

Application No: 21/6250N

Location: Sevenoaks, HEARNS LANE, FADDILEY, CW5 8JL

Proposal: Change of use of land for the siting of 4 no. new holiday lodges, the conversion of an existing building to a holiday lodge, and ancillary works.

Applicant: Mr Mark Wetton

Expiry Date: 07-Feb-2022

SUMMARY

The application site found within a small field containing a pond along Hearn's Lane within the open countryside. The site relates to the adjacent Sevenoaks residential dwelling.

The application seeks approval for the siting of 4 holiday lodges and the conversion of an existing timber building to a further holiday lodge and ancillary works.

Policy PG.6 of the CELP permits uses that are appropriate to a rural area.

Policy EG2 of the CELP 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 RUR.8 of the SADPD permits 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.

There is a clearly identified need for this type of visitor accommodation within the The Cheshire East Visitor Economy Strategy (2016-2020)

The proposed development and application site as a whole will be screened from most public viewpoints by the existing mature hedgerows and mature trees especially to the Hearn's Lane frontage.

With the above in mind, it can be considered that the proposal will create a recreational visitor facility within a rural area allowing access to nearby villages and visitor attractions.

Therefore, it is considered that the principle of development is acceptable, given that the proposal accords with the above Policies.

SUMMARY RECOMMENDATION

Approve with conditions

REASON FOR REFERRAL

This application had been referred to the Southern Planning Committee as the agent submitting the application is an immediate family member of a staff member employed by Development Management and representations objecting to the application have been received.

The application has also been the subject of a call-in request by Cllr Stan Davies for the following reasons:

There is likely to be considerable adverse impact on the neighbouring properties

- This impact will relate noise pollution; odours from the activities of those using the proposed facilities
- Due to the impact of the proposed development on the lane and roads which are already in a poor state and the detrimental impact of increased traffic levels

DESCRIPTION OF SITE AND CONTEXT

The application site found within a small field containing a pond along Hearn's Lane within the open countryside. The site relates to the adjacent Sevenoaks residential dwelling.

DETAILS OF PROPOSAL

The application seeks approval for the siting of 4 holiday lodges and the conversion of an existing timber building to a further holiday lodge and ancillary works.

The existing single storey buildings to the west of the site will be removed to provide space for vehicle parking.

RELEVANT HISTORY

22/0890N - Full Planning Application for 2 no. additional kennel buildings and 1 no. additional storage building in association with an existing dog breeding business (retrospective) – not yet determined

20/2746N - Single-story side extension - approved with conditions 2017

17/2157N - Variation of condition 2 on approval 16/5627N - approved with conditions 2017

17/0667N - Dog welfare building to provide separate space for recovering dogs following birth of their litter - approved with conditions 2017

17/1082N - Single and two storey house extensions (retrospective) - approved with conditions 2017

16/5627N - Erection of kennels, access track and exercise areas for dog breeding business (retrospective) - approved with conditions 2017

P02/0166 - Extension to House, Alterations to Outbuildings and Change of Use of Land to Domestic Curtilage and Access – approved with conditions 2002

P00/0841 - Change of Use of Farm Buildings and Land for Stables and Equestrian Use - approved with conditions 2000

7/19340 - Two storey extension - approved with conditions 1991

7/17797 - Proposed agricultural utility building and store – approved 1989

7/14995 - Extension and alterations to form playroom and sewing room with balcony over - approved with conditions 1988

POLICIES

Neighbourhood Plan – N/A

Cheshire East Local Plan Strategy

SD.1 - Sustainable Development in Cheshire East

SD.2 - Sustainable Development Principles

SE.1 – Design

SE.2 – Efficient Use of Land

EG.2 - Rural Economy

EG.3 – Existing and Allocated Employment sites

EG.4 – Tourism

PG.6 – Open countryside

Site Allocations and Development Policies Document

GEN 1 – Design Principles

ENV 3 – Landscape Character

ENV 5 – Landscaping

RUR 6 - Outdoor sport, leisure and recreation outside of settlement boundaries

RUR 8 - Visitor accommodation outside of settlement boundaries

Crewe & Nantwich Borough Council Local Plan Policy

E.4 – Employment on Existing Development Areas

BE.1 – Amenity

BE.3 – Access and Car Parking

BE.4 – Drainage, Utilities and Resources

RT.10 - Touring Caravans and Camping Sites

National Planning Policy Framework

CONSIDERATIONS (External to Planning)

Visitor Economy Manager – no objection

Environmental Protection – no objection

Highways – no objection

Natural England – no comment

Public Rights of Way – no objection

United Utilities – no objection

Flood Risk – no objection

Ecology – no objection

VIEWS OF THE PARISH / TOWN COUNCIL

Brindley & Faddiley Parish Council object as stated below:

Cheshire East Local Plan

The proposal does not meet the criteria for acceptance as per the Local Plan Strategy policies PG2, PG6, EG4, EG2, MP1, SD1 and SD2. In addition, it does not meet the criteria for Site Allocations and Development Policy (RUR8) and is not supported by Cheshire East Council (CEC)'s Visitor Economy Strategy.

Appropriateness of use taking account of the local area

The development would be of a density out of keeping with the location and would amount to an increase of over 60% in residencies on Hearn's Lane. The site is not connected to any tourist attractions or recreational amenities; there is no link to public transport and there are no local services nearby such as shops or pubs.

Development effect on neighbouring properties

Neighbouring properties would suffer from noise, light, and odour pollution from the development. There is the potential for sewage pollution to land and properties adjacent to the proposed site, including the public highway.

Government legislation and guidance

There is no evidence that the disposal of foul sewage via septic tank has been properly planned or that the requirements of the Environment Agency for a new permit have been Page 2 of 14 considered. The Preliminary Ecological Appraisal was not conducted at the optimum time of year to establish impact on protected species (in particular, great crested newts and badgers).

Effect on highway safety

The proposed development is situated on Hearn's Lane, which is a single track, winding road with no designated passing points, pavements, or streetlights. The lake on the proposed site frequently overflows onto Hearn's Lane presenting a hazard to traffic. The Public Right of Way (PROW) network in the area is connected by busy roads and lanes. The development will lead to increased road traffic.

Siting, design, and compatibility with street scene

The holiday lodges would not be screened from public view, but visible from Hearn's Lane, PROWs Faddiley FP 7 and 8 and adjoining land. The design is not in keeping with the surrounding brick built residential properties. There is no evidence that prior use for agriculture has been considered when assessing for contamination and the proposed use is sensitive to ground contamination.

OTHER REPRESENTATIONS

16 letters of representation have been received which object to the proposals for the following reasons:

- Damage to the highway
- Noise and light pollution
- Highway safety
- Disruption to nearby dwellings
- Pond currently overflows
- Increase in traffic
- Waste water and sewage disposal
- Visual intrusion
- Use is not 'outdoor recreation'
- Not in a sustainable location
- Application includes 4 new buildings
- Not in conjunction with an existing visitor attraction
- No demonstrable need for this type of accommodation
- No business case has been presented
- Historic land contamination
- Proposal does not comply with Local or National Policy

OFFICER APPRAISAL

The application site is located within the open countryside as defined by the Crewe and Nantwich Local Plan.

Policy PG.6 (Open Countryside) of the Cheshire East Local Plan states that:

'Within the Open Countryside only development that 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 will be permitted'.

The proposed development is for the siting of 4 holiday lodges plus the conversion of an existing building to form a further lodge.

Following on from the above, Policy EG2 (Rural Economy) 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.

The proposal would provide visitor accommodation which would help support the rural economy. Given the nature of the use it clearly could not be located in a defined centre. The

scale of the existing site is considered to be small with 5 holiday lodges. This would still be relatively small scale for a development of this nature.

The application site will be screened from the passing highway and wider public viewpoints by the existing substantial mature hedgerow. Therefore, it is not considered that the proposed development will lead to any significant visual impact on either the streetscene or the wider open countryside.

Policy EG.4 (Tourism) advises that proposals that support/create new visitor attractions in sustainable/appropriate locations will be supported outside of principle towns will be supported where there is evidence that the facilities are required in connection with a particular countryside attraction and appropriate scale with no harm to amenity, adequate infrastructure and access to local services.

The attractions for visitors relate more to informal countryside leisure activities of walking and cycling along the local lanes and footpath network. There are several NCN Routes close to the application site as well as numerous footpaths in the area providing opportunities for visitors to enjoy the countryside and the local town and villages of Nantwich, Wrenbury and Aston with their historic buildings and facilities. Cholmondeley Castle Gardens, the Sandstone Ridge and the Shropshire Union Canal are also close by.

The above destinations are all within an approximate 5.5-mile radius of the application site, this is considered to be a reasonable distance for the nature of the proposed development in terms of tourism. There is a bus stop/route on the A534 approximately 1.1 miles (by road) from the application site. However, some of this route can be covered, and indeed shortened, via Public Rights of Way, one of which is adjacent to the application site.

A site of this nature clearly has limitations in terms of public transport servicing the site, but it is not considered to be so remote or isolated to sustain or justify a refusal on sustainability grounds, particularly noting the relatively small scale of the application proposal.

Saved Policy RT.10 of the Crewe and Nantwich Local Plan relates to the provision of new sites and outlines what criteria such development would be considered. This includes the proposals not having an adverse impact on the amenity of adjacent properties, the impact on the surrounding environment, the capacity of the road network and provision of infrastructure.

Following on from the above, criterion 1 of Policy RUR.8 of the SADPD permits 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.

Criterion 2 states that:

In the open countryside, proposals for visitor accommodation that are demonstrated to be appropriate to a rural area under criterion 1 will be supported where they accord with other policies in the development plan and:

- i. it can be clearly demonstrated that the proposal requires a countryside location;
- ii. the proposals make the best use of existing infrastructure such as existing buildings, utilities, parking and vehicular access;
- iii. additional buildings, structures and ancillary development are restricted to the minimum level reasonably required for the existing or planned operation of the accommodation; are well-related to each other and existing buildings and do not form isolated or scattered development;
- iv. the proposal does 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
- v. appropriate landscaping and screening is provided.

With the above in mind, it is considered that the proposed development by its very nature requires a rural location and would not be able to operate as intended within a settlement boundary.

The applicant has stated that demand for quality, unusual accommodation is very strong as evidenced by national websites such as "Canopy Stars", which promotes tree houses and other unusual countryside "staycations" rather than hotels, bed & breakfast, etc. The application included a 'tree house' style lodge of which there is nothing similar in the local area.

Following on from the above, the Cheshire East Visitor Economy Manager has been consulted on the application in terms of the need for the proposed development:

Cheshire East's visitor economy is worth £994m per year, employing over 11,812 fte's. (Last meaningful report 2019 pre-Covid) It is an important economic sector that contributes to jobs, growth and prosperity, both in its own right and in its contribution to Cheshire East's 'Quality of Place'. The ambition is focussed around continuing to maximise growth of the visitor economy, whilst ensuring greater prosperity across the widest number of communities that will lead to greater wellbeing for both residents and visitors. Tourism can be a force for good both in economic terms but also as an essential contributor to the excellent quality of life and place Cheshire East offers. This is a key factor not only in decisions to visit but also in decisions to settle and to invest.

Cheshire East is ideally positioned to take advantage of some of the key thematic trends post-Covid. Apart from an excellent geographical position with good connectivity providing access to new markets, the area is well positioned to exploit key themes such as:

- *Outdoor experiences*
- *Friends and family get togethers*
- *Wellness*
- *Lifestyle and culture*
- *Sustainable and green*

Cheshire East is also well positioned to access markets from other parts of Cheshire and surrounding areas, with the highest proportion of visitors being day visitors. Whilst day visitors are welcome, overnight visitors spend more per head, putting more money into the local economy. They also create more job opportunities in the area, meaning Cheshire East Council's aim is to get our visitors to stay longer. It means giving reasons for day visitors to dwell longer or stay on into the evening and overnight, as well as actively pursuing high level conferences as well as weddings from those parties based outside of Cheshire.

Working with Marketing Cheshire, the sub-regional place marketing board, Cheshire East Council is promoting the region as a short breaks' destination as well as a location for business tourism, activity related tourism, food tourism and weddings. The Cheshire East Visitor Economy Strategy (2016-2020 – latest strategy) articulates strategic themes that help to guide the identification of priorities in seeking to maximise the contribution of the visitor economy, including investment in quality attractions and accommodation provision. It also identifies strategic priorities including developing a distinctive rural tourism offer and profiling a quality food & drink offer in Cheshire East. It highlights the need to improve the quality and choice of accommodation and attractions.

There are a number of key priorities related to this proposed development that are set out within the Cheshire East Council Visitor Economy Strategy (2016-2020)

- Encourage investment in quality tourism product and services in Cheshire East to the benefit of jobs and economic growth*
- Investment in quality accommodation development*

In the context of Marketing Cheshire's strategic vision for the sub-region there are several relevant points to note including:

- Identification of the need to improve the quality of the destination product offering.*
- The key target markets in terms of profile, behaviour and spend for Cheshire include 'independent' market segments.*
- Marketing Cheshire state that developments such as Glamping sites require significant private sector investment. Their delivery will make a massive statement about Cheshire as a place to invest. Cheshire is passionate about quality – quality of facilities, experience and service. There is a desire of quality to define the experience at every stage in the visitor's journey. Quality is not about price – it is about exceeding visitor expectations.*

Post COVID 19 there has been an increase in semi-rural locations such as Cheshire East becoming the staycation favourites due to the space that is available and the high-quality leisure and hospitality provision. The proposed development will be able to capitalize on this trend thus ensuring Cheshire East is at the forefront of the recovery.

Following on from the above, Cheshire East needs to increase its profile in the 'outdoor' accommodation arena with an increase in quality Glamping, Caravan & Camping sites. Consumers are looking for outdoor rural breaks rather than city Centre breaks and this is anticipated to continue at least in the medium term. Cheshire is perfectly positioned to take advantage in this staycation boom.

Overall, the Council's Visitor Economy Manager considers that the proposed development will meet the objectives identified within the Cheshire East Council Visitor Economy Strategy (2016-2020). Whilst the applicant's agent has not identified a specific need for this development, it is considered that taking into account the visitor economy strategy and current market indicators, combined with the relative small scale of the application proposal, it is considered that there is justification to consider the proposal in general accordance with CELPS policy and emerging policy of the SADPD.

Following on from the above, the proposed development will utilise the existing access as well as an existing building on the site.

The proposed lodges are considered to be acceptable for the purpose that they will serve. While they are spread out across the application site they are still contained within the boundaries of the site and located so as to minimise any potential visual impact.

The proposed development and application site as a whole will be screened from most public viewpoints by the existing mature hedgerows and mature trees especially to the Hearn Lane frontage.

With the above in mind, it can be considered that the proposal will create a relatively small-scale recreational visitor facility within a rural area. On balance, it is considered that the principle of the development is acceptable.

Design and Open Countryside

Policy PG.6 permits uses that are 'appropriate to a rural area'. It is considered that holiday accommodation, by its nature, is an appropriate use.

Policy RUR.8 requires that it be demonstrated that the proposed development requires a countryside location. Given the nature of the proposal it is clear that it would not be able to operate within a settlement boundary and a rural location

is required. Following on from this, the Policy also requires that appropriate landscape screening is provided to prevent any potential visual impact on the surrounding open countryside.

For context in terms of the above Policy, Visitor accommodation includes, but is not restricted to; hotels, guest houses, bed and breakfast accommodation, static caravans, chalets, cabins and other forms of static accommodation such as pods, yurts, tepees or glamping structures). It is considered that the proposed development fits within this.

The proposed five holiday lodges will be constructed of timber with felt shingles to the roof. They will have differing designs and sizes with the three hexagonal lodges having a height of approximately 5.8 metres, the rectangular lodge (conversion) will have a height of approximately 4.1 metres and the 'tree lodge' having an approximate height of 8.3 metres.

The existing boundary treatments will remain in place providing a substantial screen especially to the Hearn Lane frontage. Therefore, the proposed development will have limited public viewpoints.

Overall, it is considered that the proposal is of a generally low key nature in the rural area. The existing mature hedgerows and trees will act to screen the proposed holiday lodges in the most part which will help to mitigate the impact of the site from the wider open countryside location. Therefore, the proposed development is considered to be in accordance with Policies PG.6 and RUR.8.

Amenity

In terms of the amenity of neighbouring residential dwellings the closest neighbouring dwelling is directly adjacent to the site to the north east. There is an existing timber boundary fence between the two which will screen much of the proposed development from the view of the neighbouring property.

There are other residential dwellings dotted along Hearn Lane, with the next closest being approximately 127 metres away to the north east.

The proposed 'tree lodge' will be sited to the south west of the site approximately 83 metres away from the closest neighbouring dwelling to the east. Given this separation distance as well as the intervening existing mature trees it is not considered that there will be any significant impact on amenity through overlooking or visual intrusion.

The proposed holiday lodge to be situated on the island within the pond will be approximately 57 metres from the closest neighbouring dwelling, while the two lodges to the northern corners of the site will be approximately 116 and 78 metres away. Given these separation distances as well as the existing mature trees, boundary hedge and fence it is not considered that there will be any significant impact on amenity through overlooking or visual intrusion.

The existing timber building that is proposed to be converted to a holiday lodge sits alongside the existing eastern boundary of the site and will lie approximately 43 metres from the nearest neighbouring dwelling. This will also be screened by the existing boundary vegetation and mature trees.

With the above in mind it is not considered that the proposed development will lead to any significant impact on neighbouring residential amenity in terms of overlooking, visual intrusion or loss of privacy.

The Council's Environmental Protection team have been consulted on the application have raised no objections to the proposal in terms of amenity impact. It is accepted that there is potential for excessive noise from guests

Any significant noise disturbance caused by the development would be controlled by Environmental Protection legislation. Further to this in relation to potential land contamination,

no objections have been raised by the Environmental Protection Officer, however appropriate informatives have been advised should permission be granted.

Overall, it is not considered that the proposed development will have any significant impact on neighbouring residential amenity.

Highways

This proposal for the siting of 4no. holidays lodges and the conversion of an existing building into a holiday lodge utilises existing access arrangements to serve the development.

Sufficient on-site car parking and associated access arrangements are proposed to serve the application.

While the development is relatively isolated access by non-car modes is unlikely, therefore the proposed access arrangements are considered acceptable in their current form to enable the development to be accessed in a satisfactory manner.

Following on from the above, it is accepted that the proposed development may lead to vehicles using the highway that are not familiar with Hearn's Lane. However, it is a public highway, as such normal traffic use cannot be restricted.

Overall, the Council's Highways Officer does not raise any objections to the proposed development.

Drainage

Following initial concerns raised by the Council's Flood Risk Officer further information has been submitted regarding the hydraulic function of the existing pond on the site and the proposed drainage strategy for the site as a whole.

The applicant has since submitted further information regarding the above. The Council's Flood Risk Officer has removed objections to the principle of the proposed development provided that the applicant should select an appropriate drainage strategy that follows the hierarchy of drainage set out in Part H of the Building Regulations, this can be conditioned should approved be granted.

Following on from the above, the submitted revised plan shows surface water run-off into the existing pond. The Flood Risk Officer does not have any objections to this, however the applicant is reminded of their maintenance responsibilities of the on-site drainage network and the overflow drain to the ditch. The drainage system should remain free of blockages to ensure sustainable drainage post development.

If any alterations / new connections to ordinary watercourses are proposed, the applicant is reminded they will be required to obtain formal land drainage consent from the LLFA under Land Drainage Act 1991.

Foul water will be disposed of via a septic tank.

Overall, the proposed development is acceptable in terms of surface water drainage and foul water disposal.

Ecology

The application has been supported by an Ecology Survey.

Bats

There are to be no mature trees or hedgerows to be directly affected by the proposal, therefore the Council's Ecologist is satisfied that there will not be any detrimental impact on bats on no further activity surveys are required.

Great Crested Newts (GCN)

Local ponds were assessed, and some were subject to eDNA surveys. While GCN presence was confirmed in one of the ponds, due to the character of habitats on site and the distance of the ponds, GCN presence on the application site was deemed to be sufficiently unlikely to negate the need for species specific measures or further survey effort.

With the above in mind, it is not considered that the proposed development will have any detrimental effect on Protected Species either on or close to the application site. Should approval be granted a condition will be attached requiring the submission of a strategy to enhance the biodiversity of the site.

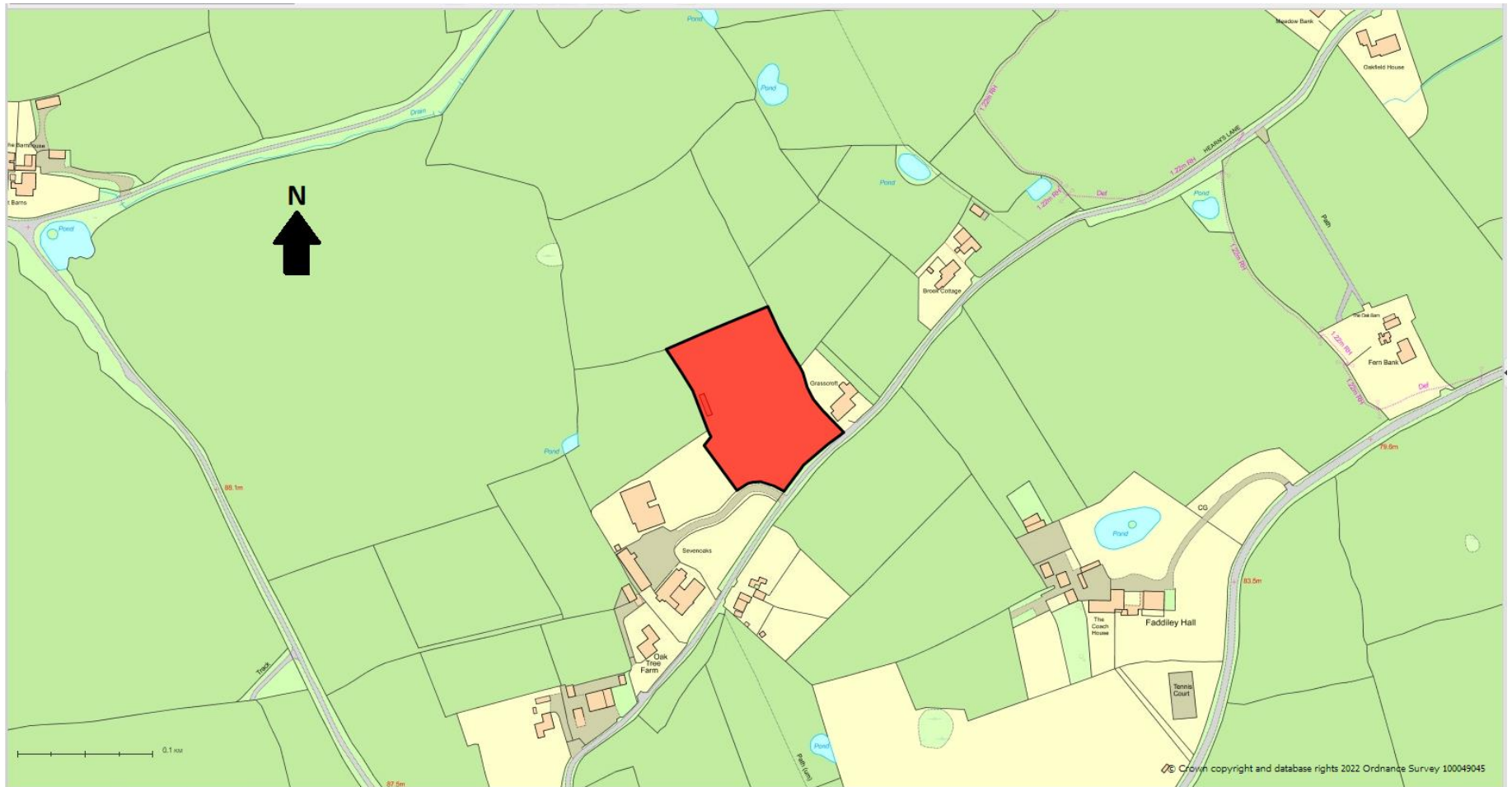
CONCLUSIONS

The objections to the development proposal are noted. It is considered, on balance, that the principle of this development is acceptable noting the relatively small-scale impact and the benefits to the rural economy and tourism. It is considered that the proposal is of an acceptable design that would have minimal impact upon the character and appearance of the countryside. No significant harm would be caused to the amenities of the surrounding residential properties or highway safety. The proposal is considered to be in accordance of the relevant policies of the Development Plan and it is recommended that planning permission should be granted.

RECOMMENDATIONS

APPROVE with conditions

1. Three year time limit
2. Approved Plans
3. Materials as per application
4. Electric Vehicle Infrastructure
5. Nesting birds
6. Biodiversity enhancement
7. Holiday Let Occupancy Only
8. Dust Management Plan



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