

Appeal Decision

Site Visit made on 13 September 2021

by Mr R Walker BA HONS DIPTP MRTPI

an Inspector appointed by the Secretary of State

Decision date: 28 September 2021

Appeal Ref: APP/H1033/W/21/3273578

Horwich Farm, Eccles Road, Whaley Bridge SK23 7EW

- 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 C Hinchcliffe (R.f & H.e Hinchcliffe) against the decision of High Peak Borough Council.
 - The application Ref HPK/2020/0435, dated 5 October 2020, was refused by notice dated 29 April 2021.
 - The development proposed is change of use of land for the installation of 2no. luxury camping pods.
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Decision

1. The appeal is allowed and planning permission is granted for Change of use of land for the installation of 2no. luxury camping pods at Horwich Farm, Eccles Road, Whaley Bridge SK23 7EW in accordance with the terms of the application, Ref HPK/2020/0435, dated 5 October 2020, subject to the conditions set out in the attached schedule.

Main Issues

2. The main issues are:
 - whether the site is sustainably located with particular reference to access to services and facilities; and
 - the effect of the proposal on the character and appearance of the area.

Reasons

Access to services and facilities

3. The appeal site is located in the countryside surrounding Whaley Bridge, a reasonably sized settlement with many services and facilities including, amongst other things, shops, pubs and restaurants, a railway station and bus stops.
4. Given the attractive, undulating countryside location and the network of footpaths within the vicinity of the site, there would be different outdoor activities, including, hiking, cycling and horse riding, available to guests that would not necessitate the need to travel from the site by vehicle.
5. Any guests staying at the proposed camping pods and visiting the area for cycling purposes would be able to cycle along Eccles Road to the settlement. Moreover, guests would be able to walk into Whaley Bridge along an off-road route past the cricket ground. At night the walking route would be unlit and less attractive to guests and given the off-road nature, distance and incline not

all guests would use this option. However, the camping pods would provide self-catering facilities with guests not reliant on the facilities within the town for food and drink in the evening.

6. As such, I consider that options would be available to guests that do not place a reliance on private motor vehicles. However, even where guests do drive to services and facilities in Whaley Bridge, the length of journey is very short from the appeal site. Moreover, the likely associated vehicle movements from guests at two camping pods, either travelling to Whaley Bridge or elsewhere, would not lead to a significant increase in the number of trips on the road network.
7. Drawing the above together, even if most guests arrive by private vehicle, I find that the site is sustainably located with particular reference to access to services and facilities.
8. In this regard, the proposal would accord with the requirements of Policy EQ 3 of the High Peak Local Plan (LP) (2016) which, amongst other things, supports the provision and expansion of tourist and visitor facilities in sustainable locations where identified needs are not met by existing facilities.

Character and appearance

9. The appeal site is located within the Dark Peak Settled Valley Pastures (SVP) Landscape Type which is characterised by, amongst other things, scattered farmsteads beyond compact settlements in a pastoral landscape. The proposed camping pods would be positioned within a group of existing trees near to, but detached from, a group of farm buildings and houses along Eccles Road outside of Whaley Bridge. The area surrounding the road is characterised by the rising rural landscape, broken up by groups of trees and sporadic houses and farm buildings. These elements contribute to the overall character of the SVP.
10. Due to the undulating topography of the landscape, views from the east from parts of Eccles Road and from Milton Lane would not be possible according to the Council's 'viewshed' and, from my observations on site, I have no reason to disagree.
11. The location of the proposed camping pods in the group of trees and the combination of the topography, buildings, and other landscape features, such as trees along Eccles Road, restricts many potential views. Despite this, the proposed development would be seen from the south and west. This includes, amongst other things, views from Eccles Road to the west, part of a public footpath from Chapel Road heading north, private views and from parts of the footpath network to the south of the railway line.
12. From such views, the tree group at the appeal site would not be sufficient to screen the proposed development, even in summer months when the tree coverage is likely to be at its greatest. This would bring conflict with the requirements of Policy E7 of the LP. This policy stipulates that development proposals involving chalet accommodation, caravan and camp sites will only be permitted where, amongst other things, any permanent structures would not be visible even during winter months when viewed from areas outside the site to which the public has access.
13. The camping pods would be viewed as being a short distance from the group of buildings at Horwich Farm and in the wider landscape of other buildings along

Eccles Road. As such, they would not appear isolated features in the countryside.

14. Moreover, due to the very small number of camping pods proposed, their narrow width, low height and natural timber finish, along with their positioning, contained behind the stone walling in the tree group and being set into the slope, the proposed development would, in my view, assimilate well into the landscape.
15. As such, even considering the sensitivity of the panoramic views from the public rights of way to the south of the railway line, the proposed development would not appear intrusive. The camping pods would have a simple, low key and lightweight appearance that would not appear out of place in the landscape in close proximity to the farm. Overall, the aesthetic qualities and local distinctiveness of the SVP landscape would remain.
16. To conclude on this matter, the proposed development would be visible, but would not be harmful to the character and appearance of the area. As such, although there would be conflict with the requirements of Policy E7 of the LP, I find no conflict with the requirements of Policies EQ2 and EQ6 of the LP. These, amongst other things, require development proposals to protect and/or enhance the character, appearance and local distinctiveness of the landscape.

Other Matters

17. Having regard to my duties under Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, the nearest listed building, Ollerenshaw Hall lies to the north east where views of the proposed development would be constrained by the topography and landscape features. Moreover, given the distance to this and other listed buildings in the wider landscape, the limited scale of development proposed and its positioning within the group of trees near the farm buildings, there would be no harm to the setting of any listed building.
18. The land edged blue on the location plan has been updated during the application and the extent of the land edged red is sufficient to enable appropriate conditions to, amongst other things, safeguard retained trees.
19. Although not quantified by either party, given the number of camping pods the overall benefits would be small. However, there would nonetheless, be benefits to the local economy and farm from the visitor accommodation and local spend.

Conditions

20. I have adapted the Council's suggested conditions where necessary, in the interests of precision, and brevity. In addition to the standard time limit condition, I have imposed a condition specifying the relevant drawings and to require that the development is carried out in accordance with them as this provides certainty.
21. Conditions relating to the protection of retained trees and landscaping are appropriate in the interests of the character and appearance of the development. Although details of the pod materials are provided, a materials condition requiring all aspects of the external materials of the development

including the decking, walling, refuse store and colour finish, where relevant, is necessary in the interests of the character and appearance of the development.

22. Conditions restricting the use to tourism accommodation and requiring a register of occupants to be kept, are necessary to ensure that the accommodation is used for such purposes. As condition 7 requires the use for holiday purposes I do not consider that the Council's proposed condition 8 is necessary in this instance.
23. Where necessary, consent has been obtained from the appellant for the use of pre-commencement conditions, as the carrying out of building work in advance of approval could prejudice the scope to agree any changes to the submitted details.

Conclusion

24. In conclusion, the appeal site is sustainably located with good access to services and facilities. Although the proposed development would be visible from some public views, bringing conflict with criterion 3 of Policy E7 of the LP, the proposed development would not, overall, have a harmful effect on the character and appearance of the surrounding area. Moreover, no other harm is identified. As such, I do not find conflict with the development plan when read as a whole.
25. For the reasons given above, and having regard to all other matters raised, the appeal is allowed.

Mr R Walker

INSPECTOR

Schedule of Conditions

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: SW266-PL001 Rev A Location Plan; SW266-PL002 Rev A Proposed Site Plan and SW266-PL003 Proposals – Proprietary Pod Elevations and Visuals.
- 3) No site clearance, preparatory work or development shall take place until a scheme for the protection of the retained trees (the tree protection plan) and the appropriate working methods (an updated arboricultural method statement reflecting the revised site layout plan) in accordance with paragraphs 5.5 and 6.1 of British Standard BS 5837: Trees in relation to design, demolition and construction - Recommendations (or in an equivalent British Standard if replaced) shall have been submitted to and approved in writing by the local planning authority. The scheme for the protection of the retained trees shall be carried out as approved.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars.

- 4) No development shall commence until there shall have been submitted to and approved in writing by the local planning authority a scheme of hard and soft landscaping. The scheme shall include proposals for replacement tree and bush planting, specifying the number, species, heights on planting and positions of all replacement trees, shrubs and bushes to be planted.
- 5) All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species.
- 6) No development shall commence until details of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.
- 7) The development hereby permitted:
 - Shall be occupied for holiday purposes only; and
 - Shall not be occupied as a person's sole or main place of residence; andThe owners of the site shall maintain an up-to-date register of the names of all occupiers of the site and their main home addresses and shall make this information available at all reasonable times at the request of the Local Planning Authority.

End of Schedule