

Application No: 22/4984N

Location: land to north of, CHECKLEY LANE, CHECKLEY, CW5 7PX

Proposal: Siting of six mobile camping pods, access improvements, parking and ancillary works

Applicant: Simon Bailey

Expiry Date: 14-Feb-2023

## **SUMMARY**

The application proposes the siting of six mobile camping pods, access improvements, parking and ancillary works. The camping pods would be sited along the eastern boundary of the site, with a re-sited access to improve visibility in both directions.

The proposals would provide 'glamping' style accommodation within the open countryside, where Policy PG6 of the Cheshire East Local Plan Strategy allows for uses that are appropriate to a rural area. Policy EG2 of the Cheshire East Local Plan Strategy advises that proposals that create/extend rural based tourist/visitor attractions/recreational uses will be supported where they support the rural economy, could not be located in a designated centre, would not undermine delivery of employment allocations, adequate infrastructure and does not harm amenity or the character/appearance of the area.

Policy RUR8 of the Site Allocations and Development Policies Document allows for certain types of visitor accommodation that may be appropriate to a rural area where their scale is appropriate to the location and setting and where there is an identified need for the accommodation, which cannot be met in nearby settlements because the type of accommodation proposed is intrinsically linked with the countryside.

Information provided in support of the application sets out the need for the accommodation, with a recent appeal decision providing an opinion on how relevant development plan policies in respect of the provision of rural tourist accommodation should be applied.

The proposals would not detract from residential amenity of nearby properties, nor have any adverse impact on the local road network or the visual amenity, character and appearance of the locality, or have a harmful impact to ecology.

The proposals are acceptable and in general accordance with the Development Plan and therefore recommended for approval accordingly.

## **SUMMARY RECOMMENDATION**

APPROVE subject to conditions

## **REASON FOR REFERRAL**

The application is referred to Southern Planning Committee as the agent for the application is an immediate family member of members of staff employed within the development management service area and representations objecting to the application have been received. A call-in request has been received from Cllr Clowes and this is referred to within the representation section below.

## **DESCRIPTION OF SITE AND CONTEXT**

The application relates to an area of land measuring some 0.4 hectares, located to the north of Checkley Lane. The site is an irregularly shaped, westerly sloping field, bounded by established hedgerows and trees.

To the west of the site is a watercourse and seasonal pond, with another irregularly shaped field and residential properties to the west. The area along the stream is located within Flood Zone 3, as defined by the Environment Agency.

Vehicle access to the site is via an existing field gate from Checkley Lane. Opposite the site access is small engineering works and associated access.

The surrounding area is rural in character, with farmsteads and hamlets spread sporadically across the surrounding landscape.

## **DETAILS OF PROPOSAL**

The application proposes the siting of six mobile camping pods, access improvements, parking and ancillary works. The camping pods would be sited along the eastern boundary of the site, with a re-sited access to improve visibility in both directions.

The camping pods would be relatively small scale, providing one-bedroom open plan accommodation, with a separate shower room. Each unit would have a footprint of approx. 7m by 3.3m, and with a height of 2.96m.

A car parking area would be provided along the southern boundary of the site providing parking for seven vehicles, with new landscaping proposed along the southern and western boundaries of the site and an orchard proposed close to pond within the adjoining field. Gravel paths from the car parking area would provide access to the camping pods.

The proposed reception building has been removed from the scheme during the application process.

## **RELEVANT HISTORY**

There is no recent or relative planning history relating to the site.

## **POLICIES**

### **Cheshire East Local Plan Strategy**

MP 1 - Presumption in Favour of Sustainable Development

PG 1 - Overall Development Strategy

PG 2 - Settlement Hierarchy

PG 6 - Open Countryside  
EG 2 - Rural Economy  
EG 4 - Tourism  
SD 1 - Sustainable Development in Cheshire East  
SD 2 - Sustainable Development Principles  
SE 1 - Design  
SE 2 - Efficient Use of Land  
SE 3 - Biodiversity and Geodiversity  
SE 4 - The Landscape  
SC 1 - Leisure and Recreation  
CO 2 - Enabling Business Growth Through Transport Infrastructure  
Appendix C: Parking Standards

### **Site Allocations and Development Policies Document**

GEN 1 - Design Principles  
ENV 2 - Ecological Implementation  
ENV 3 - Landscape Character  
ENV 5 - Landscaping  
ENV 15 - New Development and Existing Uses  
ENV 16 - Surface Water Management and Flood Risk  
RUR 6 - Outdoor Sport, Leisure and Recreation Outside of Settlement Boundaries  
RUR 8 - Visitor Accommodation Outside of Settlement Boundaries  
RUR 11 - Extensions and Alterations to Buildings Outside of Settlement Boundaries  
RUR 14 - Re-use of Rural Buildings for Residential Use  
HOU 12 - Amenity  
INF 3 - Highway Safety and Access

### **Wybunbury Combined Parishes Neighbourhood Plan**

H4 - Design  
E1 - Woodland, Trees, Hedgerows and Boundary Fencing  
E2 - Wildlife Corridors  
E3 - Biodiversity  
E5 - Landscape Quality, Countryside and Open Views  
LE1 - New and Existing Businesses  
LE4 - Tourism and Visitors  
TI1 - Traffic Management  
TI2 - Parking  
TI3 - Traffic Generation  
TI4 - Drainage

### **Other Material Considerations**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)  
Cheshire East Design Guide SPD

## **CONSULTATIONS**

Environment Agency: Objection withdrawn following the submission of a flood risk assessment. Advice to applicant provided in respect of environmental permitting and foul drainage.

Highways: No objection subject to conditions in respect of the provision of adequate visibility splays and the closing of the existing access. Informative recommended in respect of the need licenses to provide a new site access and close the existing site access.

United Utilities: Advice provided in respect of sustainable drainage, water and/or wastewater services and United Utilities infrastructure close to the site boundary.

Lead Local Flood Authority: No objection in principle subject to the provision of a drainage strategy for the proposed development.

## **VIEWES OF THE PARISH / TOWN COUNCIL**

Doddington and District Parish Council: **Objection** on the following grounds (summarised):

- Open countryside location, currently undeveloped
- Unsustainable location - users would need to travel outside of the area to access services and facilities
- No public transport links
- Adverse impact on character and appearance of locality - highly visible in the open countryside
- New access and visibility arrangements will significantly change the existing landscape features with removal of hedgerow and a field gate
- Impact of associated paraphernalia - gravel paths, parking provision, electric charging points/substation, children's play equipment, mobile trampolines, barbecues, external lighting, radios, signage, refuse bins and storage facilities for maintenance equipment
- Damage the rural tranquillity and dark skies
- No detail on the provision of on-site foul waste disposal - no mains sewer in the area
- No consideration of surface water drainage, foul drainage or flood risk and the risk of contamination on the site
- Flood risk/drainage issues - site slopes towards a ditch/brook which during winter months and wet weather results in the lower areas of the land being unsuitable for the intended use
- Biodiversity and ecology adversely affected by the development and usage of the site and earthwork for drainage
- Contrary to development plan policies

*\*No comments have been received in respect of the amended plans or additional information received*

## **VIEWS OF THE LOCAL MEMBER**

Councillor Clowes: **Objection** on the following grounds (summarised):

- Open countryside location, surrounded by agricultural fields and established hedgerows to the roadside and boundaries
- Unsustainable location and remote location - no relationship with particular countryside attraction
- Site not serviced by public transport and at a distance from identified service centres - visitors would be car dependent
- No pedestrian footpaths or street lighting on Checkley Lane and the surrounding highway network
- No local economic benefit to the local community
- Lodges would be highly visible from Checkley Lane - proposed layout, design of huts, car park and tracks fail to conserve or enhance the character and quality of the site and wider rural area
- Siting of waste storage/collection areas a concern
- Impact on character of the rural area, 'quality of place' and dark skies
- No lighting scheme provided
- Landscaping scheme would not mitigate high levels of visibility
- Significant hard landscaping features - new access, modest field gateway, car parking area and tracks to lodges
- No information in respect of services and amenities - how foul drainage will be dealt with, access to water and electricity, and no mains gas supply in the area
- Flooding and waterlogging issues with the site - reason for historic use for rough grazing only
- Impact on neighbouring amenity - noise, evening/night-time activity, light pollution and traffic movements
- Highway safety issues - poor visibility
- Visitors would be impacted by HGV's, farm traffic and high levels of traffic which use Checkley Lane as a rat-run to Stoke, Market Drayton, and noise associated with the engineering business opposite the site
- Significant threat to the wildlife corridor that extends along Checkley Brook
- Flood Risk Assessment does not cover whole site

## **OTHER REPRESENTATIONS**

Three representations have been received to the application which raise the following objections (summarised):

- Inappropriate location
- Change of use of agricultural land inappropriate
- Potential for a permanent building on the site in the future
- Impact on character and appearance of location
- Noise disturbance

- Impact to neighbouring amenity
- Highway safety concerns
- Existing gateway used as informal passing bay
- Loss of hedgerow
- Flood risk/drainage issues
- Issues such as human waste, litter, noise, toilets, fire hazards and potential contamination to the stream not addressed within the application
- Lack of attractions within the area

One representation has been received to the application which supports the application for the following reasons (summarised):

- Need for small scale rural tourist accommodation
- Low key proposal with minimal impact on the local area
- Contribute towards/bring in tourism, jobs and wealth in the community
- Improved site access

One representation has been received to the re-consultation of the application which raises the following additional objections (summarised):

- New plans offer no real improvement and original objection remains unaltered
- Both the applicant and the immediate neighbour (who has supported the application) are distanced and not directly impacted
- All associated nuisance, noise, traffic and disturbance is immediately adjoining the objector's boundary and the tree line on their land

## **OFFICER APPRAISAL**

### **Principle of Development**

The application site is located in the open countryside as defined in the Cheshire East Local Plan Strategy (CELPS). Policy PG6 of the CELPS seeks to protect the open countryside from inappropriate development unless it is essential for the purposes of agriculture, forestry, outdoor recreation, public infrastructure, essential works undertaken by public service authorities or statutory undertakers, or for other uses appropriate to a rural area.

Policy EG2 of the CELPS sets out that proposals that create or extend rural based tourist attractions, visitor facilities and recreational uses and/or encourage the retention and expansion of existing businesses, particularly through the conversion of existing buildings and farm diversification, will be supported where they support the rural economy, could not be located in a designated centre by reason of the product sold, would not undermine the delivery of employment allocations, would be supported by adequate infrastructure and do not harm residential amenity or the character and appearance of the area.

Policy EG4 of the CELPS sets out that proposals for tourist development outside the Principal Towns and Key Service Centres will be supported where either they are located within a Local Service Centre, they are located within an existing or replacement building or there is evidence that the facilities are required in conjunction with a particular countryside attraction. The policy also requires the scale, design and use of the proposal to be compatible with its wider landscape or townscape setting and not detract from the character or appearance of the area, not be detrimental to the amenities of residential areas, be served by adequate access and infrastructure, and have access to local services and employment.

Policy RUR8 of the Site Allocations and Development Policies Document (SADPD) sets out that certain types of visitor accommodation may be appropriate to a rural area where their scale is appropriate to the location and setting and where there is an identified need for the accommodation, which cannot be met in nearby settlements because the type of accommodation proposed is intrinsically linked with the countryside. The policy also sets out, amongst other criteria, that proposals should make the best use of existing infrastructure such as existing buildings, utilities, parking and vehicular access, not unacceptably affect the amenity and character of the surrounding area or landscape (including visual impacts, noise, odour, design and appearance) either on its own or cumulatively with other developments, and provide appropriate landscaping and screening.

Policy LE4 of the Wyburnbury Combined Parishes Neighbourhood Plan (WNP) sets out that improvements to services and facilities associated with existing or new tourist attractions will be supported subject to the following: a) They comply with policies for the countryside and conservation/heritage b) Be appropriate to scale, character and location for the development c) They create no harm to the existing character of the local area d) They offer appropriate new tourist attractions well related to cultural and historic assets of the plan area e) They have no adverse impact on any adjoining residential amenities f) They do not conflict with matters of highway safety or on the existing PROW network.

In addition to the development plan policies noted above, Paragraph 84 of the NPPF requires policies and decisions to enable sustainable rural tourism and leisure developments which respect the character of the countryside.

Also, of relevance in the consideration of this application is a recent appeal decision against the Council's refusal to grant planning permission for the siting of four holiday lodges at Sevenoaks, Hearn Lane, Faddiley (application reference 21/6250N, appeal reference APP/R0660/W/23/3317162). The main issue in the consideration of the appeal was the suitability of the site for new tourist accommodation. The Inspector acknowledged that development plan policies direct tourist accommodation primarily towards specific settlements. However, and subject to certain requirements, it was set out that the plan also supports tourist accommodation outside of Principal Towns and Key Service Centres, with amongst other requirements, it being demonstrated that the accommodation is required in conjunction with particular countryside attractions and



can't be met by nearby settlements because the type of accommodation is intrinsically linked with the countryside. The Inspector noted that the proposal would provide a glamping style of accommodation and set out that *'Given the nature of the site, its surroundings and the proposed accommodation, it would only be suitable for a rural location.'* The Inspector also noted that the Council's Visitor Economy Manager identified that Cheshire East has a lack of 'glamping' style accommodation which the proposal would comprise. Also of note is that the Inspector considered concerns raised by interested parties in respect of the proposal not being for outdoor recreation itself. However, it was advised that *'...the development plan is clear that tourist accommodation can also be acceptable, as set out above. Moreover, the plan does not set out any requirement for a business plan to be provided in support of a scheme.'*

Additionally, the Inspector noted that whilst the proposal would not be directly related to the visitor attractions named in the submission and that access to such attractions may not be possible by more sustainable modes of transport, it was set out that *'...although Policy EG4 requires developments to be related to particular countryside attractions, it is silent on what it considers these to be.'* In the appeal case, the appellant set out that the site would be well related to public rights of way, routes on the national cycle network and the Llangollen canal, with the Inspector considering that walking, cycling and making use of waterways are all, in their mind, attractions to the countryside.

In respect of the suitability of rural roads and a lack of public transport to access attractions/facilities, the Inspector noted that *'I recognise that walking along narrow and winding country lanes can be somewhat unsafe and unattractive. However, the use of these lanes to connect between public rights of way during countryside walks is not atypical and visitors would be aware of the potential need and risks associated. I find the same to be true for cycling.'* The Inspector also noted, given the sites rural location, that some journeys to reach services and facilities would be carried out by private motor vehicles, with it noted that *'I find that tourists having some reliance on private motor vehicles to reach attractions, hospitality or shops is to be expected outside of larger settlements such as towns and cities.'* As such, the lack of public transport links or the location of the site to attractions and/or facilities is not considered to be a reason for refusal in this case, with it acknowledged that the NPPF requires recognition that in rural areas, sites may need to be located beyond existing settlements and in locations not well served by public transport (paragraph 85).

Information submitted in support of the application details that the application proposal requires a countryside location as it aims to accommodate people to improve their wellbeing within a rural environment, with the units to be *'...marketed as a peaceful rural tourism retreat in connection with the applicant's associated health and well-being business.'* The supporting statement continues *'The purposed of the proposed accommodation in catering for tourists seeking to improve their wellbeing by enjoying informal countryside recreation is dependant upon its rural location.'*

Additional information submitted in support of the application details that the applicant runs a well-being centre in Shavington, and that clients/students would benefit from,

and have requested, meditation classes being held in an outdoor space. It has been advised that this is not possible from their existing premises in Shavington due to traffic noise, and that the proposed rural location of the application site would meet the specific requirements of the existing and future customers/students and would allow the applicant's business to offer recreational outdoor activities such as outdoor meditation and mindfulness walks, along with other recreational activities associated with '*simply spending time in nature.*'

As the Inspector in the Hearn Lane appeal decision noted, development plan policies, whilst directing tourist accommodation primarily towards Principal Towns and Key Service Centres, allow for tourist accommodation in rural areas where it can be demonstrated that the accommodation is required in conjunction with particular countryside attractions and can't be met by nearby settlements because the type of accommodation is intrinsically linked with the countryside. As with the appeal proposal, the application seeks planning permission for the siting of six relatively small-scale camping pods (approx. 23sqm) - a 'glamping' style of accommodation which given its nature, and as noted by the Inspector, along with the nature of the site and its surroundings, would only be suitable for a rural location. The accommodation would not be linked to a particular countryside attraction however information provided in support of the application sets out a particular need for the accommodation to meet the needs associated with the applicant's health and well-being business along with the general enjoyment of the rural location. As such, the proposal is therefore considered acceptable in principle, subject to the impact of the proposal in design, amenity and highway safety terms.

It is considered reasonable and necessary to impose a condition restricting the use of the camping pods for holiday purposes only as the use of the buildings for un-restricted residential purposes has not been considered through this application and would be inappropriate in this location.

### **Design and Character of the Area**

In addition to the policies as set out above, Policy SD2 of the CELPS states that all development will be expected to contribute positively an area's character and identity, creating or reinforcing local distinctiveness in terms of:

- Height, scale, form and grouping
- Choice of materials
- External design features
- Massing of the development (the balance between built form and green/public spaces)
- Green infrastructure; and
- Relationship to neighbouring properties, street scene and the wider neighbourhood

Policy SE1 of the CELPS details that development proposals should make a positive contribution to their surroundings in terms of a number of criteria. This includes ensuring design solutions achieve a sense of place by protecting and enhancing the

quality, distinctiveness and character of settlements. In line with Policy SE1 of the CELPS, Policy GEN1 of the SADPD sets out that development proposals should, inter alia, contribute positively to the borough's quality of place and local identity through appropriate character, appearance and form in terms of scale, height, density, layout, grouping, urban form, siting, good architecture, massing and materials.

Policy SE4 of the CELPS sets out that the high quality of the built and natural environment is recognised as a significant characteristic of the borough and that all development should conserve the landscape character and quality, and should where possible, enhance and effectively manage the historic, natural and man-made landscape features that contribute to local distinctiveness of both rural and urban landscapes.

Policy H4 of the WNP sets out that all development should, amongst other criteria, provide an appropriate level of landscaping which complements and enhances the rural character of the local area, respond positively to the local character of its immediate environment, provide sufficient external amenity space, refuse and recycling storage, car and bicycle parking and on all new housing developments, to ensure a high quality and well managed street scape and ensure that existing landscape features such as trees, hedges and historic field boundaries, water courses, ditches and ponds should be retained and incorporated into the overall design of any scheme to enhance local biodiversity and preserve the landscape character of the area.

Policy E1 of the WNP requires that any new development that involves the loss of or damage to local woodland trees, hedgerows, historic hedgerow boundary bunds or wide verges and Cheshire Fencing that contribute to the character and amenity of the plan area, must provide for appropriate replacement planting of native species or replacement Cheshire Fencing on the site, together with a method statement for the ongoing care and maintenance of the planting.

Policy E5 of the WNP states that development proposals should respect the qualities, features and characteristics that contribute to the distinctiveness of the local area as described in the Cheshire East Landscape Character Assessment (2018) or subsequent update, considering any cumulative effects alongside any existing, planned or committed development. All new development will be expected to respect and enhance the setting of the existing settlements and the surrounding countryside, maintaining, and where possible, enhancing locally important open spaces, significant local views and vistas.

It is acknowledged that the site is located within a rural location, with no built development currently on the site. With the exception of a small area along the roadside, the site is relatively well screened by existing mature planting, although it is noted that glimpses of the site are available through the planting. Views of the site relatively contained to the immediate area given the undulating nature of the site and the immediate area. An existing commercial enterprise, with car parking to the frontage, is located on the opposite side of Checkley Lane. Whilst the pods would be located on an elevated section of the site and acknowledging that they may be visible from public

vantage points (including the neighbouring residential property), as set out above, these views would be relatively limited to the immediate locality. The camping pods are relatively small scale, with a ridge height of approx. 2.9m, and are proposed to be constructed from natural materials. They would be set back into the site by approximately 45m (at the nearest pod), with areas of new tree and hedgerow planting proposed along the roadside frontage and the western boundary of the site to mitigate any adverse visual impacts. Given the small scale nature of the units and that they are located within a relatively visually discrete location, it is not considered that the siting of the pods as proposed would result in a significant adverse impact to the visual amenity, character and appearance or rural tranquillity of the area. Given the undulating nature of the site, it is recommended that a condition is imposed requiring details of the existing and proposed land levels and the slab levels to be submitted to ensure a satisfactory form of development, in the interests of the visual amenity of the site. It is also recommended that the number of units of accommodation is restricted by condition to six (as proposed), with relevant permitted development rights removed to prevent the use of other parts of the site as campsite or for the siting of tents, caravans, motorhomes etc, in the interests of the visual amenity of the locality. It is further recommended, for the avoidance of doubt and in the interests of the visual amenity, that a condition is imposed requiring the camping pods to be sited as per the submitted site plan. A condition requiring details of the materials for the pods is also recommended.

The application site is currently accessed by an existing field gate, with the proposal involving the re-siting of the access to provide improved visibility. An area of car parking is proposed along the boundary with Checkley Lane and the pods would be accessed by narrow gravel paths. In addition to the additional areas of tree planting as set out above (to the southern (road side) and western boundaries), an orchard is proposed to the north-western area of the site and new hedgerows are proposed along the roadside and alongside the new access track into the proposed car parking area. It is noted that the new access and area of car parking would create an altered appearance to the roadside frontage, including the loss of a section of hedgerow to both create the new site access and provide adequate visibility splays, however subject to the submission/agreement and implementation of a suitable landscaping scheme (including details of the access track, parking area and footpath materials, boundary treatments and replacement hedgerow planting), it is not considered that the impact of the proposed development on the character and appearance of the site and wider locality would be sufficient to warrant refusal in this case. As noted above, new hedgerow planting is proposed along the roadside and alongside the new access track into the proposed car parking area. In the interests of the visual amenity of the locality, it is also recommended that a condition is imposed requiring details of the closing up of the existing site access to be submitted.

It is noted that concerns have been raised in respect of the visual impact of associated paraphernalia and also bin storage areas. It is acknowledged that some of associated paraphernalia noted such as children's play equipment, mobile trampolines and barbecues (if provided) cannot be controlled as the siting/provision of such items is not

development. However, given the small scale nature of the proposed use, that occupancy is likely to be restricted to a maximum of two people per camping pod and that additional landscaping is proposed to the southern and western site boundaries which would provide screening of the proposed pods, it is not considered that any associated paraphernalia would be so significant to the character and appearance of the locality to warrant refusal of the application in this case, with any paraphernalia viewed within the context of the holiday accommodation use on the site. It is however recommended that a condition is imposed removing of permitted development rights in respect of the erection/construction of gates, fences, walls and other means of enclosures to prevent the subdivision of pitches and to retain an open plan appearance between units. In respect of bin storage areas, it is considered reasonable and necessary to impose a condition requiring details to be submitted to ensure that they are appropriately located. In respect of external lighting, and whilst it is likely that some form of lighting would be required for safety reasons, it is recommended that a condition is imposed requiring details of external lighting to be agreed. To ensure that dark skies are retained, such external lighting could be, for example, limited to certain areas of the site, the subject of sensors so that it only illuminates when it detects motion, provide lighting downwards only and limited in respect of the level of illuminance/luminance.

With the above in mind, it is not considered that the proposed development would have any significant impact on the rural character and appearance of the site or wider locality. As such, it is considered that the development complies with relevant development plan policies in this regard.

### **Amenity**

In addition to the policies outlined above, policies SD2 and SE1 of the CELPS seek to ensure an appropriate level of privacy for new and existing residential properties. Policy HOU12 of the SADPD sets out, amongst other criteria, that development proposals must not cause unacceptable harm to the amenities of adjoining or nearby occupiers of residential properties, sensitive uses, or future occupiers of the proposed development due to loss of privacy, loss of sunlight and daylight, the overbearing and dominating effect of new buildings, environmental disturbance or pollution or traffic generation, access and parking.

Policy H4 of the WNP additionally sets out that all development should demonstrate that there would be no significant adverse effect on the amenities of neighbouring dwellings through overlooking, loss of light or outlook, over-dominance or general disturbance.

Concerns raised in respect of neighbouring amenity are noted, in particular the impact of noise, evening/night-time activity, light pollution and traffic movements. The nearest non-associated residential properties are located some 47m to the west and 90m to the east of the application site.

The proposed accommodation is relatively small scale, providing one-bedroom open plan accommodation, with a separate shower room (approx. 21sqm). Occupancy of the accommodation is therefore likely to be limited to a maximum of two people, with a maximum of twelve people likely on the site at any one site.

Given the nature of the accommodation and the location of the site, the proposal is unlikely to attract parties or large groups of guests who would cause unacceptable levels of noise. The Inspector noted in the Hearn Lane appeal that '*...I find that any noise would be akin to that generated by a large domestic garden and would not be unacceptable*' and it is considered that this would also be the case with this application proposal. However, notwithstanding this, a condition could be imposed requiring the submission and agreement of a management pack for future guests of the site, which would provide a code of conduct for future guests, including details such as limiting the number of people allowed per unit to two, restricting the use of the site by parties, no arrivals at night time, no fireworks, no amplified music at any time and requiring campers to keep noise levels to a minimum between 10pm and 8am, as well as the manager's right to refuse entry/eject people from site who are causing nuisance. It is understood that the applicant lives within the vicinity of the site.

Whilst acknowledging that there would be an increase in vehicle movements to/from the site as a result of the development, given that only six pods are proposed, it is considered that vehicle movements would be relatively minimal and that there would be no detrimental impact upon the amenities of the occupiers of the neighbouring residential in this regard.

With the above in mind, it is not considered that the proposed development would have any significant impact on neighbouring residential amenity. As such, it is considered that the development complies with relevant development plan policies in this regard.

## **Highways**

In addition to the policies outlined above, policy CO2 of the CELPS identifies that 'proposals should adhere to the current adopted Cheshire East Council Parking Standards for Cars and Bicycles set out in Appendix C (Parking Standards)', with Policy SD1 of the CELPS seeking to ensure that developments, wherever possible, provide sufficient car parking in accordance with adopted highway standards.

The application proposes the siting of six mobile camping pods along with a re-sited access to improve visibility in both directions and parking for seven vehicles. The proposed accommodation is relatively small scale, providing one-bedroom open plan accommodation, with occupancy likely to be limited to a maximum of two people. A car parking area would be provided along the southern boundary of the site providing parking for seven vehicles.

Whilst acknowledging that there would be an increase in vehicle movements to/from the site as a result of the development, given that only six pods are proposed, it is considered that vehicle movements would be relatively minimal.

The Local Highway Authority (LHA) have raised no objection to the application subject to conditions requiring the visibility splay to be provided in accordance with the submitted plan and the existing access to be closed and the grass verge re-instated. It has been advised that adequate visibility splays can be provided, subject to the removal of a section of hedgerow, and that the proposed access width and on-site parking are sufficient. It is also considered necessary to require the parking, turning and access facilities to be available prior to first use/occupation of the site, and a condition to this effect is recommended. To encourage potential alternative modes of transport to the site, it is recommended that a condition is imposed requiring details of secure cycle parking/storage to be submitted.

It is noted that comments have been received in respect of the use of the existing access as an informal passing bay. Whilst this may be the case, the existing site access / field gateway is not a formal passing bay and the LHA have raised no objection to the proposals. Comments in respect of the use of Checkley Lane by HGV's, tractors and as a 'rat-run' are also noted however, no objections have been raised in respect of highway safety or the unsuitability of the proposals by the LHA.

With the above in mind, it is not considered that the proposed development would have any significant impact to highway safety, with sufficient on-site parking proposed. As such, it is considered that the development complies with relevant development plan policies in this regard.

## **Other Matters**

### *Ecology*

Policy SE3 of the CELPS indicates that all development (including conversions and that on brownfield and greenfield sites) must aim to positively contribute to the conservation and enhancement of biodiversity and geodiversity and should not negatively affect these interests. The policy continues that when appropriate conditions will be put in place to make sure appropriate monitoring is undertaken and make sure mitigation, compensation and offsetting is effective.

Policy ENV2 of the SADPD sets out that development proposals should provide for a net gain in biodiversity in line with the expectations of national policy and be supported by a biodiversity metric calculation, and that in accordance with the mitigation hierarchy, all development proposals must make sure that significant harm to biodiversity and geodiversity is: i. firstly avoided; then ii. if impacts cannot be avoided, identify and implement measures to acceptably mitigate these impacts; then iii. finally, and as a last resort, if impacts are unavoidable and cannot be acceptably mitigated, compensation measures should be provided.

Policies E2 and E3 of the WNP seeks to protect the natural environment from harm, preserve special habitats and seek opportunities to increase biodiversity.

The Council's Nature Conservation Officer has advised that the submitted ecological assessment was undertaken in November, a poor time of year for habitat/botanical surveys. However, on balance, it is unlikely that the grassland habitats affected by the proposed development would be of any significant nature conservation value.

It is noted that the proposed development would result in the loss of a section of hedgerow in order to create the new site access, and if unavoidable, sufficient replacement planting should be provided. A condition in respect of the submission of a landscaping scheme is considered reasonable and necessary to ensure that replacement hedgerow planting is provided.

Watervole may be present on the watercourse on the site's western boundary. The submitted ecological assessment recommends that a 5m undeveloped buffer be provided adjacent to the watercourse to minimise any potential impacts upon this species. A condition requiring the submission of proposals for the marking off and safeguarding of the required buffer for the duration of the construction period is considered reasonable and necessary in this case.

It has been advised that the proposed development is unlikely to result in a direct impact upon roosting bats, however lighting associated with the proposed development may have an impact upon foraging and commuting bats. It is considered that external lighting could be dealt with by condition in this case.

In respect of other protected/priority species (Great Crested Newt, Badgers and Common Toad and Hedgehogs), it has been advised that the species are unlikely to be affected by the proposed development.

Additionally, it has been advised that the application provides an opportunity to incorporate features to increase the biodiversity value of the final development in accordance with Policy SE3 of the CELPS as noted above. It has therefore been recommended that a condition should be attached which requires the submission of an ecological enhancement strategy. This is considered to be reasonable and necessary to increase the biodiversity value of the final development.

Subject to the imposition of conditions requiring the submission and implementation of a landscaping scheme (to include replacement hedgerow planting), details of the marking off and safeguarding of the required buffer to protect Water Voles, and the submission of a lighting scheme and ecological enhancement strategy, and given the advice received from the Council's Nature Conservation Officer, it is that the development complies with relevant development plan policies in this regard.

*Flood Risk and Drainage*



Policy SE13 of the CELPS sets out that developments must integrate measures for sustainable water management to reduce flood risk, avoid an adverse impact on water quality and quantity within the borough and provide opportunities to enhance biodiversity, health and recreation, in line with national guidance, by ensuring that, amongst other criteria, all development follows the sequential approach to determining the suitability of land for development, direct new development to areas at lowest risk of flooding and where necessary apply the exception test; improvements are sought to the current surface water drainage network and be designed to manage surface water; and new development enhances and protects surface and ground water quality and complies with the Water Framework Directive in ensuring that development does not cause a deterioration in the status of inland waters, unless suitable mitigation measures are in place.

Policy ENV16 of the SADPD details that in order to manage surface water drainage effectively and reduce the risk of flooding elsewhere, in accordance with LPS Policy SE 13 'Flood risk and water management', development proposals should, amongst other criteria, demonstrate how surface water runoff can be appropriately managed - with surface water runoff should be managed to achieve: i. on greenfield sites, at least no increase in runoff rates, and a reduction in rates where possible; and ii. on previously developed sites, a reduction in existing runoff rates in line with the Non-Statutory Technical Standards for Sustainable Drainage Systems (2015) or any subsequent replacement standards.

The area of land adjacent to the stream which runs along the western boundary of the site is designated as flood zones 2 and 3. The camping pods would be located to the eastern side of the site, approx. 40m from the stream at its closest point and outside of flood zones 2 and 3. The proposed car parking area would however be partly located within these areas.

Limited information has been submitted with the application to detail the proposed drainage arrangements for the proposed dwelling. The application form details that surface water would be disposed of by the existing watercourse, with foul sewage disposed of by a septic tank. No detailed information has however been provided.

The Environment Agency, United Utilities and the Lead Local Flood Authority have been consulted on the application.

Following the submission of a flood risk assessment the Environment Agency have withdrawn their objection to the application. Advice has been provided to the applicant in respect of the potential need for an environmental permit and government guidance regarding the disposal of foul drainage.

United Utilities (UU) have provided advice in respect of the disposal of surface water in accordance with the drainage hierarchy as set out in the NPPF and possible connections to water and/or wastewater service from UU.

The Lead Local Flood Authority (LLFA) have raised no objections in principle to the proposed development. In addition to ensuring the applicant selects an appropriate drainage strategy that follows the hierarchy of drainage set out in Part H of the Building Regulations, it has been advised that a condition be imposed requiring the submission of a surface water drainage strategy.

Subject to the imposition of a condition requiring the submission of a drainage strategy for the development, and given the advice received from the Environment Agency, United Utilities and the Lead Local Flood Authority, it is that the development complies with relevant development plan policies in this regard.

### *Other Issues*

It is noted that concerns have been raised by a local resident in respect of the potential for a permanent building on the site should the proposed holiday accommodation fail. Whilst these concerns are noted, the application as submitted is for the siting of six camping pods, with any future applications relating to the site considered on their merits and against relevant development plan policies at such time.

## **CONCLUSIONS AND REASONS FOR THE DECISION**

The application proposes the siting of six mobile camping pods, access improvements, parking and ancillary works. The camping pods would be sited along the eastern boundary of the site, with a re-sited access to improve visibility in both directions.

The proposals would provide 'glamping' style accommodation within the open countryside, where Policy PG6 of the Cheshire East Local Plan Strategy allows for uses that are appropriate to a rural area. Policy EG2 of the Cheshire East Local Plan Strategy advises that proposals that create/extend rural based tourist/visitor attractions/recreational uses will be supported where they support the rural economy, could not be located in a designated centre, would not undermine delivery of employment allocations, adequate infrastructure and does not harm amenity or the character/appearance of the area.

Policy RUR8 of the Site Allocations and Development Policies Document allows for certain types of visitor accommodation that may be appropriate to a rural area where their scale is appropriate to the location and setting and where there is an identified need for the accommodation, which cannot be met in nearby settlements because the type of accommodation proposed is intrinsically linked with the countryside.

Information provided in support of the application sets out the need for the accommodation, with a recent appeal decision providing an opinion on how relevant development plan policies in respect of the provision of rural tourist accommodation should be applied.

The proposals would not detract from residential amenity of nearby properties, nor have any adverse impact on the local road network or the visual amenity, character and appearance of the locality, or have a harmful impact to ecology.

The proposals are considered acceptable and in general accordance with the relevant policies of the Cheshire East Local Plan Strategy, the Site Allocations and Development Policies Document and the Wybunbury Combined Parishes Neighbourhood Plan along with guidance within the NPPF, and therefore the application is recommended for approval accordingly.

**Approve subject to the following conditions:**

1. Standard Time
2. Approved Plans
3. Materials – details to be submitted
4. Number of Units
5. Siting of Units
6. Visibility Splays – implementation of approved details
7. Landscaping – details to be submitted
8. Ground and Slab Levels – details to be submitted
9. Protection of Water Vole – details to be submitted
10. Biodiversity Enhancement – details to be submitted
11. Drainage – details to be submitted
12. Closure of Existing Access – details to be submitted
13. Parking, Turning and Access Facilities – implementation of approved details
14. Management Pack – details to be submitted
15. Refuse and Recycling Facilities – details to be submitted
16. Cycle Storage Facilities – details to be submitted
17. External Lighting – details to be submitted
18. Landscaping – implementation of approved details
19. Holiday Purposes Only
20. Removal of Permitted Development Rights – gates, fences, walls and other means of enclosures

**In order to give proper effect to the Committee`s intent and without changing the substance of its decision, authority is delegated to the Head of Planning (Regulation) in consultation with the Chair (or in their absence the Vice Chair) to correct any technical slip or omission in the resolution, before issue of the decision notice.**

