



Appeal Decision

Site visit made on 23 September 2020

by Chris Baxter BA (Hons) DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 13 October 2020

Appeal Ref: APP/B3410/W/20/3250531

Thorswood House, Dale Lane, Stanton, Ashbourne DE6 2BY

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr & Mrs T Owens against the decision of East Staffordshire Borough Council.
 - The application Ref P/2019/01058, dated 15 August 2019, was refused by notice dated 14 February 2020.
 - The development proposed is described as "Siting of three holiday cabins and formation of access and parking area".
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are (i) the effect of the proposal on the character and appearance of the surrounding area, (ii) whether the proposal is in a suitable location, (iii) the effect of the proposal on highway safety with regards to access and (iv) the effects of the proposal on biodiversity and trees.

Reasons

Character and appearance

3. The surrounding area is characterised by undulating rural countryside with a scattering of buildings in the area, including built development at Thorswood House and Thorswood Barns, and the nature reserve visitor centre and car park. The appeal site has some trees and hedgerow located primarily on its boundaries however the site is isolated being separate from nearby built development.
4. The proposed buildings, due to their scale and materials, would appear as incongruous features within the countryside setting. The undulating nature of the site and surroundings, including the existing landscaping, would screen the development from long distance views. However, the proposed development would be visually prominent from immediate views and particularly on approach from the north.
5. The planting of native landscaping has been suggested. This would not completely screen the proposed buildings which given their bulk and appearance would appear as dominant structures that detract from the character of the surrounding area.

6. Accordingly, the proposal would have a harmful effect on the character and appearance of the surrounding area. The proposal would be in conflict with Policies SP1, SP8, SP15, SP24, SP30 and DP1 of the East Staffordshire Borough Council Local Plan (LP) and the National Planning Policy Framework (the Framework) which, amongst other things, seeks development to integrate and respect the character and quality of the landscape, and contribute positively to the area.

Suitable location

7. Policies SP1, SP8 and SP15 of the LP are generally supportive, in principle, of tourist development which support economic growth in rural areas. However, these Policies are clear that tourist accommodation are only supported where they have good accessibility to existing infrastructure and will not have an adverse effect on the character and appearance of the countryside. Paragraph 83 of the Framework also recognises that a prosperous rural economy should be supported however sustainable rural tourism developments should respect the character of the countryside.
8. The Staffordshire Hotel and Visitor Accommodation Strategy identifies a particular need for accommodation of this nature. I am satisfied that the proposal for tourist accommodation would contribute to the local rural economy. This is a benefit of the scheme however, given the scale of the proposals, this benefit would be minimal.
9. The appeal site is detached from other settlements by vast areas of countryside. The highway to the site is narrow and does not have footpaths or lighting and therefore accessing the site is not desirable by walking or cycling. There is no evidence before me to suggest that there are any frequent public transport links near to the appeal site. It is most likely that the buildings on the appeal site are accessed primarily by the use of private motor vehicles. The proposal therefore does not encourage the use of public transport. I have also found that the proposals are not of an appropriate scale to the nature of the location and its immediate setting. The small benefits of the proposals would not be outweighed by the reliance on private motor vehicles and the harmful effect the buildings have on the character of the immediate area.
10. I have had regard to the appellants statement of case and tourist destinations and services including Alton Towers, Dovedale, the Peak District and the Dog and Partridge Inn. However, with the exception of the Thorswood Nature Reserve, these services are not within close proximity and given the constraints detailed above they would likely be accessed by motor vehicles.
11. My attention has also been drawn to other tourist accommodation including lodges at Blithfield reservoir¹ and cabins at Nabb Lane². Insufficient information has been provided in respect of these cases and so cannot be sure that they represent a direct parallel to the appeal proposal, particularly with regards to effect on surrounding area. In any case, I have determined the appeal on its own merits.
12. The proposed development would not be in a suitable location. The proposal is contrary to Policies SP1, SP8 and SP15 of the LP and the Framework, which amongst other things, seeks development to encourage the use of public

¹ Local Planning Authority Reference Number P/2016/01267

² Local Planning Authority Reference Number P/2016/01132

transport and be of an appropriate scale to the nature of its location and setting.

Highway safety

13. The proposed access would be onto Dale Lane which is subject to the national speed limit. Dale Lane is narrow with trees lining either side and there are bends in the road which would be close to the proposed access. The site level of the appeal site, where the access is proposed, is lower than Dale Lane. Due to these factors, the access would have restricted visibility, particularly for vehicles exiting the site.
14. The appellant has provided a speed survey which indicates that vehicle speeds at this location are lower than the national speed limit and that a reduced visibility splay would be acceptable. The Council's Highways Section have raised concerns with regards to the speed survey. I remain unconvinced that due to the differences in levels and the presence of obstacles near the access, including trees and bends in the road, that a suitable access can be achieved which would allow safe egress from the site.
15. The proposed development would be harmful to highway safety with regards to access. The proposal would fail to comply with Policies SP1 and SP35 of the LP and paragraph 109 of the Framework which indicates development should be prevented if there would be an unacceptable impact on highway safety.

Biodiversity and trees

16. The appeal site is located near Stanton Pastures and Cuckoocliffe Valley Site of Special Scientific Interest, adjacent to a designated Local Wildlife Site and Thorswood Nature Reserve. There are also a number of trees located in and around the site. As such, the Council considered that there was a failure to demonstrate the effects of the development on biodiversity and trees, including associated drainage infrastructure. A preliminary ecological assessment and a tree survey has been submitted which indicates that there is no evidence of protected species on the site and that the proposals would not threaten the long-term retention of mature trees. Nevertheless, given my findings in relation to character and appearance, location and highway safety, it is not necessary to consider these matters further.

Conclusion

17. I conclude that for the reasons given above, and having regard to all other matters raised, the appeal should be dismissed.

Chris Baxter

INSPECTOR