applicants Comment: The proposal complies with this criterion of adopted planning policy.

### Development Policy 16 – Chalet and Camping Sites

The overarching policy justification identifies that caravan and chalet sites contribute to the provision of a range of accommodation in the Park to meet different tourist needs and that the provision of such facilities can be a supplementary source of income for farm businesses.

Proposals for the provision of small scale new caravan, camping and chalet sites (or the expansion of existing sites) will be permitted where:

- 5 Proposals should be designed to minimise the level of permanency so that buildings can be removed when they are no longer required without damage to the natural landscape.

Applicants Comments: This criterion requires that the level of permanency of buildings should be designed so that they can be removed without damage to the natural landscape when they are no longer required. Whilst the applicant agrees with the sentiments of this part of the policy, the circumstances of the proposed scheme are not really considered to fall within what the policy is trying to achieve. The building already exists. It is proposed to be efficiently re-used i.e. to pursue sustainable development especially via the sustainable use of construction materials.

Although the applicant has been requested to remove the existing building which is proposed in the scheme to be reused as a communal facility (with loos and showers), it is noted that the retention of the building and its repurposing would be significantly more preferable and without damage to the natural landscape than demolishing it and putting up a timber structure in its place. To that end we have supplied three different but sustainable design concepts.

Indeed, the damage to the natural landscape has already happened because the building exists and has done so for a number of years in association with the quarry extraction at the site. The external appearance of the structure is already proposed to be refurbished as part of the submitted scheme. Choices have been submitted to the planning authority to consider – all the options conserve the landscape.

The retention of the structure ensures that any decision accords with paragraph 83 of the NPPF which seeks to ensure the sustainable growth and expansion of all types of business in rural areas through conversion of existing buildings.

Again it is re-iterated that the applicant would welcome a condition attached to any planning permission granted which removes the amenity building from the site should the leisure use cease.

### C. EMERGING PLANNING POLICIES IN THE PRE-SUBMISSION VERSION OF THE PLAN

Emerging policy indicates the direction of travel of the NYMPA for sustainable tourism and recreational development. Emerging policy supports the re-use of existing buildings.

Strategic Policy J states that accommodation and facilities development will be permitted where:

- b) it uses existing buildings in Open Countryside or **involves the adaption or small scale extension of an existing building (our emphasis).**

The above justification is given by the NYMPA as being 'in the case of camping or caravan sites the expectation is that amenity blocks should utilise existing buildings on the site'.

Following Strategic Policy J there are detailed core polices which are proposed in emerging documents:

#### Policy UE1 – Small Scale Tourism Accommodation

The following criteria should also be met:

- a) Accommodation has a low environmental impact through limited physical connection with the ground and avoids extensive alteration to ground levels;
- f) The accommodation is of a high quality design which complements its surroundings.

#### Policy UE2 – Development of Existing Tourism and Recreational Businesses

The following sequential approach will apply to new development:

- I. **It uses an existing building (our emphasis);**

Exceptions may be considered for new build development were there is sufficient justification for this approach.

**Applicants will be expected to make the best use of existing buildings on site** to meet the needs of an expanding business. New build facilities will only be considered where there is sufficient justification to warrant a new structure, such as possible constraints with the existing building on site (our emphasis).

We request that this letter is brought to the attention of elected Members on the Committee by email today.

04<sup>th</sup> June 2019