

**Planning Inspectorate Ref APP/B3438/W/24/3354499 (Lead appeal) and
APP/B3438/W/24/3354476
Appellant's Comments on LPA Requested Conditions and Appeal Statement**

LPA Requested Conditions

The LPA has requested that twelve conditions be applied should the inspector allow the two appeals. The appellant has reviewed the twelve conditions and thinks that they are proportionate and reasonable and is in agreement with them.

LPA Appeal Statement (*The paragraph numbers below are the matching numbers in the LPA Statement, so it is suggested that these comments are read alongside the LPA Statement*)

1.3 The intention is to utilise the proposed individual family holiday lodges in conjunction with the existing group holiday facilities at the 'Green Man', under one management supervision. The reference to the existing holiday accommodation is therefore not superfluous. The whole site has been under one management from the 'Green Man' including when touring caravans visited the site. However, the appellant agrees to limit the proposal to four lodges as shown on the plan as more are not possible whilst maintaining safe fire distances under mobile removable homes legislation to which the holiday lodges are designed to conform. The numbers can therefore be specified within the description of the development (the original wording of which was agreed by the LPA when the application was submitted as a minor development).

1.4 The LPA states that 'it would be impossible to devise a condition that could enact and enforce such a role for the manager's lodge'. However the LPA demonstrates conclusively that this is possible in the list of 12 conditions that they request should the appeal be allowed, and in particular their suggested condition 7. The appellant is in agreement with all these conditions.

4.4 Under 13/00510/FUL the two storey extension including the manager's flat was not built as there is insufficient economic viability from the Green Man's existing accommodation itself to justify a permanent manager on site. This will change if the four holiday lodges are allowed.

4.9 The scheme now proposed is 25% of that originally submitted for pre-app advice.

6. Public Comments

Notifications were sent to 17 local properties and the occupants of the two nearest properties commented (four separate individuals). It is not intended to comment individually on these but they mostly commented on historic noise or other disturbance, environmental, wildlife and bio-diversity damage, parking inadequacy, and visibility of the site.

The manager's lodge is to be installed to manage noise and disturbance, and a comprehensive bio-diversity enhancement is proposed which will benefit wildlife and the environment as consulted with Staffordshire Wildlife Trust. The latter bio-diversity net gain will also further comprehensively enhance the existing site screening. County Highways are happy with the proposed level of parking provision.

8.1 and 8.2 Agreed the location is not Green Belt and conforms to a sustainable modest increase to an existing rural tourism business as encouraged by the recently revised 2024 NPPF.

8.3 and 8.4 and 8.6 The red edge of the accommodation building in the 2013 approval is because the work in that application was concentrated on extending the existing building and internal works. However visitors have extensively used the site outside this line including the lawn areas and earlier touring caravans. The remains of this use are evident from the remaining twelve electric hook-up points for caravans. Under the 2024 NPPF definition of previously developed land this includes where the 'remains have blended into the landscape'. Concrete caravan bases can still be found and evidence of caravan use remains from the previous development.

8.8 to 8.10 The limited sustainable expansion proposed in these appeals conforms to all aspects of SS10

8.12 The proposals conform to Policy SS11

8.13 The new tourism expansion is in an identified location of an existing long established tourism business and is therefore not random.

8.14, 8.15 and 8.16 The proposals conform to E4 as confirmed by the County Highways Department and is at a location of an existing tourism development. The proposals support an expansion not met by existing facilities and protect the landscape and bio-diversity.

8.17 This is completely contrary to the County Highways Officer's consultation response.

8.18 to 8.21 SS10 refers to the limited expansion of '*the business*', not site area nor building footprint (which is only half the existing building area for a two storey building). The business currently can take up to 34 guests. The proposal is to expand the business to a maximum of 54. Maths shows that 20 divided by 34 is 0.58, ie a 58% expansion of the business or just over half the existing size, not the 66% suggested in para 8.20. This is therefore a limited expansion of an existing tourism business in a rural location. However, bedspaces in holiday accommodation are rarely if ever fully taken and a more likely working number allowing for diversity would be 35 visitors.

As stated by the LPA in the appeal statement earlier at para 2.1, the proposed site occupies 0.35 hectares (one third) of the one hectare overall ownership. Of this, as shown and calculated on the site plan (D01A), less than 0.1 hectares is occupied by the lodges, patio areas and driveways, with the remaining 0.25 hectares proposals being new woodland and enhanced grassland giving substantial bio-diversity net gain for the environment and wildlife well in advance of the required minimums.

8.22 The surrounding landscape is indeed open to far off views but that is not the case for these appeal sites which are surrounded by existing trees and the proposed tree planting scheme doubling the screening in strategic areas.

8.23 The applications are not for prefabricated *agricultural* buildings as stated but nevertheless the proposed choice of natural materials for the exteriors and the screening by existing and proposed trees effectively negates the visual impact of the proposed lodges.

8.24 Agreed that the lodges are low profile being only 3.5 metres in height which contrasts with the 12 metres height allowed as development on nearby farms under Permitted Development regulations. The lodges will not exert a prominent design impact on the landscape as they will be completely screened by existing and extensive proposed tree belt screens and not visible in any way from the crossroads nor from the wider surroundings. This will be apparent from the inspector's site visit. A short half mile drive up the adjacent road to the Peak Park boundary confirms that even the existing trees fully screen the site from the Peak Park, as clearly shown on the submitted photographs.

8.25 This recommendation was later completely reversed as written in 8.26

8.26 Agreed at (3) that the word '*not*' is in error and that the manager's lodge should be restricted to manager's use.

8.27 The appellant regrets and apologises for this. It is hoped that the appeal for the manager's lodge will be allowed subject to conditions. This will resolve these unfortunate occurrences.

8.28 The LPA have requested Condition No. 7 if the appeal is allowed which suggests a full management plan to be agreed with the local authority following on from the 'Noise Management Plan' (D11) already submitted with this appeal. The appellant is in agreement with this condition.

8.29 Agreed that the NDSS is met.

8.31 The revised ecology survey and report was investigated well beyond the site boundaries following earlier comments and the proposed planting and bio-diversity gain scheme was evolved following feedback from

Staffordshire Wildlife Trust who then lifted their holding objection.

8.32 The proposals would not have an impact on the greater landscape, being screened by trees, and would not therefore change the appearance of the area, but rather enhance bio-diversity in new plantings.

8.33 The LPA's suggested planning conditions including agreement of a management plan provide a suitable mechanism to cover the development and resolve historic problems at the site. The appellant wishes to agree a suitable management plan based on these conditions.

8.34 There would not be any visual landscape harm as once the enhanced landscape proposals are effected then the site would not be visible from any viewpoint.

8.35 This is contrary to The County Highways Department's response.

8.36 If the appeal for the manager's lodge is allowed then the site would be monitored at all times against noise and disturbance and timely action possible.

8.38 The LPA have conclusively demonstrated through their requested conditions (should the appeal be allowed) that comprehensive management of the site can be effective, and the appellant is in agreement to these and the formation of an agreed management plan with a full-time onsite manager. This should ensure a successful integrated project to the benefit of neighbours, bio-diversity and the wider landscape all in conformity with the revised 2024 NPPF. The wider intentions of the current government in promoting and expanding the economy for existing businesses will also be achieved.

The inspector is therefore respectfully requested to allow these two appeals.

Roger Langham B.A, B.Arch RIBA
on behalf of Mr Justin Heslop of GMPH Ltd (the appellant)
31 December 2024