

Rob Duncan
Planning
Consultancy



GROUND OF APPEAL

MAY 2015

Site Address:

1 The Dale, Battlesteads, Alton, Staffordshire, ST10 4BG

Appellant:

Ms. M. Mason

Proposal:

Erection of holiday let cabin

Grounds of Appeal:

Date Issued: 22nd May 2015

Job Reference: RDP/2015/059

Report Prepared By:

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Rob Duncan Planning Consultancy Ltd

1 Introduction

1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Ms. M. Mason to lodge an appeal under s78 of the Town and Country Planning Act 1990 (As Amended) in respect of the decision of Staffordshire Moorlands District Council to refuse planning permission for the erection of a holiday let cabin at 1 The Dale, Battlesteads, Alton (LPA Reference: SMD/2014/0640).

1.2 The application was refused under delegated authority on the 2nd February 2015 for the following reasons:

1. *The National Planning Policy Framework (NPPF) in paragraph 28 supports the provision of tourist facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres. The site is in the Churnet Valley, as defined in the Council's Core Strategy Document (adopted March 2014) states that the Alton Area (which the application site is identified to be within in the CCVM) is under significant pressure from visitors and further development. It also states that there should be minimal tourism development outside of the Alton Towers resort and this should be restricted to the conversion of buildings, development within settlements, and development to support/maintain existing facilities. It is considered the proposal does not fall under these categories and therefore does not comply with the CCVM. Furthermore, the applicant has not provided sufficient evidence that identified tourism needs are not met by existing facilities in the nearest rural service centre. The proposal therefore conflicts with policy E3 of the Core Strategy Development Plan Document 2014 and the National Planning Policy Framework, in particular Section 3 'Supporting a Prosperous Rural Economy'.*

2. *The proposed building, by virtue of its scale, height and siting further into a more open part of the countryside to the north of the existing buildings on site and in The Dale, would harm the open and rural appearance and character of the landscape within the 'Dissected Sandstone Uplands' Landscape Character Area as identified in the Council's 'Landscape and Settlement Character Assessment' (2008) and therefore the proposal does not comply with policies SS7 'Churnet Valley Area Strategy', DC3 'Landscape and Settlement Setting' and R1 'Rural Diversification'.*

1.3 This document sets out the appellant's case for the appeal to be allowed having regard to the stated reasons for refusal.

2 Site & Surroundings

2.1 The application site lies within the rural area, a short distance from the village of Alton. The site extends to approximately 0.18 hectares and forms part of the domestic curtilage of 1 The Dale. This existing dwelling will lie to the south of the proposed log cabin, and will share its access and parking areas with the occupants of the holiday let. Further to the south and south-east lies additional residential development. To the west of the site runs a vehicular track, which is also designated as a public footpath, beyond which there is a mature band of trees. To the north/northwest lies further built development, whilst to the east lies open countryside. The site forms part of an historic quarry, with the former quarry walls providing a strong sense of enclosure to the site. Vehicular access to the site is to be taken via The Dale which feeds off Battlesteads to the southwest of the site. An aerial photograph of the site showing its relationship to its surroundings is set out in Figure 1 overleaf.

Figure 1 – Aerial Photograph of Appeal Site



Source: Google Maps

3 Planning Policy

- 3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application. The Development Plan for this area comprises the Staffordshire Moorlands Core Strategy Development Plan Document (2014) of which the following policies are considered to be of relevance:
- 3.2 Policy SS1a of the Core Strategy states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National

Planning Policy Framework. It will always work pro-actively with applicants jointly to find solutions which means that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in the Core Strategy (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole;*
- *or Specific policies in that Framework indicate that development should be*

3.3 Strategic Objective 7 of the Core Strategy seeks to support and enhance the tourism, cultural, recreation and leisure opportunities for the District's residents and visitors.

3.4 Policy E3 of the Core Strategy relates to Tourism and Cultural Development and states that such development will be assessed according to the extent to which it supports the local economy and promotes the distinctive character and quality of the District and enhances the role of Staffordshire Moorlands as a tourism and leisure destination having regard to the Area Strategies in Policies SS5, SS6 and SS7. The policy furthermore states that new tourist and visitor accommodation, attractions and facilities should be developed in

locations that offer, or are capable of offering, good connectivity with other tourist destinations and amenities, particularly by public transport, walking and cycling. They should normally be located in or close to settlements where local services, facilities and public transport are available or in areas specifically allocated for tourism development.

- 3.5 Policy SS7 of the Core Strategy relates to the Churnet Valley Area Strategy and identifies the Churnet Valley as an area for sustainable tourism and rural regeneration. The policy states that within this area particular support will be given to (amongst others), short stay and long-stay visitor accommodation, the expansion and provision of compatible new tourist facilities, and measures to enhance, protect and interpret the landscape character and heritage assets of the Churnet Valley.
- 3.6 Policy R1 of the Core Strategy relates to Rural Diversification and states that all development in the rural areas outside the development boundaries of the towns and villages will be assessed according to the extent to which it enhances the character, appearance and biodiversity of the countryside, promotes the sustainable diversification of the rural economy, facilitates economic activity, meets a rural community need and sustains the historic environment. Appropriate development should not harm the rural character and environmental quality of the area or any sites designated for their nature conservation, or historical interest by virtue of the scale, nature and level of activity involved and the type and amount of traffic generated or by other effects such as noise and pollution. It goes on to state that wherever possible development should be within suitably located buildings which are appropriate for conversion. Where new or replacement buildings are involved, development should have minimal impact on the countryside and be in close proximity to an existing settlement.
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- 3.7 Policy DC3 relates to Landscape and Settlement Setting and states that the Council will protect and, where possible, enhance local landscape and the setting of settlements in the Staffordshire Moorlands by resisting development which would harm or be detrimental to the character of the local and wider landscape. The Council will also support development which respects and enhances local landscape character, and will support opportunities to use sustainable building techniques and materials which are sympathetic to the landscape.

4 Other Material Considerations

National Planning Policy Framework

- 4.1 The National Planning Policy Framework places a strong emphasis on promoting sustainable development including the sustainable growth and expansion of all types of business in rural areas, including through well designed new buildings and supporting sustainable rural tourism. The content of this document is explored in more detail, where relevant, in the Statement of Case below.

Churnet Valley Master Plan SPD (2014)

- 4.2 The adopted Churnet Valley Master Plan Supplementary Planning Document provides a comprehensive framework for future development in the Churnet Valley area within which Alton village is located. It identifies opportunities and measures to help regenerate and manage this important rural area based around sustainable tourism in a manner which is sensitive to and enhances its important heritage, landscape and ecology.

SMDC Landscape and Settlement Character Assessment (2008)

- 4.3 The Landscape and Settlement Character Assessment is a background document to the adopted Core Strategy and provides an integrated description of the Staffordshire Moorlands landscape, identifying key landscape characteristics, key planning and land management issues, sensitivities of the landscape to development, as well as setting out landscape planning guidelines. The content of this document is explored in more detail within the Statement of Case below.

Staffordshire Moorlands Tourism Strategy & Action Plan (2015-2019)

- 4.4 The Tourism Strategy and Action Plan sets out some of the key issues that need to be addressed if the Staffordshire Moorlands and Staffordshire Peak District is to maximise the benefits of increased tourism revenue, linking to regeneration and employment creation. The content of this document is explored in more detail within the Statement of Case below.

5 Main Issues

- 5.1 Having regard to the stated reasons for refusal it is considered that the main issues to be considered in the determination of this appeal are:
- Whether the proposed development is acceptable in principle in the context of the Development Plan policy;
 - Whether the proposed development would give rise to unacceptable harm to the character and appearance of the landscape;

6 Statement of Case

- 6.1 The first reason for refusal relates to the perceived non-compliance of the proposed development with the Churnet Valley Masterplan and the associated tourism policies of the Core Strategy. The adopted Core Strategy sets out a vision for the Staffordshire Moorlands, and within it states that tourism will be a key element in the diversification of the District's economy and will also contribute significantly to raising the environmental quality and the regeneration of the District. It goes on to state the diversity and quality of the District's natural and historic assets will have improved and greater use will be made of the opportunities they provide for recreation and tourism, particularly around the Churnet Valley which together with Alton Towers will be a significant tourist attraction.
- 6.2 This vision is reflected in Strategic Objective 7 of the Core Strategy which seeks to support and enhance the tourism, cultural, recreation and leisure opportunities for the District's residents and visitors. Policy E3 goes on to state that new tourism and cultural development will be assessed according to the extent to which it supports the local economy and promotes the distinctive character and quality of the District and enhances the role of Staffordshire Moorlands as a tourism and leisure destination having regard to the Area Strategies in Policies SS5, SS6 and SS7. The policy furthermore states that new tourist and visitor accommodation, attractions and facilities should be developed in locations that offer, or are capable of offering, good connectivity with other tourist destinations and amenities, particularly by public transport, walking and cycling. They should normally be located in or close to settlements where local services, facilities and public transport are available or in areas specifically allocated for tourism development.

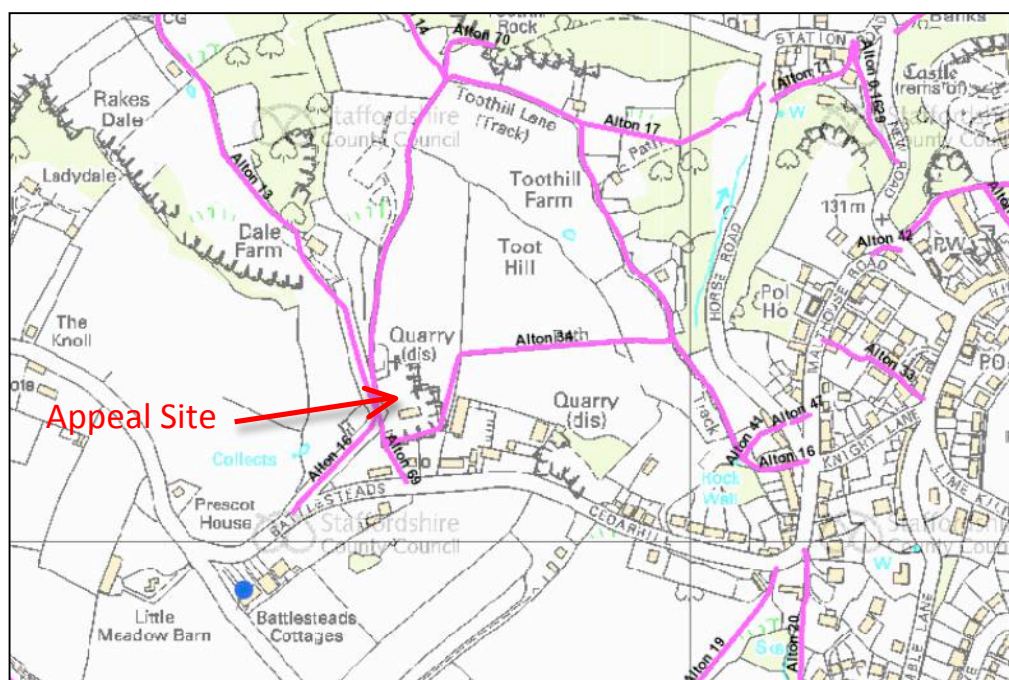
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- 6.3 Policy SS7 sets out the strategy for the Churnet Valley area within which the appeal site is located. It states that within this area particular support will be given to (amongst others), short stay and long-stay visitor accommodation, and the expansion and provision of compatible new tourist facilities. It goes on to state that any development should be of a scale and nature, and of a high standard of design, which conserves and enhances the heritage, landscape and biodiversity of the area, and should demonstrate strong sustainable development and environmental management principles. Policy SS7 further adds that the consideration of landscape character will be paramount in all development proposals in order to protect and conserve locally distinctive qualities and sense of place, and to maximise opportunities for restoring, strengthening and enhancing distinctive landscape features.
- 6.4 The appeal proposal is considered to accord with the provisions of these aforementioned policies. The proposal will support the local economy by encouraging overnight stays in the area which in turn will benefit local service providers such as public houses, restaurants and shops. The Staffordshire Moorlands Tourism Strategy and Action Plan (2015-2019) confirms that tourism generated £177m of expenditure directly to the local economy in 2012, and that this expenditure supports some 3,611 full time equivalent jobs. The Tourism Strategy further notes that there were some 6.1m visitors in 2012, of which 4.63m were day visitors. A copy of this document is enclosed as Appendix A. This high percentage of day visitors is recognised within the Strategy as being a weakness of the area, and increasing overnight stays is identified as an opportunity (page 9 refers). This proposal will accord with these objectives by facilitating overnight stays in a sustainable location that is within easy reach of both Alton village, and the numerous tourist facilities it supports, as well as Alton Towers and the Churnet Valley.
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- 6.5 The Tourism Strategy and Action Plan also highlights what will be the target markets, and focuses on 'Countrysiders' and 'Family Fun'. 'Countrysiders' are defined in the Strategy as being people who visit for a combination of experiences – activities, discovery, sightseeing, rest and relaxation. It notes that outdoor activities will be the predominant activity, with the natural environment being a key underpinning appeal. 'Countrysiders' are identified as being typically middle-aged couples travelling from a wide area and will typically stay for short breaks or week-long trips. The Tourism Strategy identifies them as being one of the most important markets for the area. The second target market is Family Fun, i.e. those who have an intention to visit Alton Towers. An overlap with the 'Countrysiders' is acknowledged in this definition, but otherwise Family Fun visitors tend to be those with children travelling from a wide catchment, and are usually only day visitors.
- 6.6 The appeal proposals will assist in providing overnight accommodation to meet both of these target markets, with the close proximity of the site to the Churnet Valley, the village of Alton, and Alton Towers, making it sustainably located for such visitors. The proposed development will therefore have a positive effect on the local economy.
- 6.7 The low-key, timber construction of the cabin will compliment its rural surroundings, whilst the Staffordshire Blue plain clay tile roof is a nod to the heritage of the area where such roof materials predominate. The building is of a modest scale, with a simple gabled design that is complimentary to the predominantly gabled character of buildings in the surrounding area. Its muted appearance will furthermore help to assimilate the building with its surroundings. The site itself forms part of the domestic curtilage of 1 The Dale, and is currently laid to lawn and surrounded by raised embankments which were once walls of an old quarry that occupied the site. The
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development will therefore not result in any encroachment of development into the open countryside beyond the existing curtilage of the host dwelling, and is therefore considered to be consistent with the objectives of policies E3 and SS7 in this regard.

- 6.8 It is furthermore considered that the site offers good connectivity to local tourist destinations and amenities. The appeal site lies within 500m of the main settlement of Alton, with its numerous local services and facilities, including public houses and shops. The appeal site therefore offers good connectivity to the existing amenities within Alton village. The site is furthermore located immediately adjacent to a range of public footpaths that give access to the Churnet Valley, as well as the Staffordshire Way. A map showing the location of the appeal site in relation to the public footpath network is shown in Figure 2 below.

Figure 2 – Map of Public Footpaths around Appeal Site



Source: Staffordshire County Council

- 6.9 The site also lies within easy reach of Alton Towers resort which is the principle attraction within the Churnet Valley. The Local Authority contends that the proposal is contrary to the Churnet Valley Masterplan SPD as it does not involve the conversion of a building, or involve development within settlements or development to support/maintain existing facilities. The reason for refusal furthermore states that the applicant has not provided evidence that identified tourism needs are not met by existing facilities in the nearest rural service centre.
- 6.10 I submit however that the Tourism Strategy and Action Plan constitutes a significant piece of evidence to show that there is a need and desire for additional overnight accommodation to be provided in this area. This proposal will represent an appropriate, alternative form of tourist accommodation that will complement the existing services on offer in the village, as opposed to the large amounts of accommodation within the Alton Towers resort which are more focused on keeping people on the site. It is also noted in this regard that the Churnet Valley Masterplan identifies Alton Towers as being a significant generator of visitors to the area, and that the area is under significant pressure from visitors (paragraph 7.7.1.1 refers). This suggests that there is a healthy demand for additional tourism facilities in the Alton area to meet the needs of visitors, in particular facilities that will facilitate overnight stays, something which is identified as an opportunity by the Tourism Strategy and Action Plan.
- 6.11 Support for this proposal is also conferred by the National Planning Policy Framework (NPPF). Paragraph 28 of the NPPF states that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.

The NPPF goes on to state that in order to promote a strong rural economy, local and neighbourhood plans should:

- *support the sustainable growth and expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings; (my emphasis)*
- *promote the development and diversification of agricultural and other land-based rural businesses;*
- *Support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. (my emphasis)*

6.12 This proposal represents the expansion of the applicant's existing tourism business (bed & breakfast) and entails the provision of a sympathetic new building. The proposal will furthermore support sustainable rural tourism, owing to its close proximity to Alton village and the attractions of the Churnet Valley. The proposal will also help to support and maintain existing tourism businesses within Alton village and the wider area by generating additional expenditure in the area.

6.13 Having regard to the above considerations it is concluded that the proposed development accords with the provisions of policy E3 of the Core Strategy in that it will support the local economy, will not result in harm to the character and appearance of the countryside, will accord with the aims of policy SS7 which gives particular support to short stay and long-stay visitor accommodation and the provision of compatible new tourist facilities, and

will furthermore have good connectivity with other tourist destinations and amenities, with the Churnet Valley, Staffordshire Way, and Alton villages easily accessible on foot. The site itself is also closely related to the existing settlement which itself benefits from numerous local services and facilities, including shops and public houses. The proposal is furthermore considered to accord with the aims of the Churnet Valley Masterplan in that it constitutes development that will help to support and maintain existing facilities, whilst also promoting additional overnight stays in accordance with Staffordshire Moorlands Tourism Strategy and Action Plan.

- 6.14 The second reason for refusal relates to the impact of the proposed development on the character and appearance of the landscape, stating that the scale, height and siting of the building would harm the area contrary to the provisions of policies SS7, DC3 and R1 of the adopted Core Strategy.
- 6.15 As discussed above, policy SS7 of the Core Strategy states that particular support will be given to (amongst others), short stay and long-stay visitor accommodation, the expansion and provision of compatible new tourist facilities, and measures to enhance, protect and interpret the landscape character and heritage assets of the Churnet Valley. It goes on to state that any development should be of a scale and nature, and of a high standard of design which conserves and enhances the heritage, landscape and biodiversity of the area, and demonstrates strong sustainable development and environmental management principles. Policy SS7 further adds that the consideration of landscape character will be paramount in all development proposals in order to protect and conserve locally distinctive qualities and sense of place, and to maximise opportunities for restoring, strengthening and enhancing distinctive landscape features. Policy DC3 of the Core Strategy reinforces this policy stating that the Council will protect and, where possible,

enhance local landscape and the setting of settlements in the Staffordshire Moorlands by resisting development which would harm or be detrimental to the character of the local and wider landscape.

6.16 In addition to the above, Policy R1 states that all development in the rural areas outside the development boundaries of the towns and villages (as in the case here) will be assessed according to the extent to which it enhances the character, appearance and biodiversity of the countryside, promotes the sustainable diversification of the rural economy, facilitates economic activity, meets a rural community need and sustains the historic environment. Appropriate development should not harm the rural character and environmental quality of the area or any sites designated for their nature conservation, or historical interest by virtue of the scale, nature and level of activity involved and the type and amount of traffic generated or by other effects such as noise and pollution. The policy goes on to state that wherever possible development should be within suitably located buildings which are appropriate for conversion. Where new or replacement buildings are involved, development should have minimal impact on the countryside and be in close proximity to an existing settlement.

6.17 This proposal does not involve the reuse of a rural building, rather it proposes a simple, timber cabin with traditional Staffordshire Blue clay tile roof, which is considered to be appropriate for this rural location. The appeal site itself forms part of an old quarry, with evidence of the old quarry walls rising up behind the proposed building (see Figure 3 overleaf). The building will be sited on an area of land that is currently laid out to garden as part of the domestic curtilage of the existing dwelling, and whilst it will be visible in some short range views, it is generally well screened from public views in the wider area.

Figure 3 – Photograph of Appeal Site



- 6.18 The principal view of the appeal site is from the driveway of a neighbouring property to the southwest (The Warren) as shown in Figure 4 overleaf. In such views the cabin will be seen against the backdrop of the former quarry walls that wrap around the garden, and beyond that against a backdrop of mature trees. Such views are only afforded at the access to The Warren and there are no other principal medium or longer range views of the site that will be affected by the proposed development.
- 6.19 All other views from the public domain, including the local public footpath network, will see the building as part of the existing cluster of buildings that characterise the immediate the vicinity. I note in this regard that the Local Authority specifically comment that the development would be sited further into a more open part of the countryside to the north of the existing building in The Dale. I would highlight however that to the immediate northwest of the site lies further built development, and thus this proposal effectively

amounts to a form of infill. For these reasons I conclude that the proposed development will not be dominant in significant views in the local area, and would appear as a complementary form of development that is closely associated with existing built development.

Figure 4 – Photograph of Appeal Site from driveway to The Warren



- 6.20 In terms of wider landscape issues, consideration has been given to the Local Authority's Landscape and Settlement Character Assessment for Alton (LSCA). This document, an extract of which is enclosed as Appendix B, defines the key characteristics of the landscape surrounding Alton village, including significant views and areas of landscape that are important to the setting of the village. The appeal site does not relate to any of the significant views identified in this document, nor does it involve land which is identified as being important to the landscape setting of the village. The proposal will furthermore avoid any adverse impact on locally distinctive qualities and

sense of place, not will it result in the loss of any important landscape features as defined by the LSCA.

6.21 I conclude that because of the small-scale nature of the proposed development, its muted, complementary materials of construction, its limited impact on wider public views, coupled with the fact that the proposal will not result in any further encroachment of development into the surrounding landscape, the development would not give rise to significant harm to the character and appearance of the local area and thus is consistent with the provisions of policies SS7, DC3 and R1 of the adopted Core Strategy.

7 Conclusion

7.1 It is the appellant's submission that the proposed log cabin represents an appropriate form of sustainable development having regard to the following conclusions:

- The proposal will support the local economy by encouraging overnight stays in the area, thus helping to sustain and support local services and facilities;
- The proposed cabin will be of a low-key, sympathetic design that will not result in any significant visual harm or encroachment into the landscape;
- The appeal site offers good connectivity to local tourist destinations and amenities;

- The appellant has demonstrated a demand and desire for additional tourism facilities in the Alton area to meet the needs of visitors, in particular facilities that will facilitate overnight stays;
- The proposal will support sustainable rural tourism and will benefit businesses in the local area, whilst also providing alternative accommodation options for visitors;
- The proposal will not result in significant harm to the landscape, with wider views of the development seeing the building against the backdrop of the quarry walls that wrap around the existing garden, and against the mature tree belts beyond;
- The proposal will not result in any encroachment into the landscape, and amounts to a form of infill between the existing built development along The Dale;
- The development will not impinge on any significant views as identified in the Landscape and Settlement Character Assessment for Alton, nor is the landscape in this locality identified as being important to the landscape setting of the village;

7.2 It is therefore considered that the proposed development accords with the provisions of policies E3, SS7, R1 and DC3 of the Staffordshire Moorlands Core Strategy DPD, as well as guidance set out within the National Planning Policy Framework, the Churnet Valley Masterplan SPD, SMDCs Tourism Strategy and Action Plan, and their Landscape and Settlement Character Assessment.

- 7.3 The Planning Inspector is therefore respectfully requested to support this proposal for sustainable tourism development in accordance with presumption in favour of sustainable development set out in policy SS1a of the Core Strategy and paragraph 14 of the National Planning Policy Framework, and allow the appeal accordingly.