

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**12<sup>th</sup> August 2021**

Application No:	SMD/2020/0656	
Location	Rosehill, Nabb Lane, Alton, ST10 4AY	
Proposal	Two Holiday Lodges	
Applicant	Mr P Bain	
Agent	Rob Duncan	
Parish/ward	Alton	Date registered: 25.11. 2020
If you have a question about this report please contact: Chris Johnston tel: 01538 395400 ext. 4123 <a href="mailto:christopher.johnston@staffsmoorlands.gov.uk">christopher.johnston@staffsmoorlands.gov.uk</a>		

## **REFERRAL**

The application is before committee because a large number of objections from local residents has been received.

### **1. SUMMARY OF RECOMMENDATION**

**APPROVE with conditions**

### **2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

2.1 The site lies in the countryside a short distance to the south of Alton village and is also within the Churnet Valley. It is approx. 75 metres south of the development boundary of the village (as defined in the Council's Local Plan). It comprises part of a residential property, Rosehill, which has large grounds and is on the east side of Nabb Lane, a narrow country lane connected to Denstone Lane, the B5032 main road to the north. The property extends all the way up to Denstone Lane towards the north-east. There is an access off Nabb Lane into the property and the application site itself lies to the other side of the existing dwelling, to the east of the house, reached by a driveway connected to the access. There is a brick-and-tile long detached double garage on the site connected to the residential use of the property. The drive and part of the current gravel parking area is also included in the site. Part of the open grounds next to the garage is also included. The land to the east of the site (and overall property) comprises fields and there is more open land to the other side of the lane to the west. To the south of Rosehill on the other side of the lane, further into the open countryside, is a farm (Paradise Farm which includes a Grade II listed farmhouse close to the road). To the north of Rosehill is a dwelling, Ash Croft and another dwelling lies immediately to the north of this at the corner of Nabb Lane and Denstone Lane, within the development boundary, called Nabb Cottage, which is Grade II listed. The site is within the Churnet Valley.

### **3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL**

3.1 This is a full application for two single-storey 2-bed holiday lodges, with one being the conversion and extension of the current garage building and the other being a typical single-storey timber lodge form and design with low roof pitches (amended plans received on 4<sup>th</sup> August 2021), resulting in a smaller footprint and less height than the garage. The existing vehicle door to the garage would be replaced with cladding and windows and new windows would also be inserted into the existing side and rear walls.

3.2 The existing access and driveway would be used by the guests/holidaymakers as the entrance to the holiday lodges but a new pedestrian path would also be formed from the site, running along the edge of the garden of the house and along the north boundary of the property (part of which is shared with Ash Croft), connecting to an existing gate off Nabb Lane in the north-west corner of the property. This was added onto the plans on 9<sup>th</sup> July 2021 along with supporting information from the applicant's agent to address highway safety concerns on Nabb Lane:

3.3 These current plans differ with those originally submitted last year. The original scheme comprised two new-build 2-bed timber lodges on a patch of land next to the north boundary of the site (shared with Ash Croft) but with the use of the existing vehicular access at Rosehill and the same proposed path connecting the existing parking area to the original site. Those original plans have been superseded by plans showing the new site, in May 2021, which showed a brick and tile new-build with steeper roof next to the garage conversion and with a design to try to replicate the garage. The May plans also showed a large proposed canopy structure to the side of the garage building. The final amended plans in August 2021 switched the brick-and-tile new-build with one of the originally proposed timber lodges but with the same siting next to the garage and also the removal of the canopy structure from the garage.

3.4 A Bat and Bird Ecological Survey Report was submitted in June 2021.

3.5 The application includes a Planning Statement and also a Heritage Statement was later submitted due to the close proximity of the property to two listed buildings.

3.6 Details of the application including the drawings, consultation responses and representations can be viewed on the following link:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=142264>

### **4. RELEVANT PLANNING HISTORY**

4.1 The most recent planning applications at the property are as follows:

SMD/2015/0756: Conversion of an existing double garage into a one and half storey domestic dwelling with two parking spaces. Appeal on grounds of non-determination. Appeal dismissed on the grounds of sustainability (i.e. would increase car use to reach services) and highway safety.

SMD/2017/0825: Conversion of the detached garage into annex. Approved but not implemented.

SMD/2019/0751: Alterations to vehicular access. Approved.

## **5. PLANNING POLICIES RELEVANT TO THE DECISION**

5.1 The Development Plan comprises of:

- The Local Plan Development Document (adopted Sep 2020)

### Adopted Staffordshire Moorlands Local Plan - Sep 2020

5.2 The following Local Plan policies are relevant to the application:-

- SS1 Development Principles
- SS10 Other Rural Area Strategy
- SS11 Churnet Valley Strategy
- DC1 Design Considerations
- DC2 The Historic Environment
- E4 Tourism and Cultural Development
- NE1 Biodiversity and Geological Resources
- T1 Sustainable Transport

### Churnet Valley Masterplan (2014)

### National Planning Policy Framework (NPPF) (July 2021)

Sections

6: Building a Strong Competitive Economy

12: Achieving Well Designed Places

15: Conserving and Enhancing the Natural Environment

16: Conserving and Enhancing the Historic Environment

## **6. CONSULTATIONS**

6.1 A site notice to advertise the original plans submitted in November was posted and displayed in Nabb Lane outside of the site on the 14<sup>th</sup> December, expiring on the 4<sup>th</sup> January 2021. Adjacent neighbours were also notified by a letter. When the amended plans were received, adjacent neighbours and all objectors to the original scheme were notified on 10.5.21 and again notified when the site plan was amended to show the proposed pedestrian link, on 13.7.21.

6.2 In response to the original plans, eighteen letters of objection were received from local residents and one letter of objection received from Churnet Valley Conservation Society. The points raised are as follows:-

- Unsustainable location leading to increased car use, road congestion and harm to air quality
- The demand for holiday accommodation is already met in this area by other developments
- Harm to residential amenity affecting adjacent neighbours caused by noise, light pollution, overlooking and odours from BBQs
- Harm to pedestrian safety due to lack of footpath on Nabb Lane and a hazardous road junction to the north
- The site is not well connected to other tourist facilities
- The proposal would not benefit the local economy or employment as the lodges are self-catering
- Harm to highway and pedestrian safety on Nabb Lane, a narrow country lane, caused by increased traffic
- The design/appearance of the lodges would be out of keeping with the rural area and would be visible from the road
- Harm to the setting of two nearby listed buildings
- No drainage plans provided
- Ineffective screening along boundary
- No details of infrastructure therefore concerns over use of noisy generators
- Increased traffic will harm wildlife
- Harm to wildlife habitat in the village
- Local B&Bs and Inns have closed due to competition from accommodation at Alton Towers

6.3 Three letters were received neither objecting or supporting the application but raising the following points:

- The lodges would benefit local shops and pubs but should be moved further away from other dwellings
- Tourism helps to boost the local economy
- There is not enough tourist accommodation in Alton

6.4 There were four letters of support received and the letters outlined positive economic benefits to the area from tourism, benefiting shops and pubs and which would also not lead to any significant increase in traffic and therefore not lead to any highway safety concerns.

6.5 In response to the amended plans to the show re-location of the site, received in May 2021, letters were received from five of the previous objectors. The points raised in addition to those raised above are as follows:-

- The new siting would harm the boundary hedge which is within another property and would be difficult to maintain
- The proposal would urbanise the area
- The new lodges have a more modern and permanent appearance less in keeping with the area than the timber chalets of the original proposal
- The lodges would still be visible from Nabb Lane due to inadequate hedge screening and would affect the setting of the listed farmhouse

- Inadequate private outdoor space for holiday let guests
- Inadequate parking area
- Harm to livestock from litter and other items thrown by guests
- There would be pressure in the future to use the lodges as separate dwellings not holiday lets

6.6. No letters have been received in response to the plans amended in July 2021 which show the addition of the pedestrian path. However, any comments received will be reported at the Committee meeting.

### **Alton Parish Council**

6.7 In response to the original plans: *This application was unanimously objected to by the parish council for the following reasons: Nabb Lane is a small road and the additional traffic would be a safety issue. It is overdevelopment in the area and outside the village plan. The application is out of keeping with the area, invasive and unneighbourly.*

6.8 In response to the amended siting: *This application was unanimously objected to by the parish council for the following reasons: Nabb Lane is a small road and the additional traffic would be a safety issue. It is overdevelopment in the area and outside the village plan. The amended application is still out of keeping with the area, invasive and unneighbourly. Concerns were also expressed about the discharge of waste water and inadequate drainage, there is no drainage plan shown on the application.*

6.9 No letters from the Parish Council were received in response to the July 2021 amended plans which show the addition of the footpath. However, any comments received will be reported at the Committee meeting.

### **SCC Highways Authority**

6.10 In response to the original plans, the local highways authority considered the application be refused for the following reasons:

*1. The proposed development would exacerbate the risk of pedestrian/vehicle conflict by reason of inadequate provision for pedestrians leading to an increase in the likelihood of danger to highway users.*

*2. The access road leading to the site is substandard in that it is of inadequate width to allow two vehicles to pass and the increased use of such roads would result in an increase in the likelihood of danger to road users.*

6.11 The local highways authority also made the following comments:

*The Planning Inspectorate in its decision to dismiss appeal of SMD/2015/0756 commented on potential proposals to improve the access. The Inspector concluded that... 'I have given consideration to a condition on any planning consent requiring the submission of details pertaining to the access and highways matters. However this*

would not overcome the harm that I have identified as a result of the material increase in traffic to and from the site'.

Visibility at the access has been improved under SMD/2019/0751, though not to the standards or precise detail approved. However, following on from the comments made by the inspector, 'this would not overcome the harm that I have identified as a result of the material increase in traffic to and from the site'.

Two holiday lets would constitute a material increase in traffic to and from the site.

The Inspector also commented: 'Nabb Lane is a single track road, devoid of a pavement, cycle lane or street lighting. I appreciate that local residents may currently walk and cycle along the lane, however, without a safe and well-lit means of accessing the village, it is likely that prospective occupiers would use the car for regular trips to meet their daily needs. .... Consequently it is reasonable to surmise that future residents of the new dwelling would be reliant on the private motor vehicle. Whilst the proposal might not, of itself, generate a large number of traffic movements, the effect of allowing such development in a functionally isolated location would be likely to increase the amount of unsustainable journeys made. As a result, residents would be unable to make sustainable transport choices in accordance with the objectives of the Framework.'

While these comments were in relation to a proposed dwelling, they are also relevant to two holiday lets which will be occupied short term by different occupiers.

6.12 In response to the amended plans to show the provision of a pedestrian path to Nabb Lane and further supporting details from the applicant's agent:

No objection raised subject to conditions.

6.13 The following comments were made: *Following highways recommendation of refusal, the proposal has been discussed with planning agent. SMD/2015/0756 for a dwelling was dismissed at appeal. Inspector agreed with highway view that visibility was restricted but went on to identify harm as a result in the material increase in traffic. This comment was not explained in the decision.*

*Highways objection to SMD/2015/0756 was addressed in SMD/2019/0751 which has been partially implemented. This should be completed in accordance with approved drawings. Following highway/agent discussion, revised drawing 0101 P.03 was submitted clearly showing the alternative pedestrian route within the site leading towards Alton. Use of this access will result in pedestrians walking in the carriageway for only approximately 40m as far as the informal access to the Blacksmiths Arms.*

*Nabb Lane is an existing single track road similar to other roads in the Moorlands and wider Peak District. Holiday let occupants will have a different trip generation profile to permanent occupants of a dwelling.*

## **Environmental Health**

6.14 No objection subject to standard conditions which include a condition for no amplified sound to be audible at site boundaries.

### **SMDC Conservation Officer**

6.15 In response to the original plans: *I consider that the development would be harmful to landscape/settlement character and the wider setting of the nearby Listed Buildings.*

6.16 In response to the amended plans showing a different siting: *With the revised siting of the holiday lodge and conversion of the existing garage into an additional holiday lodge there will be no detrimental impact on the setting of surrounding Listed Buildings.*

### **Staffordshire Wildlife Trust**

6.17 Holding objection. Further information required regarding ecology impacts. Required prior to determination:

1. Further information on proposed footpath access, foul drainage construction and vegetation clearance.
2. Walkover survey to assess potential presence and impact to protected species.

6.18 SWT also commented: *The amended access plans appear to create a new pathway which will result in vegetation clearance, and possibly roadside hedgerow removal. There are no details provided for foul drainage, which would need to be constructed in the vicinity. This would appear to result in a net loss of vegetation from the site and potential impacts to species if present. Further information is required to judge the impacts to ecology.*

*The Bat and Bird Survey found the garage to be negligible for bats and birds.*

6.19 In response to further ecology information from the applicant's agent in response to the holding objection:

Holding Objection removed. However, conditions recommended to secure species protection/ mitigation and habitat/ landscaping enhancement.

### **Severn Trent Water**

6.20 No objection and do not require a drainage condition to be applied.

### **Waste Collection Services**

6.21 No issues with the proposal.

## **7. OFFICER COMMENT AND PLANNING BALANCE**

## Introduction

7.1 The main issues with the proposal are as follows:

- The principle of the proposal and sustainability
- The impact on the character and appearance of the area including nearby listed buildings
- The impact on residential amenity
- The impact on highway safety
- The impact on the ecological value of the site

### **The principle of development**

7.2 In terms of the principle of the proposal, the tourist accommodation proposal would be viewed against the following Local Plan policies:

7.3 Policy SS10, which is the strategy for the countryside (those areas outside of the development boundaries of towns and larger villages) and with regard to tourist related development, seeks to enhance tourist opportunities including supporting sustainable tourism developments and measures in the Churnet Valley in accordance with Policy SS 11 and the Churnet Valley Masterplan SPD.

7.4 Policy SS11 states that particular support will be given to short stay and long stay visitor accommodation and also the “expansion of existing tourist attractions and facilities and the provision of compatible new tourist attractions and facilities”. It also states that any development should be of a scale and nature and of a high standard of design which conserves and enhances the heritage, landscape and biodiversity of the area.

7.5 With regard to the Churnet Valley Masterplan and the strategy for the Alton area, this states that outside of Alton Towers, there should be “minimal development”.

7.6 Policy E4 ‘Tourism and Cultural Development’ is the specific policy for tourism and states that new tourist, visitor and cultural accommodation, attractions and facilities should be developed in locations that offer, or are capable of offering either:

- A) good connectivity with other tourist destinations and amenities, particularly by public transport, walking and cycling; or*
- B) in locations in or close to settlements where local services, facilities and public transport are available; or*
- C) in areas specifically identified for tourism development in the Churnet Valley Masterplan or other relevant documents.*

7.7 Policy E4 also states that new accommodation, attractions and facilities should:

- A) support the provision and expansion of tourist, visitor and cultural facilities in the rural areas where needs are not met by existing facilities; and*
- B) all development shall be of an appropriate quality, scale and character compatible with the local area, protect the residential amenity of the area, enhance, the heritage,*

*landscape and biodiversity of the area and shall not harm interests of acknowledged importance.*

7.8 Policies S10 and S11 are generally supportive of new tourist facilities (which includes accommodation), particularly in the Churnet Valley, providing they are compatible with the area. It is considered the scale of development, comprising the conversion of an existing building and the provision of a small timber lodge, in this location just outside of a large village and where there are neighbouring buildings, is compatible with the immediate surrounding area. It is arguable if the design could amount to being “high quality” although the conversion would amount to an improvement to the appearance of a garage. The timber lodge has a conventional timber lodge appearance and although this is not a traditional building style in the District, it does not harm the character and appearance of the area particularly as the site is generally well screened from roads and public footpaths and the new-build would have very limited height. The proposal would conserve the heritage, landscape and biodiversity of the area. This point is elaborated on further in this report.

7.9 The Churnet Valley Masterplan requires “minimal” development outside of Alton Towers but does not define “minimal”. I consider that for the purposes of this proposal, the conversion of an existing building and provision of small single-storey unit, could in terms of the overall scope of development, arguably be classed as “minimal”.

7.10 With regard to Policy E4, the site is not within an area allocated for tourism related development. In terms of whether there is good connectivity with other tourist destinations and amenities, particularly by public transport, walking and cycling, although the site is close to Alton Towers, visitors to this destination may not be encouraged to walk or cycle due to the hilly terrain and there is no frequent public transport link. However, tourist amenities with Alton village such as food shops and eating places are easily accessible via cycling or walking. The edge of the village is only approx. 75 metres away and there is a pub at the end of Nabb Lane. I therefore consider that, particular as the site is close to a large village with services such as shops and eating places, the proposal is compliant with the first part of Policy E4.

7.11 In terms of whether the proposal would “support the provision and expansion of tourist, visitor and cultural facilities in the rural areas where needs are not met by existing facilities”, the Council’s Regeneration Team has stated the following (in Feb 2021), regarding the demand for tourist accommodation in the District:

*“we welcome all new tourist accommodation in the Moorlands as there is an undersupply of bed spaces compared to Derbyshire and we currently have a significant imbalance between number of day visitors (5.046 mil) and staying visitors (1.778mil). It is also clear from evidence that an overnight visitor spends double a day visitor per person per day (spend pp overnight stays = £78.48, spend pp day visitors £38.96) so that the opportunity to convert a day to a staying visitor through the provision of new accommodation will have a positive impact on the economy of the district not just the provider themselves.”*

7.12 It does appear there is a demand for more tourist accommodation in general. Furthermore, it is noted that although there is a large significant supply of accommodation at Alton Towers resort, including log cabins, this is mainly hotel or serviced accommodation and the resort provides all the catering and entertainment facilities, leading guests to be unlikely to leave the resort to support shops, pubs, or eating establishments in the village or other tourist attractions in the area.

7.13 The proposal would at least offer a different form of tourist accommodation for visitors who do not want to stay bound by a resort and want a different experience e.g. explore the wider area and other attractions of the Churnet Valley and to eat at pubs in the village rather than within a resort. i.e. the proposal would widen the range of the type of accommodation on offer in the Alton area.

7.14 With regard to part B of Policy E4, it is not considered the quality of the development is inappropriate to the area and that the scale and character is not out of keeping with the area and the residential amenities would not be harmed (this is addressed further on in this report). However, it must also be assessed whether or not the proposal would lead to a particular enhancement of the heritage, landscape and biodiversity qualities of the area and this is elaborated on further in this report.

7.15 In 2016, a proposal to convert the double garage into a dwelling was dismissed on appeal due to it being considered to be unsustainable (i.e. would have led to a reliance on the car to reach shops, services and workplaces) and also due to the impact on highway safety given the quality of the access and nature of the narrow lane. It is considered that the current scheme for two holiday lodges would have different impacts to the scheme for one dwelling in terms of sustainability. Holiday lodge guests would demand access only to tourist attractions, convenience/food shops and eating establishments and not schools and workplaces as demanded by permanent residents. The two holiday lodges are also unlikely to be occupied permanently as there is likely to be vacancies during off-peak times of year (e.g. Winter). The number of vehicle movements arising from two holiday lodges therefore cannot be compared to those of one permanent dwelling. Furthermore, the current application proposes a pedestrian access to a gate further along Nabb Lane, where the distance walked along the road to the entrance of the village (marked by a pub likely to be in use to guests) would be approx. 40 metres, whereas the distance from the existing access is approx. 100 metres and the current scheme is far more encouraging of walking or cycling to reach the village along the narrow road as well as reducing the highway safety risks. The impact on highway safety is addressed more fully further on in this report.

7.16 Overall, the principle of the development complies with policies SS10, SS11 and E4 of the Local Plan and is also in line with the government planning guidance contained within the NPPF which in Section 6 'Building a Strong and Competitive Economy' which encourages "sustainable rural tourism and leisure developments which respect the character of the countryside."

### **Impact on the character and appearance of the area including heritage assets**

7.17 The scheme would comprise the conversion of an existing brick and tile garage

building and the external alterations would not harm its appearance. The new-build would not exceed the scale or height of the garage building. The newbuild has a conventional timber lodge form and design which is not traditional to the area (not least the materials) but it is considered this is preferable to the previous proposed new-build which had a more solid and permanent form and appearance with brick walls and a considerably higher tiled roof and although this is more in keeping with traditional building styles in this area, it would also have had a much greater visual impact than the timber lodge. The timber lodge, by contrast, is a lightweight form which could also easily be removed or dismantled if the requirement for the accommodation ceases in the future.

7.18 The development would be very well screened from Denstone Lane to the north where there is thick tree and hedge screening on top of banking along the south side of this road. There would be glimpses of the development from Nabb Lane despite the presence of large trees to the west of the site and hedgerows along the lane. The hedgerows along the road outside of the property have been reduced in height to improve visibility at the access, allowing the development to be more visible. However, due to the height of the development and its siting, it is not considered the development would be harmfully prominent when approaching Alton along Nabb Lane with just the roofs visible above boundary hedging. There is one nearby footpath, crossing fields to the south of the site in an east/west direction. From this path, the roof of the existing garage is visible. The proposed new-build would be lower than the garage and the roof of this would be visible but only against the backdrop of the current garage building and therefore would not lead to additional harm to the landscape when viewed from the east.

7.19 The position of the new-build is not considered to be close enough to the nearest listed buildings (Paradise Farm to the south and Nabb Cottage to the north-west) to lead to harm to their settings. Although it may be possible to view the new-build from Paradise Farm, there is no visual connection between the two.

7.20 By not harming the landscape or heritage qualities of the area, the proposal would “maintain” these but the scheme would not enhance the heritage value of the area and would not enhance the landscape, although it is considered that more robust native hedge or tree planting should be undertaken at the east boundary of the site to further screen the development, by way of a planning condition and that this can still lead to an “enhancement”, albeit small.

7.21 Overall, the proposal would comply with policies DC1 ‘Design Considerations’ and DC2 ‘The Historical Environment’ as well as policies SS10, SS11 and E4. It would also be in line with Section 12 of the NPPF relating to achieving well designed places and Section 16 relating to the historical environment.

### **Impact on the residential amenities of the area**

7.22 It is considered the two holiday lodges would not be close enough to nearest dwellings to lead to any harms to the residential amenities or living conditions of neighbours, unlike the original scheme which was close to the boundary of Ash Croft. Both of the nearest dwellings (Ash Croft and Paradise Farm), would be approx. 50 metres away exceeding the distances recommended in the Council’s

Space About Dwellings guidance. There would be no harmful overlooking from the two holiday lodges. Due to the distances, the Environmental Health Section do not raise any concerns regarding harmful noise creation but do recommend a condition to restrict any noise amplification. The proposal would comply with Policy DC1 'Design Considerations' as well as Policy E4 and would also be in line with Section 12 of the NPPF.

### **The impact on the biodiversity value of the area**

7.23 Staffordshire Wildlife Trust initially issued a holding objection on the basis of lack of information about the removal of vegetation arising from the creation of the new pedestrian path, foul drainage works and the "possible" removal of hedgerows either side of the site access and also due to a lack of information about species present, requesting a "Walkover Survey" be undertaken. SWT identified the possible presence of badgers in the area and also great crested newts (as there is a pond at the property and two others within 250m of the site) but did not object on this basis subject to a condition to secure protection measures during the construction phase. The Bat and Bird Survey Report revealed the current building to be converted had negligible potential for use by bats as a roost or bird nesting and this was upheld by SWT.

7.24 In response to the holding objection, the applicant's agent stated the following:

- *The footpath is not proposed, it is already in situ and lies within the applicant's garden*
- *There is an existing gateway onto Nabb Lane as you will have seen on your site visit so no vegetation removal is required. The leylandii and rhododendron bushes that previously enclosed the northern site boundary were replaced by the fence shown in the attached photograph during 2019. Said works did not require consent, nor does it form part of this application.*
- *The foul drainage for the proposed cabins will connect to the existing septic tank that lies to the immediate west of the garage within the garden. This is of sufficient capacity to accommodate the two new cabins along with the house, and drains to an existing soakaway in the field some 100m to the north. The formation of the connections from the cabins to the existing septic tank will not necessitate any removal of vegetation.*
- *The siting of the new cabin will be on an area of lawn (formerly a rose garden) and does not require the removal of any vegetation / hedgerows*
- *We have no objection to adopting reasonable precaution methods during the construction phase, such as badger ramps etc, and are also agreeable to providing a bat and bird box on each cabin to secure a net gain to biodiversity, but in light of the comments above I think a walkover survey is unduly onerous and unnecessary.*

7.25 On the basis of the above, SWT removed their holding objection and recommended conditions to enhance the level of biodiversity via further planting e.g. native hedge and tree planting and providing bird and bat boxes as well as the protection and mitigation measures for possible badgers and newts during the construction phase.

7.26 Therefore, whilst the scheme as it currently stands only maintains and not enhances the level of biodiversity in the area, enhancements can be easily achieved at the site via planning conditions, as there is sufficient scope within the property for further planting (which can enhance the landscape and biodiversity values of the area) in addition to compensating for previous vegetation removal and the hedgerow reduction at the access (this has not been removed and the approved access works require hedge repositioning only) along with other measures to encourage wildlife.

7.27 Overall, the proposal would not cause significant harm to the ecological value of the area and together with the enhancements the scheme would comply with Policy NE1 (relating to biodiversity) of the Local Plan as well as policies S10, S11 and E4. The proposal would also be in line with Section 15 of the NPPF (relating to the natural environment).

### **The impact on highway safety**

7.28 This appears to be the main concern locally with the scheme and is raised in most of the letters of objection received. It is recognised that the lane connecting the property to the village is narrow and there is no pedestrian footway along the lane. The proposed two holiday lets would lead to an increase in vehicle movements and therefore more vehicles using the narrow lane. The concerns over the impact of this on users of the road including walkers and horse riders as well as on cars and agricultural vehicles is understandable and the local highways authority objected to the original scheme.

7.29 Planning permission was given in February 2020 for improvements at the access which involve setting back the hedgerow either side of the access, further away from the road, to improve the level of visibility along the road when entering or exiting the access. This has been partly implemented but not completed and was insufficient to remove the highways objection to the holiday lodge scheme. However, a pedestrian link from the site to an existing gate further along the lane towards the village has been added to the scheme. This has already been built. The distance that holiday lodge guests would need to walk along the lane to reach the village has been reduced from approx. 100 metres to approx. 40 metres, where the pub is located and footways on wider roads appear.

7.30 The applicant's agent also put forward the following information:

*The resultant distance that pedestrians would need to walk along the carriageway of Nabb Lane would not be materially different to that which the other properties along Nabb Lane experience*

*I also note that the only previous concern raised in respect of highway safety by the Local Highway Authority was that of visibility on egress (no concerns having been raised about pedestrian / vehicular conflict). In dismissing the subsequent appeal, the Planning Inspector agreed. Neither the Local Highway Authority, nor the Planning Inspector, raised any concerns about the suitability of the carriageway or the potential for pedestrian / vehicular conflict causing harm to highway safety.*

*This current application benefits from an improved means of vehicular access compared to that assessed during the previous appeal, and also incorporates the means of pedestrian access, and thus amounts to a materially different proposal to the previously refused/dismissed on the site.*

7.31 On the basis of the addition of the pedestrian link, the approved vehicular access improvement works (which also improve the level of safety for all users of the lane) and the further information above, the local highways authority has removed its objection, on condition that the access improvement works and the pedestrian path works are completed/maintained before the proposed lodges are first brought into use.

7.32 Overall, with the safeguard of the above amendments and conditions, it is not considered the scheme would lead to any significant further harm to the level of highway safety on Nabb Lane and that the proposal would comply with Policy T1 of the Local Plan.

### **Other Points**

7.33 A large volume of objection letters were received from local residents, mostly raising issues relating to highway safety, increased vehicle movements (affecting air quality), impact on the character and appearance of the area, impacts on residential amenity, effect on wildlife and the level of demand for holiday lets in the area and these issues have been addressed in this report. Other issues and concerns have been raised and these are addressed below:

7.34 With regard to drainage, the proposed lodges would share an existing septic tank with the existing dwelling and which is located within the property and surface water drainage would run to existing soakaways also at the property. A condition would be added requiring this. It is also likely the lodges would be connected to other mains services as they also exist at the residential property (e.g. electricity).

7.35 With regard to the maintenance of the boundary hedge alleged to be within a neighbouring property, this is a legal or civil matter and not a planning consideration.

7.36 With regard to parking, the proposed parking areas for the lodges and the existing hardstanding areas are of sufficient size for the parking of two cars for each of the lodges, in accordance with the Council's parking standards and for three cars for the existing dwelling in accordance with the same parking standards and that there is sufficient turning space for all cars parked at the property.

7.37 With regard to the size of private outdoor space for holiday let guests, there is no policy requirement for this for holiday let guests but there is ample green space within the property (excluding the private rear garden of the house) that can be used for this purpose.

7.38 With regard to the impact on livestock from litter thrown by guests, there is no evidence that holiday guests would be throwing litter and other items over the hedge harming livestock but a condition would be added requiring the provision of separate

waste bin areas for each lodge.

7.39 With regard to pressure in the future to use the lodges as separate dwellings not holiday lets, a condition would be added to restrict the length of occupation and frequency of occupation of each lodge to ensure they are retained as holiday lodges.

## **Conclusion and Planning Balance**

7.40 The planning policies in the Local Plan are generally supportive of tourist-related development in the interests of the local economy, particularly in the Churnet Valley, in principle but providing it is sustainable. Although it is accepted that to reach the nearest tourist attractions, there would be the likely use of the car, the proposed site is within an easy walking distance to the large village of Alton where tourist-related services/facilities exist such as eating establishments and convenience stores and there is easy access to rural walking trails and footpaths. The inclusion of a pedestrian pathway to the nearest road into the village would provide safer access to the village. The proposal would not harm the character, appearance or amenities of the area and would also not harm the biodiversity value of the area, with the safeguard of conditions and enhancements can be practically achieved for the immediate landscape and ecological value of the area via new planting. The previously approved improvements to the site access and inclusion of the pedestrian link would ensure no significant harm to the level of highway safety on Nabb Lane. Overall, the scheme would provide economic benefits which although small due to the scheme being for two 2-bed units, would not be outweighed by any harm. Therefore, on balance, the proposal is deemed to be acceptable. It complies with the policies of the Local Plan and is in line with the government planning guidance contained within the NPPF. Therefore, the application is recommended for approval.

## **8. RECOMMENDATION**

**That planning permission be APPROVED subject to the following conditions:**

**1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

**Reason:-**

**To comply with Section 91(1) of the Town and Country Planning Act 1990 (As Amended)**

**2. The development hereby approved shall be carried out in complete accordance with the submitted amended plans and specifications as follows:-**

**DRA – 0101 – Rev P.04 dated 4.8.21**

**DRA – 0201**

**DRA – 0202 – Rev P.02 dated 4.8.21**

**Reason:-**

**To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.**

**3. Each building on the application site hereby approved shall not be occupied by more than four persons at any one time and no person(s) shall occupy any of the buildings on the application site for a period of longer than 2 calendar months and no person(s) who has occupied any of the buildings shall occupy any of the buildings on site again at any time within six months of the day of the last occupation of the building.**

**Reason:-**

**In order to prevent the use of any of the tourist accommodation buildings as a permanent unit of accommodation/dwelling which would be harmful to the rural character, appearance and amenities of the surrounding area.**

**4. Before the commencement of the development hereby approved, construction method statements outlining protection and mitigation measures for badgers, great crested newts, bats and birds shall be submitted to and approved in writing by the Local Planning Authority and the measures approved shall be undertaken in the construction of the development and any mitigation measured identified shall be provided and maintained for the lifetime of the development.**

**Reason:-**

**In the interests of the ecological value of the site.**

**5. Before the development is first brought into use, bat and bird boxes shall be provided on the site in accordance with details to be submitted to and approved in writing by the local planning authority. These shall be maintained for the lifetime of the development.**

**Reason:-**

**In the interests of the ecological value of the site.**

**6. New native tree and hedge planting and landscaping shall be undertaken before the development hereby approved is first brought into use and shall include planting adjacent to the east boundary of the site, in accordance with details to be submitted to and approved in writing by the Local Planning Authority. These details shall include:**

- Means of enclosure**
- Hard surfacing materials**

**Soft landscape details shall include:**

- Planting plans**
- Written specifications (including cultivation and other operations associated with plant and grass establishment)**
- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate**
- Implementation timetables**

**Reason:-**

**To ensure the appropriate landscape design and in the interests of the visual and residential amenities of the area and in the interests of the ecological value of the site.**

**7. The implemented planting scheme shall be subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years**

of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.

**Reason:-**

To ensure the appropriate landscape design and in the interests of the visual and residential amenities of the area and in the interests of the ecological value of the site.

**8. Before the proposed development is brought into use, the pedestrian route defined on drawing 0101 P.03 shall be provided and thereafter retained and maintained for the use of occupants of holiday lets and of Rosehill for the life of the development.**

**Reason:-**

In the interests of highway safety.

**9. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.**

**Reason:-**

In the interests of highway safety.

**10. The demolition and construction works hereby approved shall be carried out between 9am-6pm Monday to Friday and between 9am-1pm Saturdays and at no time on Sundays or Bank Holidays without the prior written consent of the Local Planning Authority.**

**Reason: -**

To avoid the risk of disturbance to neighbouring dwellings during unsocial hours.

**11. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property, and the natural and historical environment has been prepared, and is subject to the approval in writing of the local planning authority.**

Following completion of measures identified in the approved remediation scheme and prior to bringing the development into first use, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

**Reason:-** To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks

**12. No top soil or fill material is to be imported to the site until it has been tested for contamination and assessed for its suitability for the proposed development, a suitable methodology for testing this material should be submitted to and agreed by the Local Planning Authority prior to the soils being imported onto site. The methodology should include the sampling frequency, testing schedules, criteria against which the analytical results will be assessed (as determined by the risk assessment) and source material information. The analysis shall then be carried out and validatory evidence submitted to and approved in writing to by the Local Planning Authority.**

**Reason:-To ensure that the proposed development meets the requirements of the National Planning Policy Framework in that all potential risks to human health, controlled waters and wider environment are known and where necessary dealt with via remediation and or management of those risks**

**13. The artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance at the adjoining light sensitive locations when the light (s) is (are) in operation.**

**Reason: -**

**To protect the local amenities of the local residents by reason of excess of luminance.**

**14. No amplified sound/ and or music shall be audible within or at the boundary of any noise sensitive (occupied) premises either attached to or in the vicinity of the premises to which this application refers.**

**Reason:-**

**The protection of the amenities of the surrounding area and the occupiers of nearby residential properties.**

**15. The machinery, plant or equipment including installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not increase the background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [15 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:2014. The details and location of any plant or machinery to be installed under this permission should be submitted to and approved of in writing by the Local Planning Authority.**

**Reason:-**

**To safeguard the amenity of local residents and that of the surrounding area from noise disturbance.**

**16. The foul drainage from the proposed development shall be discharged to a system which meets the requirements of British Standard (BS) 6297:2007+A1:2008 Code of practice for the design and installation of drainage fields for use in wastewater treatment.**

**a) There is no connection to any watercourse or land drainage system and**

no part of the soak away system is situated within 10 metres of any ditch or watercourse.

b) Porosity tests are carried out to the satisfaction of the Local Planning Authority to demonstrate their suitable subsoil and adequate land area is available.

Reason:-

To prevent pollution of the water environment.

17. Any waste material associated with the development shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment.

Reason: -

To protect the amenities of the area.

18. Before the development is first brought into use, separate waste collection bins shall be provided for each of the buildings.

Reason:-

In the interests of the appearance of the area.

19. The surface water drainage shall discharge into existing soakaways at Rosehill.

Reason:-

In the interests of the ecological value and the amenities of the area.

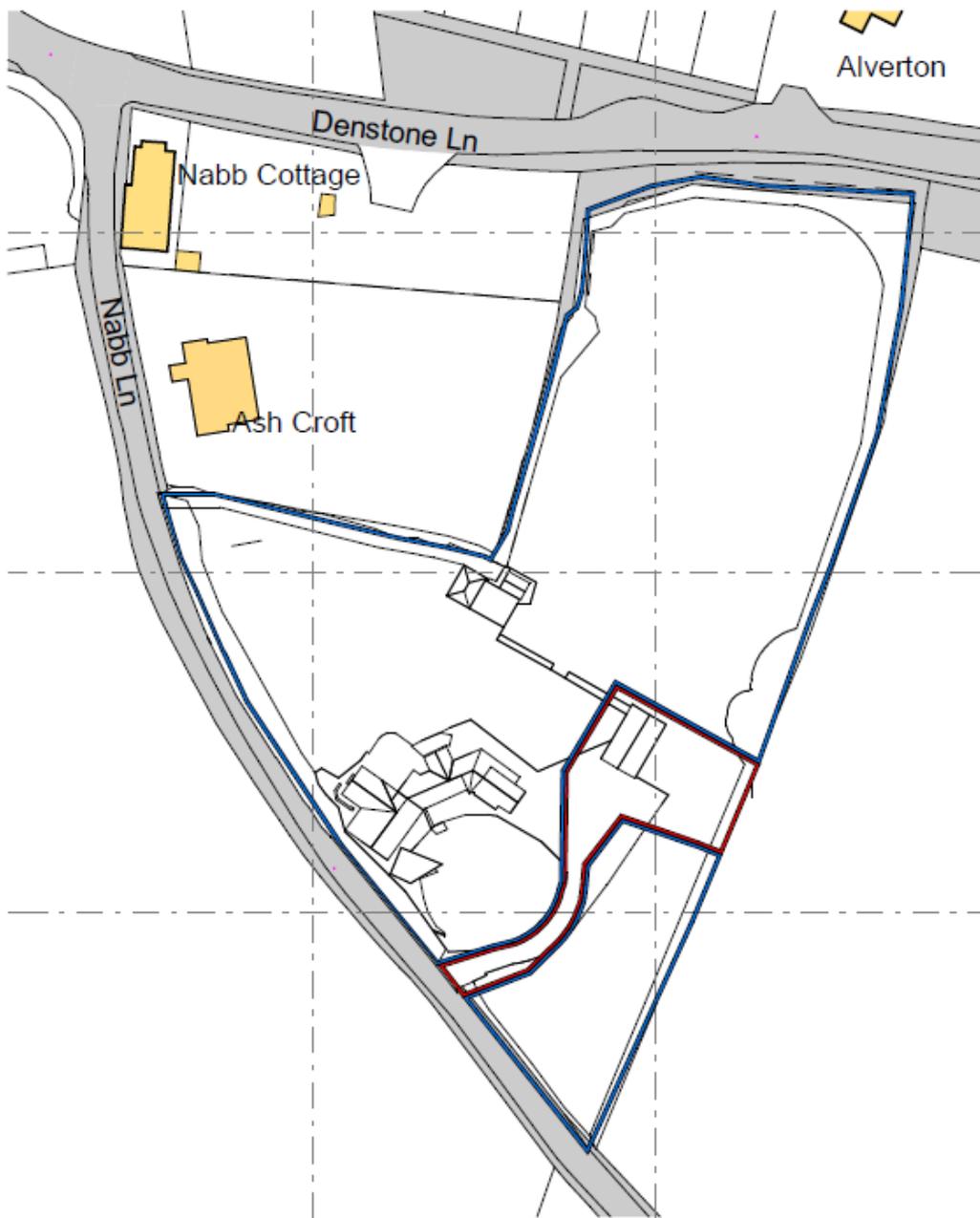
20. The works to the site access approved under permission SMD/2019/0751 shall be completed before the development is first brought into use.

Reason:-

In the interests of highway safety.

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/in formatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's Decision.





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Floor plan as proposed  
1:50



View from south as proposed



3D-Presentation

Scale 1:50

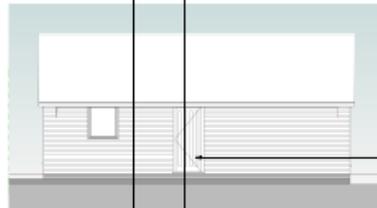
North Arrow

Keynote Legend

1	2
3	4



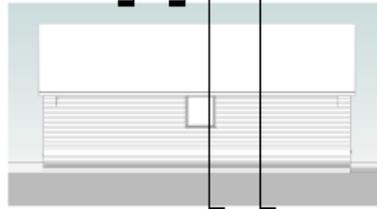
SW Elevation as proposed  
1:50



NW Elevation as proposed  
1:50



NE Elevation as proposed



SE Elevation as proposed

Scale 1:50

Project Name: Garage conversion

Client: Mr P Galt

Project location: Garage conversion

SA SMYTHE ARCHITECT

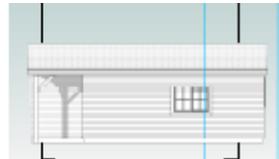
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Drawing title: Proposed floorplan and elevations

Author:	SA	Drawn:	SA
1:18/24/2024	2024	2024	2024



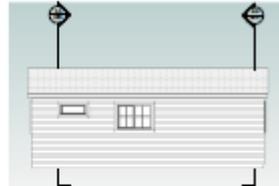
Front Elevation  
1:50



Side Elevation A  
1:50



Rear Elevation  
1:50



Side Elevation B  
1:50



Section A-A



Section B-B



Proposed floor plan