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## Appeal Decision

Site visit made on 5 June 2024

**by Mrs Chris Pipe BA(Hons), DipTP, MTP, MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: 02 August 2024**

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**Appeal Ref: APP/B3410/W/23/3334004**

**Bridge Farm, Stramshall Road, Spath, Stramshall, Staffordshire ST14 5AF**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant planning permission.
  - The appeal is made by APNA properties against the decision of East Staffordshire Borough Council.
  - The application Ref is P/2023/00094.
  - The development proposed is erection of Glamping Pods with decking, associated vehicle track and footpaths, service hut, bicycle racks and waste/recycling storage, low level lighting, installation of package treatment plant and improvements to existing vehicular access.
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### Decision

1. The appeal is dismissed.

### Procedural Matter

2. Since the determination of the application the National Planning Policy Framework has been superseded by the National Planning Policy Framework (2023) (the Framework). However, in relation to this appeal the aims of both sets of policies are similar. No party would be prejudiced or caused any injustice by me proceeding with the appeal in light of this change in policy.

### Main Issue

3. The main issues in this appeal are i) whether the location is suitable for the proposed development; and (ii) the effect of the proposed development on highway safety.

### Reasons

#### *Location*

4. The appeal site is located outside the built-up area for the village of Spath, in policy terms, the site is within the countryside. Spath is 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.
5. Policy SP1 of the East Staffordshire Borough Council, Local Plan, planning for Change 2012-2031 (2015) (the Local Plan) seeks to ensure that development proposals have good links to the strategic road network and are conveniently and safely accessible by walking, cycling, and public transport to services and facilities.

6. Local Plan Policy SP8 supports new business development outside of settlement boundaries in the countryside where the type of operation, size and impact and supported by relevant justification for a rural location. The proposed development is small scale, and in general a use suitable for a countryside location.
7. Policy SP15 of the Local Plan states tourist accommodation should be provided within existing settlements to utilise existing infrastructure and amenities. New tourist facilities outside settlements will only be acceptable if they have good accessibility to existing infrastructure without adverse impacts on the countryside, historic/landscape features, biodiversity or amenities of nearby residents.
8. In relation to accessing services and facilities, there are no footpaths or streetlights adjacent the site on Creighton Lane and accessing local services on foot would be unrealistic for some potential users of the development and at some times of the day and year.
9. There is a bus service a short walk away which I understand provides access to settlements which would meet the day to day needs of the future occupants. Notwithstanding this I have not been provided with substantive evidence confirming the regularity of services. Notwithstanding this access to the bus stops would result in the use of the narrow, unlit, with no segregation for pedestrians road, Creighton Lane.
10. I have taking into account that opportunities to maximise sustainable transport options will vary between urban and rural locations. However, the circumstances I observed do not lend themselves to safe use by pedestrians. Similarly, the lack of street lighting would be unlikely to encourage cycling to the nearest services and facilities after dark via this narrow lane.
11. The appellant has suggested a condition could be imposed which would allow users of the development to utilise a segregated footpath through Bridge Farms existing garden to a footpath on Stramshall Road. The provision of a footpath would be in close proximity to the neighbouring property, I have not been provided with substantive evidence to convince me that this footpath would not cause residential amenity issues to the occupiers of Bridge Farm or the neighbouring property.
12. I conclude that the location is not suitable for the proposed development. The proposed development conflicts with Policies SP1 and SP15 of the Local Plan and the Framework which seeks to ensure developments are located within areas which are suitable locations.

### *Highway Safety*

13. The proposed development is accessed via a narrow lane, Creighton Lane. The appellant has provided an Appeal Transport Statement which includes an Automated Traffic Counter Survey that indicates that the Lane currently has low traffic usage. Due to the width of the Lane, it was noted that speeds passing the site were low in each direction.
14. Notwithstanding this there is no footpath along Creighton Lane. I observed during my site visit that there is a slight curve to the Lane this combined with the mature landscaping visibility is limited from the entrance/exit from the appeal site.

15. The appellant contends that suitable visibility splays could be achieved for the development, even if this were the case, I am not persuaded that this would ensure a safe environment for pedestrians and cyclists.
16. Due to the lack of street lighting, visibility, lack of footpath and the increase in vehicular movements associated with the development I find that the proposed development would cause increased conflict between pedestrians and vehicles.
17. I conclude that the proposed development would have an unacceptable effect on highway safety.
18. There is conflict with Policies SP1, SP8, and SP35 of the Local Plan which seek amongst other things to ensure developments do not have an adverse impact on the transport and highway network and provides adequate access for all necessary users.
19. There is conflict with the Framework which seeks to ensure developments have an acceptable impact on highway safety.

### **Other Matters**

20. My attention has been drawn to a number of appeal decisions and tourist accommodation approved. A number of the appeals were dismissed on the basis of the proposal not being within a suitable location, similar to this appeal proposal. Some schemes whilst approved, appear to have access to footpaths, it is therefore difficult to directly compare these to the current appeal proposal. Notwithstanding this each development must be considered on its individual merits, and I have reached my conclusion based on the individual merit of the appeal proposal.

### **Conclusion**

21. For the above reasons I conclude that this appeal should be dismissed.

*C Pipe*

INSPECTOR