

Appeal Statement

in respect of:

Proposed Glamping Site

on behalf of:

God's Plan Ltd

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1.0. Grounds of Appeal

1.1. The proposed development;

- Would provide overnight accommodation within a recognised tourism growth area through the provision of a unique character of accommodation and facilities.
- Would result in local job creation equivalent to five full time jobs, and there would be indirect job protection /creation within the local supply and service chains. And,
- Would be in a highly sustainable location, on the edge of an existing major settlement, with good accessibility to public transport (local and interlinking rail and bus services), and a wide range of public and private local services and facilities in the adjoining market town of Chapel-en-le-Frith.

1.2. The proposed development;

- Would not give rise to any unacceptable harm to interests of acknowledged importance. In particular,
- Would not give rise to any adverse landscape and visual effects sufficient to cause unacceptable harm to the rural character and appearance of the area. Nor,
- Would not give rise to any adverse effects on the setting of any designated heritage assets sufficient to outweigh the public benefits of the proposal.

1.3. Therefore, there is no reason why planning permission should not be granted.

2.0. Site Location and Description

- 2.1. The appeal site is located in open countryside on the urban fringe of Chapel-en-le-Frith. It sits on the north side of Bank Hall Drive, almost immediately after the drive passes under the railway embankment. The location of the site is shown on the extract from the Local Plan Proposals Map, and a 2022 “Google Earth” aerial photograph, both of which are attached as Appendix A.
- 2.2. It can be seen that the site is in close proximity to the settlement boundary, and the residential development off Frith View, Chapel-en-le-Frith High School and Leisure Centre, and the railway embankment. Chapel Campsite lies immediately to south, the two sites being separated by Bank Hall Drive. This is a well-established camp site providing a total of 52 pitches accommodating; tents, touring caravans, motorhomes and small campervans. It is open all year round and takes access off Station Road.
- 2.3. The application site is part of a large field that rises gently in a north westerly direction from Bank Hall Drive, to a slightly high central point from where the general levels fall away to the northwest. The north western extent of the application site is marked by a fairly recent stock fence, running north east to south west across the site. Lengths of open ditch, stock fencing and broken hedgerow, mark the north eastern and south western edges of the site, and a stock fence and broken hedging mark the site’s boundary along Bank Hall Drive. A more recent stock fence has been erected parallel with Bank Hall Drive, but set a couple of metres into the field. This marks the location and extent of the proposed footpath and new hedgerow along this length of Bank Hall Drive.
- 2.4. There no trees within the site, other than a lonely hawthorn positioned at the site’s highest point. There are a few mature woodland trees within the broken hedgerows.
- 2.5. Views out of the site to the north are broken by mature and semi mature trees in the rear gardens and on the rear boundaries of residential properties, and the grounds of the secondary and the school buildings themselves. Views out to the east are enclosed by the railway embankment, whilst short and mid distance views to the south and west are broken by trees and hedgerows. The higher ground to the west and northwest can be seen at some distance over the trees and hedgerows.
- 2.6. Views of and into the site from Bank Hall Drive and other adjoining and more distant vantage points, can be seen in the photographs contained in the Design and Access Statement and the Landscape Impact Assessment.

3.0. Appeal Proposals

- 3.1. The appeal application is a resubmission, with amendments, of an earlier application (Ref HPK/2021/0388) for; a luxury glamping site comprising; 15 glamping units, 5 motor caravan pitches and associated facilities, including an activity yurt. This earlier application was submitted following a formal pre application to the local planning authority and local public consultation. However, the application was withdrawn prior to determination in order to seek to address the officer's concerns regarding the overall number of glamping units, and a proposal to provide motor caravan pitches.
- 3.2. The appeal proposals (Ref HPK/2022/0484) seek permission for; 3 glamping pods, 3 shepherd's huts, 4 yurts, 1 activity yurt, 1 reception pod, washing and toilet facilities, waste treatment plant and soakaway (underground), a field storage shelter, two five car carports, with solar panels on the roof, and a waste/recycling storage area.
- 3.3. The accommodation would be available between the 01 March and 31 October each year and the yurts, glamping pods and shepherds' huts would be moved into on site storage outside of this period.
- 3.4. The appeal proposals include a landscape strategy to;
 - Establish an unbroken hedge line along the boundary adjacent to Bank Hall Drive, returning a short distance along the Site's south westerly boundary.
 - Provide a permissive footpath running along and adjacent Bank Hall Drive. And
 - Provide amenity planting and enhance biodiversity on site.
- 3.5. A number of supporting documents prepared for, and submitted with the withdrawn scheme, where the findings and conclusions can be equally applied to the smaller appeal scheme, have been submitted in support of the appeal application. However, a number of submissions have been amended to reflect the amended details, and to address a number of points raised when the earlier scheme was been considered, specifically, the Proposed Site Plan, the Highways Technical Note, the Design and Access Statement and the Habitat Survey.
- 3.6. Details of the appeal proposals along with the details of the Landscape Strategy are provided on the Proposed Site Plan, Ref 07022 02 Rev B. which is attached as Appendix B.

4.0. Planning Assessment

- 4.1. The case officer's report sets out in full, and at length, all third party and statutory consultee responses, Section 6 of the report provides a schedule of relevant planning policy (which is agreed), and Section 7 undertakes an assessment against respective policies. Section 8 undertakes a "planning balance".
- 4.2. Section 7 shows that there is substantial agreement between the two parties in terms of compliance with planning policy and therefore, to avoid unnecessary repetition, this assessment focuses on the Council's reason for refusal, namely;
- The proposed development would cause significant adverse landscape and visual effects therefore detracting from the rural character and appearance of the area. And
 - Although the proposed development would cause less than substantial harm to the significance of designated heritage assets, such harm would not be outweighed by the public benefits of the proposals.
- 4.3. In addition, the Council's Conservation Officer is concerned that insufficient information has been submitted relating to the Heritage Statement dated February 2021. This concern is dealt with below. Also, the County Archaeologist maintains an objection on the grounds of insufficient information. This is also dealt with below.

Landscape Impact

- 4.4. The comments of the Council's Landscape Architect Consultant are included in full in the case officer's report. It is noted that the Council's LAC does not find the LVIA deficient in terms of scope, but does query the assessment of receptor groups rather than viewpoints. I am advised by the authors of the LVIA that the assessment of receptor groups, rather than viewpoints, is the expected approach under GLVIA3 and is correct.
- 4.5. It is also noted that the Council's LAC does not disagree with the overwhelming majority of the findings of the LVIA. For the three receptor groups the LAC queries, for one of them the LAC agrees the effects are neutral and for the two others, the query relates to the judgement of the sensitivity of the receptors.
- 4.6. With regard to Viewpoint 15; the identified difference in sensitivity is very much a matter of opinion. However, it is difficult to agree that the proposed development, given its nature and scale, would be so prominent, over such a distance, as to be in any way visually intrusive. Particularly, when what could be seen of it, would generally be viewed against the urban backdrop.

- 4.7. With regard to Viewpoint 2; the Council's LAC claims that the LVIA overstates the impacts of the surrounding built form on local character. I would argue that the LAC has done the opposite.
- 4.8. In planning terms, the application site lies in open countryside and can properly be described as being on the urban fringe, both physically and visually. Bank Hall Drive, from its junction with Long Lane, with residential development on either side (albeit partially obscured by amenity woodland on the north side) up to the embankment and through the bridge (both substantial works of construction) is clearly urban in nature. The embankment itself is a substantial structure being, in this location, perceived as being more "urban" than "country". It is a visually unavoidable and dominant feature that marks the boundary between open countryside and the urban area but, in terms of character, does not shield the one from the other. The impact of the urban area is not simply curtailed by passing under the bridge and beyond the embankment.
- 4.9. In addition, the fairly substantial mass of the High School and Leisure Centre buildings can be seen from Bank Hall Drive as well as the floodlighting for the all-weather pitches (despite some intervening trees), and noise from outdoor activities in the school grounds, can be heard during and outside school hours.
- 4.10. In addition, the areas of housing to the north of the application site can be glimpsed and located, particularly at night.
- 4.11. The existing built form clearly has a significant impact on the character of the countryside in this urban fringe location.
- 4.12. Under the heading Summary and Conclusion the Council's LAC addresses a number of concerns under several headings, and I would comment as follows;

Landscape Impacts:

- First, and as acknowledged by the Council's LAC, the development proposals do not occupy a large part of the site.
- Second, the proposals themselves will require some earthworks, but such works will be very minimal e.g. there will be little if any made paths or tracks of significance, beyond the site access and parking area, and no earthworks will be required to level pod sites and platforms (refer to the topographical survey). All services will be underground and can be laid with minimal and temporary disturbance. With regard to surface water drainage, it is not intended to drain the site, simply to collect rainwater where necessary, and pipe to a pond and then into an existing ditch. There is no intention to drain areas of existing rushy grass land.
- Third, on the basis of the details submitted with the application it is difficult to understand how the LAC has come to the conclusion that, *it is very possible that a large proportion of the site could be impacted by the proposals with the*

loss of habitat and landscape character and, it is entirely feasible that a large part of the site could be impacted and resulting landscape impacts are medium-high This is simply not borne out by the scale and nature of the proposals.

- Finally, it was always anticipated that final details of the glamping pods, as well as detailed planting schedules, would be dealt with by way of a condition precedent. This remains the position.

Visual Landscape Impacts:

- First, the Council's LAC considers that the minor difference of opinion with regard to distant views into the site can be addressed by, *a robust planting strategy that included additional tree planting than proposed to the south west of the site could be effective* In reducing visual impacts to a level where *the resulting Magnitude of Change is Low and the Nature of Effect is Neutral and agree that tree planting would be appropriate to the Landscape Character of the site*. It is considered that the landscape strategy as proposed is more than sufficient to address the LAC's concern. However, and notwithstanding, should it be determined that a more "robust strategy" is required, this can be the subject of a condition precedent.
- Second, the Council's LAC raises concerns regarding loss of open views from Bank Hall Drive to the PDNP. The landscape strategy indicates a hedge along the boundary with Bank Hall Drive returning along a short length of the southern boundary, replacing what was once there. The hedgerow is not intended to screen the site entirely from public view (this is not really necessary) but to provide a visually suitable boundary feature along Bank Hall Drive, to soften the visual impact of the proposals, and add to the site's overall biodiversity. This feature will not obscure views from Bank Hall Drive to the PDNP.
- Third, the Council's LAC raises concerns regarding the visual impact of an "access and road" leading into the field. It might appear as a suburban feature, as it is drawn on the Proposed Site Plan. However, such an appearance is not the intention, nor is it necessary. The intention being to ensure that the details of the proposed access and gateway, track and parking areas would be acceptable in this rural location and be proportionate in terms of overall dimensions (the minimum required to provide safe access on site and on and off Bank Hall Drive), method of construction and materials (farm track construction and permeable materials not tarmac). An appropriately designed access would not give rise to any unacceptable levels of "distraction and confusion" and could be agreed as part of a condition precedent.

4.13. It is clear from consideration of the comments by the Council's LAC and the points raised above that;

- The appeal proposals would not cause significant adverse landscape and visual effects and would not detract from the rural character and appearance of the area. And
- Any concern regarding matters of detail could be dealt with by way of a condition precedent.

Heritage Impact

- 4.14. With regard the submitted Heritage Statement (Knights February 2021) and the concern of the Council's Conservation Officer that the HS provided insufficient information. This is not agreed. However, the decision maker in the case of this appeal, has the benefit of both the appellant's submitted HS, and the Conservation Officer's assessment, upon which to determine on this matter.
- 4.15. With regard to intervisability conflict;
- The proposal is small scale in nature, with limited physical development and the site would be appropriately landscaped in a manner compatible with the existing character and appearance of the landscape.
 - The proposed development would be a significant distance away from the nearest heritage asset (Marsh Hall Farm). The intervisability between the heritage asset and the appeal site is limited and any views that do exist are heavily filtered by existing landscaping.
- 4.16. With regard to the alleged urbanisation of Bank Hall Drive;
- Bank Hall Drive is not a secluded lane (dictionary definition: *not seen or visited by many people, sheltered and private*) until, perhaps, it passes under the Manchester to Piccadilly rail line. It is not at all secluded in the vicinity of the appeal site.
 - The appeal proposals will not dissemble or break down the existing field pattern, will not disrupt the "long approaches", and will not substantively affect the wider rural identity.
 - The appeal proposals will not give rise to an "invasion of contemporary features". If the footpath is generic in any way it will be generic "rural". The solar panels hardly amount to arrays in terms of the common usage of the term when referring to solar panels.
 - Bank Hall Drive will not be fragmented nor will it be urbanised, it will still be a narrow lane in open countryside. It will continue to look out onto and across open countryside, albeit part of which will used for recreational purposes.
- 4.17. It is considered that the alleged harm to the heritage assets has been significantly exaggerated, and the appeal proposals would not lead to the urbanisation of Bank

Hall Drive nor have any perceptible impact on the manner in which the heritage assets are experienced.

- 4.18. Finally, the County Archaeologist maintains an objection on the grounds of insufficient information in respect of archaeological matters. This omission is acknowledge as an oversight and a copy of an Archaeological Desk based Study prepared by CGMS in March 2015, has been submitted with the appeal documentation.
- 4.19. The report was submitted in support of a planning application for residential development on the appeal site and the adjoining land to the north. Whilst this report was prepared for a much bigger and completely different scheme, it is considered the archaeological context will not have changed and that the scope of the report and the findings and conclusions hold good for the appeal proposals.
- 4.20. A extract from the report giving details of the scope of the study and an executive summary is attached as Appendix C.
- 4.21. The report concluded that there was no evidence to suggest that the study site (which included the appeal site) contains, or has the potential to contain, archaeological remains that could preclude or constrain future development. Although, at the request of the then Development Control Officer, it was proposed that a condition precedent be attached to any approval requiring intrusive archaeological work to fully assess the prehistoric potential of the study site. It is not clear whether this requirement was driven by the extensive ground works of the proposed development and whether such would be required in respect of the appeal proposals.

5.0. Planning Balance

5.1. First, to quote the case officer;

- *The scheme seeks to provide for alternative overnight visitor accommodation within a recognised tourism growth area through the provision of a unique character of accommodation and facilities. In addition, the operation of the scheme would result in job creation equivalent to five full-time staff. There would also be indirect job creation within the supply and service chains. Consideration has been given to the sustainability credentials of the proposed development regarding its location in close proximity to various local services and facilities. And*
- *There has also been regard to the proposed ecological measure and native planting resulting in Biodiversity Net Gain of c.10.3% and therefore the biodiversity effects of the proposals would be positive.*

5.2. Second, to refer to my conclusions regarding the reasons for refusal;

- The proposed development would not cause adverse landscape and visual effects sufficient to detract from the rural character and appearance of the area. And
- The alleged harm to the heritage assets has been significantly exaggerated, and the appeal proposals would not lead to the urbanisation of Bank Hall Drive, nor have any perceptible impact on the manner in which the heritage assets are experienced. Additionally
- The submitted Archaeological Assessment shows that there is no evidence to suggest that the appeal site contains, or has the potential to contain, archaeological remains that could preclude or constrain the proposed development.

5.3. I am of the opinion that;

- Significant weight can be attached to the acknowledged benefits of the proposed development, but little weight should be attached to the notional harm to heritage assets.
- The appeal proposals are in accordance with both national and local Development Plan policies and planning permission should be granted with appropriate conditions.

6.0. Conclusions

- 6.1. The appeal proposals are considered to be in accordance with both National and Local Development Plan policies and, as such, will not cause harm to any interests of acknowledged importance.
- 6.2. Therefore, the appeal proposals should be approved.

