
Appeal Decision

Site visit made on 9 March 2021

by Diane Cragg DipTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 April 2021

Appeal Ref: APP/B3410/W/20/3264402

Kete Cottage, Hall Lane, Wootton DE6 2GW

- 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 Weaver Lea Lodges against the decision of East Staffordshire Borough Council.
 - The application Ref P/2020/00155, dated 6 February 2020, was refused by notice dated 26 August 2020.
 - The development proposed is the siting of 8 high quality holiday lodges.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are:
 - (i) Whether, having regard to national and local policies and access to services and facilities, the appeal site is a suitable location for the proposed development;
 - (ii) the effect of the development on the character and appearance of the area; and
 - (iii) the effect of the development on the setting of heritage assets.

Reasons

3. The appeal site is located approximately 1km south east of Wootton, close to a small number of existing residential properties at the junction of Hall Lane and Michael's Lane. It is part of a single irregularly shaped field used for grazing which is enclosed to the north and east by mature hedging. There are mature trees and a pond bordering the site adjacent to the lane frontage on the west side. The land slopes up from Michael's Lane towards the northern boundary. The route of public footpath No10 Wootton crosses the appeal site.
4. The proposal is to change the use of the land to facilitate the siting of 8 holiday lodges with associated access roads, engineering works and drainage.

Planning policy

5. Policy SP1 of the East Staffordshire Borough Council Local Plan (Local Plan) seeks to ensure that proposals are located where there are good links to the strategic highway network and where it is convenient and safe to walk, cycle

- and travel by public transport to services and facilities. Policy SP8 only supports development outside of development limits where it would be for one of a number of purposes, none of which apply here, or where it is otherwise appropriate in the countryside.
6. Policy SP15 states that tourist accommodation should be provided within existing settlements where it can make use of existing infrastructure and facilities. New tourist accommodation outside settlements will only be acceptable where it will have good accessibility to existing infrastructure and will not have an adverse impact on the character and appearance of the countryside.
 7. These policies are largely consistent with paragraph 83 of the National Planning Policy Framework (the Framework) which supports sustainable rural tourism and leisure development which respects the character of the countryside.
 8. Wootton is identified as a tier 3 small village in the Local Plan. These are villages that have not been given settlement boundaries because of their size and lack of facilities.
 9. Michael's Lane is a rough grassed single width lane from which the access to the site would be taken. The approach to the site is along Hall Lane which is a single width road with grass verges to either side that has no streetlighting or footpaths for much of its length and a limited number of passing places. Wootton village is approximately 800 metres from the site accessed via Hall Lane.
 10. Hall Lane may be suitable for use for recreational purposes during daylight hours, however, it is not particularly conducive to walking or cycling nor suitable to be used to access services and facilities or to access public transport on foot or by bike. The public footpath through the land is accessed from Michael's Lane and crosses the site joining to Wildhay Lane, a rural track to the north of the appeal site. There are no services or facilities in close proximity to the appeal site, nor do the footpaths or roads adjacent to the site lead to any services or facilities close by. There is no evidence before me to suggest that there are any frequent public transport links near to the appeal site. Within Wootton village there are very limited services and facilities available, so that it would be unlikely that future occupiers of the lodge development would have any other means than the private car to access their daily needs.
 11. For these reasons, I conclude that having regard to national and local policies and access to services and facilities, the appeal site is not a suitable location for the proposed development. The proposals would conflict with Policies SP1, SP8 and SP15 of the Local Plan. It would also conflict with the Framework where it seeks to ensure that appropriate opportunities to promote sustainable transport modes can be or have been taken up.

Character and appearance

12. The planning application was accompanied by a landscape report¹ (LR). I undertook an extensive site visit and viewed the site from the relevant locations.

¹ Landscape report prepared by Allan Moss Associates Ltd March 2019

13. The appeal site is located in National Character Area 64 Potteries and Churnet Valley. At a local level, the appeal site is part of the dissected sandstone cloughs and valleys character type as identified in Planning for Landscape Change: Supplementary Planning Guidance to the Staffordshire and Stoke on Trent Structure Plan 1996 – 2011.
14. The character area and type include undulating upland pastoral landscape dissected by steep wooded valleys with sub-regular shaped fields bounded by hedgerows with frequent hedgerow trees. Characteristic landscape features are steeply sloping landform, broadleaved and conifer woodland, stonewalls and buildings, small sunken enclosed lanes, and low intensity pastoral farming.
15. The appeal site displays some of the key characteristics of the character type and area. It is grassland with well-defined hedged boundaries to the north, west and east and scattered trees located adjacent to a small group of mainly stone constructed buildings and properties adjacent to Hall Lane. Michael's Lane sits at a lower level defining the southern site boundary.
16. In general terms I agree with the landscape report that in longer range views such as from Wildhay Lane, Weaver Hills and Westhouse Lane the landform, distance and intervening vegetation would limit the effects of the development on the wider landscape. Further, the development would be contained within the field, the hedges would be retained, and the integrity of the historic field pattern would be maintained.
17. Even so, the land slope opens the site up to views from the south. The site would be conspicuous from footpath No 8 on the south side and from Michael's Lane and adjacent properties. There are extensive views across the appeal site from footpath No 10 towards the south and the buildings and fields at the lower level. The footpath's open and undeveloped setting contributes to the character and appearance of the area.
18. The proposed development would be conspicuous by virtue of its incongruous appearance consisting of regularly spaced buildings served by a significant amount of access road. The proposed layout would give the development the appearance more typical of a residential estate not at all in keeping with the traditional vernacular of the adjacent buildings and their close knit, dense arrangement.
19. The proposed holiday lodges and infrastructure, including the roads, car parking, lighting, alterations to the landform to provide siting for the lodges and access roads, together with the associated domestic requirements for holiday accommodation such as outside furniture, would detract from the rural character of the landscape. Further, the development would diminish the appeal site's remoteness and tranquillity. Therefore, when viewed from locations on the southside and when approaching the site from the west and using the footpath through the site, the development, notwithstanding the proposed soft landscaping, would be an uncharacteristic and unsympathetic form of development.
20. The appellant acknowledges that the area is popular with both walkers and cyclists. The landscape effects I have set out would be perceived visually by neighbouring residents, recreational users and residents using the footpaths. All would experience some negative visual effects from the loss of views towards and through the site and the change in landscape character.

21. Consequently, I conclude that the proposals would detract from the character and appearance of the area and would conflict with Policies SP1, SP8, SP15, SP24, SP25, SP30, DP1 and DP7 of the Local Plan where these policies seek to ensure that development does not have an adverse impact on the character and appearance of the countryside. It would also conflict with paragraph 83 of the Framework.

Heritage assets

22. There are a number of listed and non-listed buildings within the vicinity of the appeal site including the grade II listed mid 19th century former barn now residential dwellings at Home Farm, and the row of five mid 19th century pigsties and attached feed shed at Wootton Hall Farm. Neither Home Farm or Wootton Hall Farm are listed but are recorded on the Historic Environment record (HER) as mid 19th century farmsteads and are identified in the appellants heritage statement as non-designated heritage assets. The icehouse to the north of the appeal site is also identified as a non-designated heritage asset.
23. The significance of the listed buildings arises from the preservation of their historic building fabric, their historic planform and from their relationship with the former farmsteads and farming practices in the past. Their setting is the surrounding farmland with its surviving historic field patterns, areas of ridge and furrow and ancient woodlands.
24. I am mindful of the Framework's definition of 'setting' as being the surroundings in which a heritage asset is experienced, the extent of which is not fixed and may change over time. Although the immediate setting of the listed buildings and associated farmstead structures is relatively well defined, the general spaciousness of the wider area provides a rural context which forms an integral part of their historic setting. This provides both an appreciation of their interrelationship with each other as a group and their relationship with the wider landscape which, in turn, contributes to their significance.
25. Even though the lodges would be sited within the confines of the field boundaries the regularly spaced lodge structures served by long access routes would not sit comfortably with the surrounding pastoral landscape or with the tight knit arrangement of the existing buildings. The slope of the appeal site opens it up to views from the south. The relatively large land-take for the development running parallel to Michael's Lane has some intervisibility with the buildings associated with or formerly associated with Home Farm.
26. On balance, the introduction of a sizeable area of development and associated infrastructure on to the appeal site would have sufficient significance and influence on the landscape in its local context that the development, overall, would detrimentally compromise the setting of the heritage assets.
27. The harm I have identified would be less than substantial. Paragraph 196 of the Framework advises that less than substantial harm should be weighed against the public benefits of the proposals. I accept that holiday accommodation would contribute to the economy and that there is strong demand generally for the type of holiday accommodation proposed. However, there are limited services and facilities close to the site and I am not persuaded

that any increase in economic activity would benefit the local economy. I therefore attach limited weight to the economic benefits identified.

28. In my judgement, the public benefits identified are not of a sufficient weight to outweigh the considerable importance and weight that I attach to the harm I have found. As such, the proposal would fail to satisfy the requirements of Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Paragraph 192 of the Framework.
29. Overall, I conclude that the development would harm the setting of heritage assets. It would conflict with the requirement of Policies SP24, SP25 and DP5 of the Local Plan insofar as these policies seek to ensure developments protect and enhance the distinctive landscape character of the district; preserve or where possible enhance the setting of heritage assets; and achieve a high standard of design, reflecting local character and distinctiveness. It would also conflict with the Framework paragraphs 127, 184 and 83 that developments should be sympathetic to local character and history; conserve heritage assets in a manner appropriate to their significance; and appropriate to the character of the countryside.

Other Matters

30. The appellant refers to the Council's consideration of an approved development for 10 lodges at St Stephens Hill Farm, Admaston², an existing dairy farm with an established holiday cottage business. The Council concluded that the Admaston development would be acceptable in terms of its impact on the countryside and heritage assets. Whilst there are some very general comparisons about the location of the Admaston site and the appeal site, the approval of a lodge development in another location in the countryside does not indicate that all such development is acceptable. The details of the site circumstances at Admaston are not directly comparable to the appeal proposals before me and I have attached limited weight to it in my consideration of this appeal.
31. The appellant notes that Staffordshire County Council Highways do not object to the development. Nevertheless, conditions to restrict the occupation of the site are required in order to limit the traffic along Hall Lane which the highway authority consider is 'unsuitable for any form of development that generates a significant level of traffic'. Given my conclusions on the main issues I have not found it necessary to consider whether the suggested conditions could reasonably be imposed and the impact of the proposed development on the highway if they were not.

Conclusion

32. Overall, the proposal would conflict with the development plan and there are no material considerations, including the Framework, that would outweigh that conflict. Therefore, the appeal is dismissed.

Diane Cragg

INSPECTOR

² Local Planning Authority Reference Number P/2016/01267