

The application seeks full planning permission for the change of use of an agricultural field to a Holiday Lodge Site. The site is located within the rural area of the Borough and falls within an Area of Active Landscape Conservation as defined by the Local Development Framework Proposals Map.

The application has been called in to Committee by Councillors Gary White and Simon White on the grounds that the application site is in an unsustainable location and also due to highways and amenity concerns.

The 8 week period for the determination of this application expired on the 30th March 2022 however an extension of time has been agreed until 11th November 2022.

RECOMMENDATION

Refuse for the following reasons:

- 1. The traffic generated by the proposed development would be likely to result in an increase in highway danger owing to use of the existing A525 / Station Road Priority Junction, which affords restricted visibility to the right for drivers emerging from Station Road onto the A525. The proposal therefore fails to meet the requirements of paragraph 111 of the NPPF and TRA1 of the Neighbourhood Plan.**
- 2. Insufficient information has been submitted with the application to demonstrate that adverse environmental impacts relating to noise, pollution and antisocial behaviour will not occur as a result of the development. The proposal could therefore lead to an adverse impact to the residential amenity of nearby properties which is contrary to requirements of part (f) of paragraph 130 of the National Planning Policy Framework.**

Reason for Recommendation

Whilst the location of the proposed campsite represents a suitable location for a new rural business relating to tourism within the Borough, the proposal would result in an increased risk to highway safety and would negatively impact the residential amenity of nearby properties. The appropriate course of action is therefore to refuse the application.

Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with the planning application

Officers have discussed the main concerns with the applicant, however there are fundamental objections to the development, which cannot be resolved in an acceptable period of time and therefore, the appropriate course of action is therefore to refuse planning permission.

Key Issues

Full planning permission is sought planning permission for the change of use of an agricultural field to a Holiday Lodge Site. The proposal would include 12 holiday lodges, each of would measure 20ft x 42ft and would be large enough to provide space for 6 occupants. Access to the site would be directly from Station Road. The site is located within the rural area of the Borough and within an Area of Active Landscape Conservation as defined by the Local Development Framework Proposals Map.

The proposal does not proposed the removal of any trees from the site and therefore key issues in the determination of this application are considered to be:

- Whether or not the principle of development is acceptable
- Design and visual impact
- The impact on residential amenity
- Parking and Highway safety
- Other Matters
- Reducing Inequalities

If the principle of development acceptable?

The application site is located in a rural location, which falls outside of any recognised settlement boundaries. Saved Policy C17 of the Local Plan requires that certain considerations be given to new camping and caravan sites within the Borough, these considerations include the visual impact of proposals, the impact on residential amenity, the impact on highway safety and the need for such facilities in the area.

Paragraph 84 of the NPPF supports the creation and expansion of rural businesses.

The application site is located in a rural location and would require most users of the site to rely on a private vehicle to access the site, although unsustainable in that respect, paragraph 85 of the NPPF notes that:

'Planning policies and decisions should recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport. In these circumstances it will be important to ensure that development is sensitive to its surroundings, does not have an unacceptable impact on local roads and exploits any opportunities to make a location more sustainable (for example by improving the scope for access on foot, by cycling or by public transport). The use of previously developed land, and sites that are physically well-related to existing settlements, should be encouraged where suitable opportunities exist'

The application site is only accessible by vehicles from Station Road, which is an unlit narrow road and there are no bus stops in the area which could be utilised by visitors.

It is acknowledged that holiday lodge sites will normally always require a rural location, and that whilst there is a lack of services and facilities in the nearby area, the proposal does also bring with it the economic benefits which will help to enhance the economic viability of the surrounding area. Research completed by officers demonstrates that there is no other camping or holiday lodge provision within the nearby area and whilst there is a camping site at Doddington (Milldale Scout Campsite) which is 8.3km from Onneley, this site is for tent pitch camping and not holiday lodges. It can therefore be concluded that there is a lack of holiday lodge provision within the local area which the proposal would help to address if approved.

Given the above it is considered, on balance, that the principle of the proposal is acceptable but there are other material considerations which will also need consideration.

Design and visual impact

Paragraph 126 of the Framework states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Furthermore, paragraph 130 of the Framework lists 6 criterion, a) – f) with which planning policies and decisions should accord and details, amongst other things, that developments should be visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change.

Policy CSP1 of the Core Spatial Strategy seeks to ensure that new development is well designed to respect the character, identity and context of Newcastle's unique townscape and landscape including its rural setting and the settlement pattern created by the hierarchy of

centres. Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document provides further detailed guidance on design matters in tandem with CSP1.

Policy DES1 of the Neighbourhood Plan states that new development complement the local context and should avoid the appearance of overdevelopment and over urbanization, taking account of the rural character of the area.

Saved policy N18 of the Local Plan states that within Areas of Active Landscape Conservation as shown on the Proposals Map the Council will support, subject to other plan policies, proposals that will help to conserve the high quality and distinctive character of the area's landscape. Development that will harm the quality and character of the landscape will not be permitted. Within these areas particular consideration will be given to the siting, design, scale, materials and landscaping of all development to ensure that it is appropriate to the character of the area.

The proposal would comprise of 12 holiday lodges, each of would measure 20ft x 42ft and would single storey in design. No details of the external appearance of the holiday lodges have been provided with the application however, this aspect of the proposal could be controlled through the use of a condition. The application site is a small open agricultural field that runs adjacent to Station Road which is located to the south west and south east. The siting of 12 holiday lodges with associated parking would result in a clear visual change to the application site and this would result in some localised visual harm in respect that proposal would partially remove the open nature of this area of countryside. The application site is however in close proximity to a number of existing residential dwelling which will help to ensure that any holiday lodges on the site would be seen in context with the cluster of nearby buildings rather than appearing as an isolated feature in the wider landscape.

The site also benefits from a good level of screening along its boundaries which is made up of a mixture of existing mature trees and hedgerows which will help to soften the visual impacts of the proposal on the wider area. The proposed site plan submitted in support of the application also proposes a row of new trees close to the sites north western boundary which will further help to soften visual impacts of the proposal. Whilst some views of the holiday lodges would be seen from Station Road through gaps in the surrounding vegetation, it is not considered that the visual harm associated with the proposed development would be significant.

Is the development acceptable in respect of its impact upon residential amenity?

The Framework states within paragraph 130 that planning decisions should ensure that developments, amongst other things, create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.

Supplementary Planning Guidance (SPG) Space Around Dwellings (2004) provides guidance on new dwellings including the need for privacy, daylight standards, and environmental considerations.

A number of objections have been received by local residents which raise concerns that the proposal would result in an adverse impact to residential amenity. Concerns have also been raised by The Councils Environmental Health Team who note that noise complaints have been received from other rural holiday sites within in the Borough.

Whilst each site must be based on its own merits and constraints, the proposal could see the introduction of up to 52 people (possibly with pets) in what is currently a quiet rural location. It is recognised that people using holiday accommodation often bring their families and dogs with them, and during daytime hour's a certain level of noise could be expected from children playing outside and from dogs barking. During periods of good weather users of the site would be likely to sit outside until late into the evening and there would be nuisance associated from the noise of conversation but also nuisance from odour and smoke from cooking and bbq's. There is also the potential for noise nuisance from TV's and sound systems. Additional concerns have

also been raised by the EH team relating to noise and light nuisance from vehicles movements to and from the site, which could potentially occur early in the morning or late in the evening.

No details have been submitted in support of the application to demonstrate how noise and pollution issues will be addressed, and as the site does not appear to be warden controlled, it would be difficult for any issues relating to noise or anti-social behaviour to be managed quickly, even with a noise management plan in place. The property titled 'Graceland' which is located to the north of the application site would likely be the most affected by the proposed development due to its close proximity, however other properties nearby would still likely be impacted to a significant degree.

The applicant has not demonstrated how noise and environmental impacts which would lead to an adverse impact on residential amenity from noise, pollution and antisocial behaviour are to be mitigated, therefore it is considered that the application should be refused.

Parking and Highway Safety

At paragraph 111 the NPPF indicates that development should only be prevented or refused on highway safety grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Paragraph TRA1 of the Neighbourhood Plan states that development must not cause any severe adverse impact on capacity or road safety.

The holiday lodge site proposed would have a total of 12 lodges, each of which would have allocated parking for 2 vehicles, the site is accessible directly from Station Road which is an unclassified 4-metre-wide rural road with no footway provision. A detailed Transport Statement has been submitted in support of the application which concludes that the proposal is unlikely to have any significant impact on traffic safety or traffic levels along the local access road and that the necessary required visibility splay distances can easily be met.

The Highways Authority have been consulted on the application and have raised objections to the proposal on the basis that the plans failed to demonstrate visibility splays onto Station Road from the access point and that the traffic generated by the proposal would be likely to result in an increase in highway danger owing to use of the existing A525 / Station Road Priority Junction. The Highways Authority raised a further objection regarding the unsustainable location of the application site.

In response to these objections, the agent of the application has proposed the introduction of a 30mph speed limit on the A525 through Onneley in combination with some alterations to improve visibility at the junction of Station Road with the A525. Amended details of the visibility splays on Station Road for the access to the site have also been provided.

The proposed changes to the A525 would need to be subject to a Traffic Regulation Order, which is a separate form of consent to planning permission and would need to be determined by the Highways Authority. Whilst the Highways Authority note that the principle of the proposed changes to the A525 are acceptable, insufficient details have been provided by the applicant at this stage as to allow the Highway Authority to come to conclusion on whether the Traffic Regulation Order could be successfully implemented or not. The agent of the application has suggested a Grampian condition is used to link the outcome of the Traffic Regulation Order application to any planning permission granted, however without the formal confirmation from the Highways Authority that the Traffic Regulation Order would be approved, the Local Planning Authority cannot therefore issue a permission subject to a Grampian condition as there would be a risk that the permission could not be implemented.

Given the above the application must be refused on the basis that there is a risk to highway safety which cannot be fully addressed until a Traffic Regulation Order has been submitted to and approved by the HA.

The Highways Authorities comments with regards to the sustainability of the site are noted,

however as set out earlier in this report, it must be acknowledged that holiday sites will normally always require a rural location which is recognised by paragraph 85 of the NPPF. On this basis, the unsustainability of the site is not considered to be a reason in itself to refuse the application.

Other Matters

Several objection letters received from local residents have raised concerns relating to drainage and flooding issues around Onneley, however the application site falls within flood zone 1 and there is no evidence that the site itself is at any particular risk of flooding. In addition to the above, given the nature of the proposal, it is not considered that the drainage implications of the development would be significant or harmful.

Concerns have also been raised about the lack of details relating to waste storage and management and electrical vehicle charging points, however it is considered that these matters could be addressed through the use of appropriate conditions if the application were to be permitted.

Concerns relating to incorrect information submitted in support of the application are noted, however it is considered that the details provided in support of the application have been sufficient enough to allow an accurate assessment of the proposal to take place, a site visit has also been completed by the case officer.

One objection letter received notes the proposal would harm Green Belt land, however the site falls outside of any land designated as being within the Green Belt and so this concern is not relevant to the proposal.

A concern has also been raised in one objection letter that the proposal would have an adverse impact on local wildlife. It must be recognised that the application site is comprised of an open agricultural field which could be used for grazing animals at any time of the year, and given that there are no works to the surrounding trees is being proposed as part of the proposal it is not considered that the application could reasonably be refused on ecological grounds.

Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The public sector equality duty requires public authorities to consider or think about how their policies or decisions affect people who are protected under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions.

People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination

- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

With regard to this proposal it is considered that it will not have a differential impact on those with protected characteristics.

APPENDIX

Policies and proposals in the Development Plan relevant to this decision:

[Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy \(CSS\) 2006-2026](#)

Policy SP1:	Spatial Principles of Targeted Regeneration
Policy SP3:	Spatial Principles of Movement and Access
Policy ASP6:	Rural Area Spatial Policy
Policy CSP1:	Design Quality
Policy CSP3:	Sustainability and Climate Change

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy C17:	Camping and Caravan Sites
Policy H1:	Residential Development: Sustainable Location and Protection of the Countryside
Policy T16:	Development – General Parking Requirements
Policy N12:	Development and the Protection of Trees
Policy N18:	Areas of Landscape Conservation

[Madeley Neighbourhood Plan \(NP\) 2022](#)

Policy DES1:	Design
Policy NE1:	Natural Environment
Policy TRA1:	Critical Road Junction

Other Material Considerations

National Planning Policy

[National Planning Policy Framework](#) (2021)

[Planning Practice Guidance](#) (2018)

[Supplementary Planning Guidance/Documents](#)

[Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document](#) (2010)

[Relevant Planning History](#)

16/00029/FUL - Change of use of land to graze and exercise horses on and erection of stable block and improvements to field access – permitted

19/00035/FUL - Erection of two detached dwellings – refused

19/00700/FUL - Erection of two detached dwellings (resubmission of 19/00035/FUL) – refused

[Views of Consultees](#)

The **Highways Authority** initially objected to the proposal on the grounds that proposed development would be likely to result in an increase in highway danger owing to use of the existing A525 / Station Road Priority Junction, which affords restricted visibility to the right for drivers emerging from Station Road onto A525. They Highways Authority also raised objections to the unsustainable location of the application site. Following the submission of additional information which included plans to alter sections of the A525 using a Traffic Regulation Order, the Highways Authority have stated that whilst there is no objection in principle to the TRO, there is currently insufficient information to determine whether the Traffic Regulation Order could be successfully implemented and therefore recommend that the application is refused.

The **Environmental Health Division** object to the proposal on the basis that the details submitted in support of the application have not demonstrated that nuisance from noise, light and air pollution can be satisfactorily addressed at the site. It is considered by the EH team that the introduction of potentially up to 52 people and their dogs will be noticeable and will cause a reasonably foreseeable adverse impact on the established noise climate which local residents will have become accustomed to. They conclude that the applicant cannot demonstrate that adverse noise and environmental impacts from pollution and antisocial behaviour will not occur and accordingly they formally object to this application and recommends refusal.

Waste Services have provided the following comments:

- The indicative layout makes no reference to a bin storage area for the presentation of waste/recycling generated on the site.
- The storage will need to be provided on the basis of 180ltrs refuse per unit per fortnight. The layout of the site would also need to take account of the need for access, and safe turning (away from parked cars and areas pedestrians may be crossing), for a 26tonne collection freighter. This store and turning area should be provided within the site. A store at the entrance to the site will not be acceptable as it is unsafe to stop a collection vehicle on a single width carriageway while collection operations take place

The views of the **Landscape Development Section, Madeley Parish Council and Shropshire County Council** have been sought however no representations have been received from these consultees within the statutory period of public consultation and it is therefore assumed that they have no comments on the application.

Representations

24 letters of objections have been received by 18 different residents which raise the following concerns:

- Unsustainable location with lack of local services
- Lack of need for the type of development
- Noise and light pollution
- Loss of privacy
- Anti-social behaviour
- Waste generated by the site
- The traffic survey was completed during the lockdown period when there were fewer cars on the road
- Visual harm and contrast with local properties
- Overdevelopment of the site
- Lack of information submitted with the application
- Misleading or incorrect information provided in the submitted plans and supporting documents
- Highway Safety
- Lack of public transport
- Lack of electrical car charging points
- Drainage and flooding
- Utilities
- Traffic will also worsen in the area due to HS2
- Green Belt land needs protecting
- Impact on wildlife

Applicant/agent's submission

The planning application is supported by the requisite application form, plans, a transport statement and a supporting statement.

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/22/00245/FUL>

Background Papers

Planning File
Planning Documents referred to

Date Report Prepared

25th October 2022