



Appeal Decision

Site visit made on 18 October 2023

by Ryan Cowley MPlan (Hons) MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5 December 2023

Appeal Ref: APP/A2470/W/23/3319472

Bidwell Quarry, Bidwell Lane, Clipsham

- 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 Mrs Laura Green, on behalf of Stamford Stone Company Limited, against the decision of Rutland County Council.
 - The application Ref 2022/0866/MAF, dated 1 August 2022, was refused by notice dated 13 February 2023.
 - The development proposed is change of use from disused quarry to a sustainable holiday site including the installation of six holiday cabins and an honesty shop and associated works to provide vehicular parking and pedestrian access.
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Decision

1. The appeal is dismissed.

Preliminary Matter

2. The appeal site has been referred to as "Big Pit Quarry" in parts of the evidence before me. In the banner heading above, I have however used the address originally set out in the application form, and in the other supporting plans and documents submitted with the application.

Main Issue

3. The main issue is whether the appeal site provides a suitable location for the development proposed, with regard to the Council's spatial strategy, national policy and its accessibility.

Reasons

4. The appeal site comprises a former quarry to the east of the A1 dual carriageway, within the open countryside. The nearest settlements are Clipsham and Stretton, located to the north and north-west, respectively. Between the appeal site and these villages are several arable fields, wooded areas and a working quarry (Clipsham Quarry), accessed via Bidwell Lane.
5. Among other provisions, Policy CS1 of the Core Strategy Development Plan Document Adopted July 2011 (the Core Strategy) expects new development to be located where it minimises the need to travel and is accessible on foot, by bicycle or public transport, wherever possible. Policy CS4 of the Core Strategy indicates that development in the countryside will be strictly limited to that which has an essential need to be located in the countryside and is of a particular type to support the rural economy.
6. Policy SP7 of the Site Allocations & Policies Development Plan Document Adopted October 2014 (the SAP DPD) supports sustainable development in the

countryside that is essential for the provision of recreation and visitors facilities for which the countryside is the only appropriate location. This is provided that, among other criteria, the development cannot reasonably be accommodated within the towns and villages, and it would be in an accessible location and not generate an unacceptable increase in the amount of traffic movements.

7. More specifically, Policy SP25 of the SAP DPD indicates that self-serviced holiday accommodation will only be acceptable where it is well related to an existing tourism attraction or recreation facility, is located with convenient access to supporting facilities and it would not result in an unacceptable increase in the amount of car travel, among other provisions.
8. The proposal would provide bespoke visitor accommodation with self-catering facilities. The type of accommodation proposed lends itself well to a natural environment with a degree of tranquillity. The uniqueness of its setting is also unlikely to be found within the development limits of local settlements. There is no compelling evidence before me to suggest it could reasonably be located within a town or village.
9. The proposal would also include a small honesty shop, which would offset some off-site journeys arising from the development. However, this would be stocked with a limited supply of essential provisions, in addition to local maps, books and tourist information. While visitors may be content to spend a large portion of their stay at the site, it is therefore likely that most would still undertake multiple trips beyond the site to buy additional food or other items, visit local pubs or restaurants, or travel to tourism attractions or recreational facilities.
10. The appeal site is large, and the proposed cabins would be dispersed across a wide area. There would be no vehicular access onto the site for visitors, beyond the designated parking area. The proposal does not include any formal footpaths, though there are tracks through the site. While these can be used to access some areas, the site is generally uneven and rugged, with undulating terrain and considerable vegetation in places. Crossing it can take time and must be done with caution. In lower light levels, or poor weather, more care will be needed. Some effort would therefore be required simply to enter and exit the site on foot.
11. Bidwell Lane is narrow and of insufficient width for two vehicles to pass for much of its length. When leaving the site, the surface of the first portion of the route is loose, which may be challenging for less confident cyclists. Some parts of the lane have good visibility however this is restricted in others, particularly at the bends and dip on the northern stretch. The verge is steep in places and lined with vegetation, which reduces opportunities for pedestrians to step out of the carriageway in some areas.
12. The appellant's submitted Highway Technical Note indicates that Heavy Goods Vehicles (HGV) account for an average of 5 x 2-way movements per hour on weekdays, in addition to irregular farm traffic movements. I observed several HGV and farm traffic movements along Bidwell Lane during my site visit. This would be somewhat intimidating for visitors to the appeal site and would discourage use of the route for pedestrians and cyclists. While the appellant is also the operator of Clipsham Quarry, it would be impractical to coordinate all HGV and visitor movements to avoid any conflict.

13. There is no footway or street lighting for most of the route to either Stretton or Clipsham, and I did not observe any pedestrians walking along the roadside. The total journey length on foot to Stretton in particular would be considerable. Even if visitors to the site were to travel by bike or on foot to either village, I saw that they provide only limited services, including a public house and church in each and a small hotel in Clipsham.
14. Larger towns or villages in the wider area with more services, such as Greetham, would be an unreasonable distance to walk for most visitors, and there is no evidence before me of any dedicated cycle routes to these. I did not observe any bus stops close to the site, and there is otherwise little information before me on the availability of public transport in the vicinity.
15. Limited information has been provided regarding the proximity of the site to existing tourism attractions or recreational facilities. My attention has been drawn to the fishing lakes to the north of the site. However, these are also not particularly accessible by means other than the private car, for similar reasons as set out above.
16. The evidence indicates that there are public bridleways running alongside the site, some of which are well used by walkers and horse-riders. Though these would undoubtedly provide additional forms of recreation for future visitors, the extent to which they would provide convenient access to local services, tourism attractions or recreational facilities has not been adequately demonstrated.
17. In view of the above, I am in no doubt that future visitors to the site would carry out most, if not all, of their journeys during their stay by private car. This is even more likely in darker months or in less favourable weather conditions. Given the number of cabins proposed and the lack of alternative modes of transport, this would amount to an appreciable number of additional car journeys per day. Of these, many would be to larger settlements or attractions that are distant from the site.
18. Policy CS15 of the Core Strategy supports the principle of sustainable tourism development. However, this seeks to ensure such development accords with the Locational Strategy in Policy CS4. This is broadly in line with Paragraphs 84 and 105 of the National Planning Policy Framework (the Framework), which support sustainable rural tourism and leisure developments and seek to ensure the planning system actively manages patterns of growth, focusing on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes.
19. I recognise that Paragraph 105 of the Framework highlights that opportunities to maximise sustainable transport solutions will vary between urban and rural areas. Furthermore, paragraph 85 states that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. Paragraph 85 also emphasises the importance of ensuring that such development exploits any opportunities to make a location more sustainable.
20. While information on the existing public rights of way can be provided to visitors, these are of limited utility in accessing local services and attractions. The proposed honesty shop would also have only a limited effect on off-site journeys. It therefore has not been adequately demonstrated that opportunities to make the location more sustainable have been exploited. Moreover, the

appeal site is not physically well-related to existing settlements, and it has not been demonstrated that it would constitute previously developed land as defined in Annex 2 of the Framework. Even if I were to consider the proposal to be for a site to meet local business and community needs, Paragraph 85 of the Framework would therefore provide limited support.

21. I therefore conclude that the appeal site does not provide a suitable location for the development proposed, with regard to the Council's spatial strategy, national policy and its accessibility. The proposal would be contrary to Policies CS1, CS4 and CS15 of the Core Strategy and Policies SP7 and SP25 of the SAP DPD. These policies, among other provisions, seek to give access for all to services and facilities, while minimising the impact on climate change and protecting the natural environment. They support high quality tourism development in Rutland in the most sustainable locations and seek to prevent an unacceptable increase in car travel.
22. The proposal would also be contrary to Paragraphs 84 and 85 of the Framework, in respect of their aims of ensuring planning decisions enable sustainable rural tourism and that such developments exploit any opportunities to make a location more sustainable, including by improving the scope for access on foot, by cycling or by public transport.

Other Matters

23. The proposal would bring visitors to the area and be staffed by 2 part time workers. It's unique setting, proximity to nature and bespoke accommodation would help to secure its attraction. It would therefore contribute to the local economy to some degree. However, the evidence underpinning the appellant's estimated visitor spend arising from the development is limited, and the significance of this to the local economy is unclear. The limited accessibility of local services and facilities from the site, combined with its proximity to the A1, may also encourage visitors to travel away from the local area during their stay, rather than spend time within it.
24. The appeal site is designated as a Local Wildlife Site. The evidence indicates that the proposal could achieve a biodiversity net gain of 12.87%. However, representations from Leicestershire County Council's Senior Planning Ecologist highlights that the ecological interest of the site will gradually decline over time due to natural succession. Therefore, simply to maintain its current levels of biodiversity, long-term management is required. While the Council had suggested a condition to secure a 30-year adaptive management plan, the appellant has indicated they would object to this. There is no other mechanism before me to secure the long-term ecological management of the site and so the weight to be given to this as a benefit of the scheme is limited.
25. The design of the proposed accommodation is characterful and sympathetic to its environs. However, in its current state, the site is not harmful to the character and appearance of the area and the proposed cabins would be largely screened from view due to its topography and vegetation. The proposal would therefore not significantly enhance the character and appearance of the area.
26. Measures aimed at mitigating the impacts of the development, such as sustainable construction methods and local sourcing of materials, are neutral and weigh neither for nor against the proposal.

27. My attention has been drawn to several other examples of tourist accommodation granted planning permission by the Council or on appeal in Rutland and elsewhere. The details before me in respect of each are limited. Nevertheless, based on the information provided, the Ketton campsite¹ was for a different form of development, operating on a seasonal basis, including a shop on site with a wider offering for visitors. The proposed glamping site in Barrow² accommodated fewer units, on the edge of a village, and benefitted from a delivery service, more local facilities, and access to these via public rights of way.
28. The provision of a caravan site at Stretton Lodge³ was an extension to an existing business with holiday lodge accommodation. It benefitted from an onsite fishing lake, which factored into the likely number of car journeys. In respect of the development in Ross-on-Wye⁴, besides the availability of cooked food on site, this was also for seasonal use and not far from a village with services and facilities. Moreover, it was in a different local authority area, therefore determined in a different planning policy context.
29. Ultimately, none of the cases referred to are directly comparable to the appeal scheme before me and each case must be considered on its individual merits. They therefore do not lead me to a different conclusion on the main issue.
30. Other than where set out above, I have not identified conflict with any other parts of the development plan or national policy and guidance. However, the absence of harm or development plan conflict with respect to other relevant matters is neutral and weighs neither for nor against the proposal.

Conclusion

31. The proposed development conflicts with the development plan, taken as a whole. The benefits of the scheme do not outweigh the identified harm and development plan conflict. I have therefore found no material considerations that indicate the appeal should be determined other than in accordance with the development plan. Consequently, I conclude that the appeal is dismissed.

Ryan Cowley

INSPECTOR

¹ Council Ref 2017/0993/FUL

² Council Ref 2018/0096/FUL

³ Appeal Ref: APP/A2470/W/20/3254410

⁴ Appeal Ref: APP/W1850/W/17/3188523