



Appeal Decision

Site visit made on 21 November 2022

by M Ollerenshaw BSc (Hons) MTPI MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 January 2023

Appeal Ref: APP/Y3425/W/22/3302167

Land Opposite Keepers Cottage, Hilcote Lane, Chebsey, Stafford ST21 6JX

- 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 P Holme against the decision of Stafford Borough Council.
 - The application Ref 20/32290/FUL, dated 24 April 2020, was refused by notice dated 30 March 2022.
 - The development proposed is the siting of a temporary caravan for tourism use.
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Decision

1. The appeal is dismissed.

Main Issues

2. The main issues are whether the location of the proposal would be appropriate having regard to relevant local planning policies relating to tourism development; and the effect of the proposal on the character and appearance of the area.

Reasons

Location

3. The appeal site relates to a rectangular parcel of land on Hilcote Lane opposite Keepers Cottage and close to the junction with Stone Road. For planning purposes, the site is located within designated countryside.
4. Policy E2 of The Plan for Stafford Borough (PSB) supports various types of sustainable rural development outside settlements identified in the Spatial Principle SP3, subject to satisfying certain criteria. Criterion (vii) firstly requires facilities for tourism in the rural area to be consistent with PSB Policy E6.
5. Policy E6 seeks to promote opportunities for tourism and new visitor accommodation where it can be demonstrated, through a business case, that the use can be sustained in the long-term. Criterion (e) requires tourism opportunities in the rural area to sustain the local economy in accordance with Policy E2 and provided they are sensitively designed and not detrimental to the natural environment or local amenity. Criterion (f) supports opportunities that reduce the carbon footprint of development and promote sustainable tourism.
6. Policy E2 permits appropriate uses subject to meeting another list of criteria, including criterion (f) which requires the building to be well related to an existing settlement and have access to local services and/or is close to a regular public transport service to the hierarchy of settlements identified in Spatial Policy SP3 or those outside the Borough.

7. These policies are broadly consistent with paragraph 84 of the National Planning Policy Framework (the Framework) which supports a prosperous rural economy and sustainable growth of all types of businesses in rural areas, including through sustainable rural tourism and leisure developments which respect the character of the countryside.
8. The appellant has submitted a business case which sets out the need for the proposal. It is argued that there are no more than a number of bed and breakfast facilities within the nearby settlement of Eccleshall and no independent stand-alone accommodation, but I have seen no substantive evidence to demonstrate this. The appellant contends that the research by Christine King from 2018, which examined the economic impact of tourism within the Borough, indicates a demand for the proposal which is likely to have increased in light of the Covid-19 pandemic. However, that research is now quite dated and is clearly not specific to the appeal site or to the type of accommodation proposed. The appellant also refers to the comments of the Council's Senior Investment Manager in relation to an application for the siting of three shepherd's huts elsewhere in the Borough¹, but those comments relate to tourism in the Borough in general terms. There is no detailed evidence before me to show that there is demand for the proposed accommodation in this particular location.
9. The appellant's business case provides information on the initial set-up costs of the proposal and projected annual income. However, there is little detail as to how the figures have been derived. There is little breakdown or itemisation of the costs and it is not clear that the plan comprehensively takes into account all business costs including, for example, advertising. It is unclear how the stated occupancy levels would be achieved and over what timescale. Whilst there are some tourism attractions in the area, there is no indication that detailed research has been carried out to identify the target market. Thus, whilst Policy E6 seeks to promote opportunities for tourism and recreation uses, on the basis of the evidence before me, I cannot be satisfied that the proposal would be sustained in the long-term.
10. In terms of accessibility, Eccleshall has a range of services and facilities. However, the majority of those appear to be within the town centre itself which is around a 1.5km walk from the appeal site via Stone Road, which is unlit for much of its length and is subject to a speed limit of 60mph. The final 200m in the direction of the site is devoid of segregated footpaths. In these circumstances, I consider that walking or cycling from the site to the services and facilities in Eccleshall is unlikely to be an attractive proposition, particularly in poor weather or during the hours of darkness.
11. The appellant refers to nearby bus stops and a bus service which provides access to Eccleshall. However, the details provided indicate that the service only operates until the late afternoon on Monday to Friday and not at all on Saturday and Sunday. Given this, the bus service would be unlikely to prove a more convenient option than the private car. In this respect, I note that the plans indicate parking for three cars within the appeal site. Therefore, whilst I accept that in many instances rural tourism proposals will be located in the countryside, in this particular instance I consider that the proposal would be in a location with poor accessibility to services and facilities and that visitors

¹ Council ref. 21/34640/COU

would be likely to be largely dependent on the use of the private car to access services and facilities, which is the least sustainable travel option. The proposal would not therefore support opportunities to reduce the carbon footprint of the development and promote sustainable tourism in accordance with Policy E6 (f).

12. Furthermore, there is no indication before me that the appellant has explored the possibility of making use of suitable existing buildings or previously developed land before proposing new buildings or development of greenfield land in accordance with Policy E2 (a).
13. For the above reasons, I conclude that the appeal site would not represent a suitable location for the proposal having regard to the relevant local planning policies relating to tourism development. The proposal would be contrary to PSB Policies E2, E6 and T1, which seek to promote sustainable tourism, reduce the carbon footprint of development, and encourage walking and cycling.

Character and appearance

14. The site is largely grassed over apart from a small brick structure located towards the centre and is bound by a hedgerow and fencing to Hilcote Lane. The site slopes up steeply to the north east where it meets a large open field. The site forms part of an attractive rural landscape which is characterised by narrow country lanes, open fields, established hedgerows, groups of mature trees and occasional dwellings such as Keepers Cottage opposite.
15. The Council contends that the structure detailed within the application documents does not fall within the legal definition of the caravan, which is disputed by the appellant. It is unclear from the evidence before me whether the development would meet the legal definition of a caravan.
16. Be that as it may, the introduction of a large domestic structure and parking area with associated domestic paraphernalia in this rural location would appear as a prominent intrusion into the open countryside which would be out of keeping with the rural landscape. Moreover, the form and design of the structure and the use of timber cladding would not reflect the vernacular character of dwellings found in the surrounding countryside. The appellant claims that the proposal would put a derelict area of agricultural land to good use, but in the manner proposed I consider that this would harm the character of the countryside.
17. Despite the hedgerow and fencing to the site frontage, I consider that the proposed development would be in a relatively exposed position and highly visible from Hilcote Lane and from Stone Road to a lesser degree. Although the proposed development would be constructed in mainly natural materials, that would not adequately mitigate its impact.
18. For the above reasons, I conclude that the proposal would be significantly harmful to the character and appearance of the area. It would be contrary to Policies N1, E2 and E6 of the PSB, which, amongst other things, seek to ensure that development is of a high quality of design that preserves and enhances the character of the area including the use of locally distinctive materials. It would also conflict with Framework paragraph 84 which, amongst other things, seeks to ensure that development respects the character of the countryside.

Other Matters

19. I note the appellant's concerns with the way in which the Council dealt with the application, including in not consulting the Council's Senior Investment Manager on the application. This is however a procedural matter for the Council to address and does not impact on my assessment of the merits of the case.
20. Based on the evidence before me and my observations on site, I have no reason to disagree with the Council's assessment that the proposal would not be harmful to the living conditions of the neighbouring occupiers, ecology or trees. However, a lack of harm in respect of these matters is effectively neutral rather than weighing positively in favour of the proposal.
21. The proposed development would offer potential social and economic benefits in terms of providing new holiday accommodation and visitor spending in the local area. However, the weight attributable to these matters is limited given the modest scale of the development proposed and would be outweighed by my findings as to the harm that would be caused.

Conclusion

22. For the reasons given above, having considered the development plan as a whole, the approach in the Framework, and all other relevant material considerations, I conclude that the appeal should be dismissed.

M Ollerenshaw

INSPECTOR