

From: planningcomments@staffs Moorlands.gov.uk
To: [Planning Comments \(SMDC\)](#)
Subject: Comment Received from Public Access
Date: 25 March 2024 20:55:37

Application Reference No. : SMD/2024/0108
Site Address: Rosehill Nabb Lane Alton Staffordshire ST10 4AY Stoke-On-Trent
Comments by: Diana Gardner

From:

Ash Croft
Nabb Lane
Alton
Stoke-on-Trent
Staffordshire
ST10 4AY

Phone:

Email:

Submission: Objection

Comments: Objection to the proposed development of 2 holiday lodges at Rosehill, Nabb Lane, Alton

1. The proposed development is un-neighbourly and would have a hugely detrimental impact on our residential amenity. SMD/2020/0656 granted accommodation for 8 people in two buildings, the current application would bring that number to 16. The noise of 16 holidaymakers in what is now a quiet residential garden would be intolerable. We are entitled to privacy and the quiet enjoyment of our home without noise, smell or light pollution.
2. The risk of being subjected to antisocial behaviour.
3. The proposal is not sustainable. The only public transport is one bus that passes through the village once a day in each direction.
4. The proposal would have a severely detrimental effect on wildlife and destroy habitat.
5. There is no information about how sewerage and drainage will be dealt with in an area that has no mains sewers and where the current septic system is old and designed for a family not commercial use.
6. The site is already over developed following numerous extensions to the original cottage.

The guest accommodation footprint will be larger than that of the house so the development would be is completely out of scale with the surroundings.

7. The lodges would be totally out of place in a rural garden. It is ridiculous to think that the view out of the windows of a character property such as this would be of massive wooden sheds rising over 4m / 13ft from ground level. The view from a residential property should not be dominated by an eyesore of this nature.

8. The new plan only shows 4 parking spaces. There is no plan showing where the other 4 guest and 3 residents' spaces are to be sited. The highways agency states that they require room for all these cars to turn. This crucial information is missing.

9. The driveway of Rosehill is not wide enough for cars to pass each other when entering and leaving at the same time. With 11 cars on site this could be a regular occurrence. This situation cannot be remedied without dramatically enlarging the entrance which would harm the character of the property.

10. Timber clad lodges would be harmful to the aesthetic character of the area. Lodges of the same design type were turned down by SMDC planning committee (SMD/2019/0646) citing planning policy SS11 and calling them 'little more than caravans with cladding'.

11. The proposal constitutes 'Garden grabbing' which is discouraged at both local and national level.

12. The proposal is not in accordance with the Staffordshire Moorlands Local Plan (2020) including Policies SS8, SS10, SS11, EC4, DC1, DC2, DC3, SO8, SO9 and SO10.

It would provide additional tourist accommodation in an area with sufficient existing and proposed provision to the detriment of the historic setting and landscape.

13. The Highways agency maintain that Nabb Lane is no different from other similar roads in the area. I disagree with this because of its close proximity to Alton Towers, the largest tourist attraction in Staffordshire. This means that the volume of traffic in the area is higher than most other roads. It is constantly used as a shortcut to Alton towers, vastly increasing the flow of traffic on this narrow lane, (with few passing places and many 'blind' corners,) compared to what would be expected in other areas of Staffordshire.

14. The planning statement is incorrect. The ridge height given is 3.4m but this is taken from floor height not ground level. The finished height with the concrete slab and brick base could be as high as 4.6m or more.

15. The application form is inaccurate. The answers given to the questions regarding Trees and Hedges is incorrect. There are trees and hedges on the proposed site that are earmarked for removal.

16. Paragraph 12 of the Heritage Statement is incorrect. The new lodge granted permission in SMD/2020/0656 has a huge impact on the character of Nabb Lane and the setting of the listed buildings. Photo 1 is misleading and has been manipulated to minimise the visual impact of the existing lodge.

17. The heritage statement specifically says 'I also note that the surroundings of the applicant's paddock, which would be overlooked by the proposed lodges....' the only way they can overlook the paddock is if the trees screening the lodges from the east are removed. This will harm the historic setting of two listed buildings. The view from Denstone lane cannot be underestimated. It is the main route into the village will be massively adversely affected on the main approach to the village and have detrimental effect on the Nabb Cottage and its

historic setting.

18. Conditions were imposed when application SMD/2020/0656 was granted. The applicant has breached those conditions on many occasions and caused a disturbance by working outside permitted hours and preventing the quiet enjoyment of our home to which we are entitled. Some of these breaches were reported to SMDC Planning Enforcement. This shows a blatant disregard for our residential amenity.

19. This application should not even be considered until the units granted permission in SMD/2020/0656 are operational and it can be shown that they are run in a responsible and considerate way.

20. The negative impact of this proposed development vastly outweighs any perceived demand for additional tourist accommodation in the area.

Residential Amenity

We are entitled to maintain our current level of residential amenity. We have a right to privacy and the quiet enjoyment of our home without noise, odour or light pollution. The proposed development would have a hugely detrimental effect on this entitlement.

The applicant has previously said that 'the proposed lodges, by virtue of their modest size, will not attract large groups....'. Nothing could be further from the truth. The whole site, which already includes similar accommodation for 8 people, would now accommodate 16 people. It is highly likely that groups such as Stag and Hen parties would be looking for exactly this type of venue.

Holiday makers behave in a very different way from residents. They would be in 'party mode' all week or weekend and we would be subjected to the associated noise, light and smell. A family would only host occasional parties or barbeques in their home or garden.

There have been many complaints by the local residents of Dimmingsdale, about noise, litter, and anti-social behaviour at the 'lodge' accommodation. It is often booked by groups such as Hen and Stag parties. If the proposed lodges were approved we would be exposed to a greater level of disturbance and intrusion, as there would be more people at a closer proximity.

The Plan shows 'Pedestrian Access'. It is the route created by the applicant. It is 10m from our sitting room and bedroom windows. The noise from a stream of holiday makers will be very invasive.

Human Rights Act

It is the responsibility of the council under the Human Rights Act, in particular Protocol 1, Article 1. This states that 'a person has the right to peaceful enjoyment of all their possessions, which includes the home and other land'.

Additionally, Article 8 of the Human Rights Act states that 'a person has the substantive right to respect for their private and family life'. In the case of *Britton vs SOS* the courts reappraised the purpose of the law and concluded that the protection of the countryside falls within the interests of Article 8. 'Private and family life

therefore encompasses not only the home but also the surroundings;

Tourist accommodation must not be given priority over the residential amenity of neighbouring properties, or at the expense of wildlife or the character of the local area.

I believe that it is the duty of the council to protect our Residential Amenity and Human Rights

Sustainability

The proposed development cannot be considered sustainable as the only public transport in the village is a bus which passes through once in the morning, and comes back in the evening, leaving occupants totally reliant on the cars.

The proposal requires another 4 visitor parking spaces, in addition to the 4 they have added due to the previous approved application (SMD/2020/0656). The residents also require 3 further spaces at the property. Should this proposal go ahead there could be more than 11 cars parked at any one time. This doesn't include cars belonging to their own sons or visitors.

There is no infrastructure for charging cars and no disabled parking.

There is nothing sustainable in pouring 100 sq/m of concrete for slabs to accommodate two huge wooden sheds.

The proposal states that they are aimed at families, yet they seek to provide two parking spaces per lodge which assumes holidaymakers travelling separately.

The submission states that the lodges will be serviced by the applicants, so they will not provide any employment.

Wildlife / biodiversity

The lodges would have a hugely detrimental effect on wildlife, by removing a 20m / 65 ft stretch of mature trees and shrubs that are valuable habitat. The scale of this destruction cannot be appreciated from the block plan. Most of the vegetation is over 10m / 30 ft high. The presence of occupants will disturb what little wildlife remains. The need for inappropriate ambient lighting; 24 hrs a day will be particularly harmful to the resident bat and owl populations, as will light from windows and roof lights.

Sewerage / Drainage

No detail regarding waste water and sewerage has been provided and the current sewerage infrastructure has insufficient capacity for this proposal. This is particularly relevant as there is no mains drainage in Nabb Lane. The proposed cabins will be able to host 8 people so this is an important environmental and pollution issue.

The existing system that was designed for one family now has to accommodate the sewerage of an additional 16 people. It seems unlikely that an old fashioned domestic system has capacity for 20+ people, which is what would be needed with the proposed additional accommodation.

This is a very important consideration as we want to ensure that the new sewerage system, if needed, does not drain onto our land, and do we wish to be subjected to the smell of sewerage.

There is also no detail regarding provision of water and power. If Power is provided by a generator this will cause an additional disturbance.

Over-development

There have been many planning applications granted for the site. SMD/2002/0691 was for a 2 storey extension and SMD/2017/0825 was for redevelopment of the garage into a liveable annex. SMD/2020/0656 was to build a lodge and use the garage to accommodate 8 holidaymakers. Previous applications granted are SMD/1978/1200 and SMD/1979/0968. The garage, lodge and all these extensions have been built. If permission was to be granted for the lodges the site would be completely overdeveloped. This area is characterised by low density houses on large plots. The proposal is completely out of scale with its surroundings. A row of 4 accommodation blocks is completely out of character with the surroundings.

Garden grabbing

A letter was sent to local authorities confirming that, on 9 June 2010, the Government implemented the commitment, made in the Coalition Agreement, to decentralise the planning system by giving local authorities the opportunity to prevent overdevelopment of neighbourhoods and 'garden grabbing'.

A policy document states

„The new Government recognises the concerns that some people have about the loss of gardens, and is amending Planning Policy Statement 3 (PPS3) to remove the classification of „previously developed land“.

A further paragraphs states:

Reclassifying garden land will enable councils to protect gardens from inappropriate development by rejecting planning applications for development that is objected to by the local community and spoils the character of neighbourhoods.

and

53. Local planning authorities should consider the case for setting out policies to resist inappropriate development of residential gardens, for example where development would cause harm to the local area.

Harm to the historic and rural character of the area

Both the house and garden of Rosehill lie within an HECZ relating to two historic farmsteads - Paradise and New House farms. Both Paradise farm, to the South of the proposed development, and Nabb Cottage to the North, are listed buildings.

The setting of these heritage asset has already been compromised by unsympathetic development of the lodge built following the approval of application SMD/2020/0656. Additional development will further detract from the significance of the heritage assets.

The application form is inaccurate. Answers given to the questions regarding Trees and Hedges is incorrect. There are very tall trees and hedges which form an important barrier and screening the site from Denstone lane, which is the main route into the village. I have addressed these issues in a separate email to the conservation officer (Please see Appendix 1). If this screening is removed it will change the character of the view. If an application is approved it should be on the condition that this screening is retained. The view of 4 accommodation blocks would harm the historic setting of the area and its listed buildings.

I strongly disagree with the applicants' heritage statement that:

14. "... the paddock to the north of the lodges is edged to the west and north by other houses and gardens, and has the appearance of being firmly set within the framework of the village."

The paddock does not appear to be set within the framework of the village. It is on the opposite side of the road from the village and well outside the village curtilage. It is viewed on the approach to the village as being outside the village and part of a patch work of traditional fields.

There are many areas where this proposal is not in accordance with the Local Plan.

SS11 states 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. Strong sustainable development and environmental management principles should also be demonstrated. 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."

The proposed development does not conform to these principles. It detracts from the local character of the area and harms biodiversity and does not mitigate climate change.

Policy E4 and DC 1 of the local plan states:

"All development shall be of an appropriate quality, scale and character compatible with the local area, protect the residential amenity of the area, enhance the heritage, landscape and biodiversity of the area and shall not harm interests of acknowledged importance."

We believe that the design has no architectural merit and is certainly not in scale or character with the local area.

Other issues

The proposed development is not in accordance with many of the following principles of the adopted Local Plan:

Policy DC1 supports the provision of accommodation for tourists, community, and cultural facilities in rural areas where needs are not met by existing facilities. In Alton and the surrounding area the tourist needs are met by existing and proposed future provision and there is no need for any additional capacity. Since 2009 there has been a huge increase in the provision of tourist accommodation in the Alton area and it is considered to be sufficient up to 2033.

There are over 100 similar units within a 4 mile radius. The existing small lodge developments are often in secluded fields and woodland settings away from neighbouring properties not squashed up against a hedge in a garden. In addition to this Alton towers have almost 800 units and can accommodate around 2,500 people over 5 sites. There is no need for low quality accommodation of this type.

SS1 states that the development must maintain the locally distinctive character of the Staffordshire Moorlands. This project detracts from the local character of the Alton area of Staffordshire and its setting. The development will not "protect and enhance the natural and historic environment".

The proposal for 2 "off-the-shelf" timber lodges detracts from the aesthetic value of this historic setting. To call

the lodges modest is laughable. At 48 sq m (516 sq feet) each, and 4.6m high, they are huge and are totally inappropriate and out of scale for the surrounding area, especially in relation to listed buildings.

Policy DC 1, states that 'new developments should be of a high-quality and add value to the local area incorporating creativity detailing and materials appropriate to the area'. Paragraph 5. states that the design should 'protect the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution'.

The proposed lodges will have a huge visual impact and will be a total invasion of our privacy. They will create noise, odour and light pollution.

Policy DC 1 - Design Considerations, states 'The development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council's Design Guide SPD'.

Timber clad lodges would be harmful the aesthetic character of the area. Lodges of the same design type were turned refused by SMDC planning committee (SMD/2019/0646) sitting planning policy SS11 and calling them 'little more than caravans with cladding'. This decision by SMDC Council highlights the need for high standards of design that conserve and enhance the heritage and landscape. (Please see Appendix 2 for the full decision notice.)

SMDC's own conservation officer called these exact lodges 'unsightly and unattractive shacks' in her report for SMD/2023/0226

The proposed lodges do not meet these or the following requirements.

1. be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area; They do not do this.
2. be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, height, density, layout, siting, landscaping, character and appearance; This has not been done.
4. Incorporate sustainable construction techniques and design concepts for buildings and their layouts to reduce the impact of the development; This has not been done.
5. protect the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution; This has not been done.
6. promote the maintenance, enhancement, restoration and re-creation of biodiversity and geological heritage, where appropriate; This has not been done.
7. Provide for safe and satisfactory access... This has not been done.
8. require new developments to be well integrated for car, pedestrian and cycle use as well as other sustainable transport links; This has not been done.
9. ensure that existing drainage, waste water and sewerage infrastructure capacity is available, and where necessary enhanced, to enable the development to proceed; This has not been done.

Traffic safety issues

Policy DC1 7. states that the proposed development should 'provide for safe and satisfactory access'.

The existing splay is inadequate. There is not enough room for a car to pull off the carriageway while the gates to the property are opened. This leads to the road being blocked as cars on the road are unable to pass.

The driveway at Rosehill is very long - probably somewhere between 80 and 100m - and less than 3m/10m ft wide for most of its length. It isn't wide enough to allow cars to pass each other when they enter and leave at the same time. This will lead to cars having to either reverse a long way down a curved driveway or reverse onto Nabb Lane. With 11 cars on site it is very likely that cars entering and exiting at the same time could be a regular occurrence. This situation cannot be remedied without dramatically enlarging the entrance to allow two cars to pass each other safely. It would be impossible to do this without irreparable harm to the character of the property.

The restricted access and density of wooden buildings is a fire hazard.

The highways agency says 'Nabb Lane is an existing single track road similar to other roads in the Moorlands and wider Peak District.' The difference is that Nabb Lane is used as a short-cut by a very large number of visitors using Satnav to get to Alton Towers. This volume of traffic makes it different from other similar roads in the area. Alton Parish Council have tried to address this with little success although signs have been erected advising that the road is narrow and should not be used for Satnav guidance. I doubt this has been the case with the vast majority of other similar roads in the area.

Nabb Lane is a narrow, unlit, single track road (2.8m wide) with poor visibility, no pavement and no lighting and with many 'blind' corners. It can be dangerous for walkers, horse riders and cyclists as well as the drivers of cars and large agricultural machinery. It is considered dangerous by local people but, unfortunately, it is the only way to access the off road footpaths for circular walks further up Nabb Lane.

The proposal increases provision to 8 parking spaces for guests. This would generate additional traffic on this single track Lane. Nabb Lane feeds onto the complex junction with Denstone Lane (B5032), Saltersford Lane and Uttoxeter Road. This narrow road access, and the complicated road junction, becomes extremely congested and dangerous especially during the tourist season.

Conclusion

There is no requirement for additional tourist accommodation in this area and therefore the proposed development is not needed. Its design is inappropriate and unsympathetic to the character of the local area. The proposal goes against many principles laid out in the Local Plan.

The proposed lodges mean the site will hold 16 holiday-makers. It will seriously impact and irreparably harm our residential amenity and human rights. We are entitled to privacy and the quiet enjoyment of our home and garden without noise, odour or light pollution.

The 'garden grabbing' and unsustainable development of 2 tourist lodges in addition to the 2 lodges already approved in the garden of a residential property would represent a gross over intensification of development of the site and alter the residential character of house and garden of Rosehill itself. It would harm the setting of heritage assets and the way the local landscape can be read on the approach to the village. It would destroy a huge area of wildlife habitat.

It would generate additional traffic on a narrow lane and dangerous junction.

The negative impact of this proposed development vastly outweighs any perceived demand for additional tourist accommodation and for all these reasons the proposed development should be refused.

Appendix 1 Email to SMDC conservation officer 19/03/24

Dear Emily,

I am writing to you as I am very concerned about planning application SMD/2024/0108 at Rosehill, Nabb Lane, Alton, and I noticed that you are on the list of consultees.

This application is at the same property for which you produced a well researched and detailed report when a previous application, SMD/2023/0226, was being considered. You highlighted the importance of the setting, and how the proposed design of the lodges, which you called 'unsightly and unattractive shacks', would be in conflict with the heritage assets on Nabb Lane and this historic and ancient part of the village. You also mentioned that the scheme contravened policies DC1 and SS11 of the local plan. The new application is for the same unsightly 'shacks'.

In his heritage statement the applicant says: 'I also note that the surroundings of the applicant's paddock, which would be overlooked by the proposed lodges.....'

The only way the lodges can overlook the paddock is if the very large trees screening them from the east are removed. This statement shows the intention is to do just that. This will have a hugely detrimental effect on the historic setting of two listed buildings, especially Nabb Cottage. The lodge on the right of the block plan is already a dominant feature of the view from Denstone lane and Nabb Lane.

The importance of the view from as you approach the village from Denstone, along Denstone Lane cannot be underestimated. It is the main route into the village and if the lodges which have been applied for in this application are allowed, the view from Denstone Lane will be massively and irrevocably adversely affected by a row of four large ugly 'shacks'. To quote from your previous document, I believe they will '...dilute the sense of place, and its organic pattern.' and detract from 'the wider context and setting of the heritage assets'

I hope you will object the proposal once again and recommend refusal.

Appendix 2 SMDC Planning Committee Decision REFUSAL SMD/2019/0646 Moneystone
Qurray Determined on: 14/11/2023

It is considered that the proposed lodges, which are little more than caravans with cladding, fail to deliver the required high standard of design. Owing to the proposed materials and lack of any green roofs, lack of creativity and detailing the lodges could not be said to be of an appropriate high quality nor do they add value to the local area. They have not been designed to respect this sensitive site or its surroundings...

For these reasons the proposal fails to comply with Policies SS1, SS11, DC1 and E4 of the Staffordshire Moorlands Local Plan and the National Planning Policy Framework including but not limited to Chapters 12 which says that good design is a key aspect of sustainable development and Chapter 15 which says that planning decisions should contribute to and enhance the natural and local environment by amongst other matters recognising the intrinsic character and beauty of the countryside and minimising impacts on biodiversity.

The same principles apply to this application

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