

Appeal Decision

Site visit made on 22 August 2024

by Laura Cuthbert BA(Hons) MSc MRTPI

an Inspector appointed by the Secretary of State

Decision date: 5th September 2024

Appeal Ref: APP/F1610/W/24/3339426

Land at Oakleaze, South Cerney Road, Siddington, Cirencester GL7 6HT

- 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 Mr Mark Pope and Miss Rebecca Arnold against the decision of Cotswold District Council.
 - The application Ref is 22/00393/FUL.
 - The development proposed is Erection of 5 Holiday lodges (sui generis) and associated works.
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Decision

1. The appeal is dismissed.

Preliminary Matters

2. I have been provided with an electronic link to watch the relevant Planning and Licensing Committee meeting at which the appeal application was discussed. I have not watched this as I cannot be sure that all relevant interested parties have access to the facilities to watch it. It does not bear directly on the planning merits of the case and therefore does not materially affect my judgement of the appeal.
3. The appellant has also raised concerns in regard to the discussions and subsequent voting at the relevant committee meeting, which related to the participation of one of the Councillors. However, the appropriate channel to resolve this matter would be through the Council's Monitoring Officer. This does not affect the merits of the proposal before me now.

Main Issue

4. The main issue is whether the site is a suitable location for the proposed development, having regard to the development strategy for the area.

Reasons

5. The appeal site relates to a parcel of land situated to the south of the property known as Oakleaze. It is situated outside any identified settlement development limits, with the nearest village being South Cerney, and is therefore classified as open countryside. The site has previously been used for the siting of 5 touring caravans, ran as a Caravan Club Certificated Site.

Whilst the former caravan bays are still visible on site, this use is no longer operating. The Council advises that the use ceased 'in excess of 10 years ago'.

6. Policy EC11 of the Cotswold District Local Plan 2011 – 2031 (Local Plan) (adopted 2018) relates to the circumstances where new tourist accommodation will be supported. Criteria 3 and 4 of Policy EC11 relates to Self-Catering accommodation¹ and would be applicable to the proposed holiday lodges. However, the proposal would fail to comply with criterion 3 as the proposed self-catering accommodation would not be provided through the conversion of existing buildings nor would the proposal be located within the development boundary.
7. In regard to criterion 4 of Policy EC11, I have no substantive evidence before me to demonstrate that it is essential to locate holiday accommodation on the site in order to sustain the viability of a tourist attraction. I acknowledge several tourist attractions and leisure opportunities that are available in the Cotswolds area, including the Water Park, Cirencester, Malmesbury, Tetbury, Lechlade, Bibury and Bourton-on-the-Water, and the extensive walking and cycling routes available, including the National Cycle Road which runs along South Cerney Road. However, the proposal would not be associated with a specific tourist attraction. Therefore, there is no policy support for the proposal under Policy EC11, most notably it would fail to comply with criteria 3 and 4.
8. There are some similarities, as the appellant notes, between the previous use for 5 touring caravans and the proposal before me now. They would both provide self-catering accommodation, they are both for intermittent use and not permanent dwellings, both would be subject to occupancy conditions, and both uses would be served by electrical power, water supplies, foul and wastewater drainage, and sustainable surface water drainage. I also recognise that the previous use was an award winning caravan site. However, unlike the touring caravans, which would have operated through a license granted by the Caravan Club and not through the granting of planning permission, the proposal would represent new build, permanent holiday lodges which require planning permission and assessment against the development plan. Given this notable difference, I am not satisfied that the historic use of the land for the siting of touring caravans would be sufficient to outweigh the clear conflict with the development plan in these circumstances.
9. I acknowledge the 'year round' economic benefits associated with the proposal, including the additional business the proposed holiday lodges would bring to local public houses and restaurants, particularly in the quieter months. I recognise that local businesses would benefit from the work associated with the servicing of the lodges in regard to 'daily cleaning, linen laundry and preparation, together with the maintenance of the site which includes grass cutting and landscaping, lodge maintenance including plumbing, heating and building fabric maintenance'. I also note that paragraph 88 of the National Planning Policy Framework supports a prosperous rural economy. However, I do not consider that in these circumstances the economic benefits would outweigh the conflict with the development plan outlined above.

¹ Paragraph 9.11.5 of the Local Plan confirms that 'self-catering accommodation' is taken to include holiday lodges.

10. Therefore, for the reasons given above, the site would not be in a suitable location for the proposed development, having regard to the development strategy for the area. The proposal would conflict with Policy EC11 of the Local Plan which only supports self-catering accommodation in certain circumstances.

Other Matters

11. I note that the Council have not alleged any harm to the character and appearance of the area, and I recognise the lack of objection from the statutory consultees including the Drainage Engineer, Natural England, Ecologist, Landscape Officer and Highways Officer. I also acknowledge the additional supporting documentation and survey work that has been undertaken by the appellant in the time the application was being considered. However, these matters do not alter or outweigh the harm I have identified.

Conclusion

12. The development conflicts with the development plan as a whole. There are no material considerations worthy of sufficient weight that would indicate a decision otherwise than in accordance with it. The appeal is therefore dismissed.

Laura Cuthbert

INSPECTOR