

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**23<sup>rd</sup> May 2024**

Application No:	SMD/2020/0679	
Location	Alton Forest Lodge, Dimmingsdale, Alton, ST10 3AH	
Proposal	Siting of two woodland holiday cabins	
Applicant	Mr Leon Mailey	
Agent	JMI Planning	
Parish/ward	Alton	Date registered: 04.12.2020
If you have a question about this report please contact: Chris Johnston tel: 01538 395400 ext. 4123 <a href="mailto:christopher.johnston@staffsmoorlands.gov.uk">christopher.johnston@staffsmoorlands.gov.uk</a>		

## **REFERRAL**

The application is before committee because a large number of objections have been received. The application had also been called into Committee by Councillor Plimley on 21.1.21.

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

**APPROVE with conditions**

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

2.1 The site lies in the countryside about a mile to the south of Oakamoor and comprises about 13 acres of woodland. There is a woodland clearing on the west side of the site containing a timber-clad 3-bedroom Airbnb holiday let cabin (sleeping up to 10 people according to the website), in the south part of the clearing, a white render “rangers” bungalow to the north (marked on the plans as an “office cabin”) and a couple of sheds in between (one for amenities e.g. washer and the other for storage). The holiday cabin is a conversion of a former 20-bed youth hostel, YHA Dimmingsdale or “Little Ranger Youth Hostel”. The site is reached via a 1km long track connected to Stoney Dale, a country lane to the west, which leads to Oakamoor village. The track leads directly to the clearing and buildings going past a couple of farms on the way. The west boundary is marked by mature trees and there are open fields to the other side of this, to the west of the site. The woodland at Dimmingsdale lies to the east and the land falls quite steeply in this direction from the clearing.

2.2 Most of the woodland within the site is “Ancient & Semi-Natural Woodland” and an SMDC Nature Conservation Site. The site also adjoins a Site of Special Scientific Interest (SSSI) to the south (“Dimmingsdale & The Ranger”).

2.3 The access track is also a Public Right of Way (PROW) and on reaching the site, splits into two PROW footpaths which run along the west boundary (past the existing holiday let cabin) and the east boundary through the woodland along the valley towards the “Ramblers Retreat” café on Red Road about 1km away.

2.4 The site is also within the Churnet Valley.

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

3.1 This is a full application for two 1-bed timber holiday cabins which would be placed approximately 20 metres to the north-east of the existing holiday cabin and placed around 8m apart, just within the trees but also close to the edge of the clearing with the amenities cabin around 10m directly to the north. One would be slightly larger than the other with a footprint of 8m x 4.0m and the other, 6.5m x 4.0m. They would both have a height of 4.5m up to the ridge of a cedar shingle pitched roof. The walls would be finished in larch cladding. The existing parking area to the north of the existing cabin would be extended eastwards and would provide a total of 6 spaces for all the three cabins. No trees would be removed to provide the scheme.

3.2 The proposal has been amended from the plans originally put forward which were for two larger cabins placed much further within the woodland, about 50m and 75m to the south-east of the existing cabin. These were for 2-bed two-storey A-frame cabins for up to six people each.

3.3 The application was first accompanied by a Planning Statement and a Preliminary Ecological Assessment (PEA) report dated October 2020. Later in the process, an updated PEA dated July 2023 was submitted along with a Biodiversity Net Gain Feasibility Statement, also dated July 2023, along with Biodiversity Net Gain calculations.

3.4 The ecology measures proposed include a bat box, two bird boxes and a bug hotel.

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

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=142524>

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

4.1 None.

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

5.1 The Development Plan comprises of:

Adopted Staffordshire Moorlands Local Plan - Sep 2020

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

- SS1 Development Principles
- SS10 Other Rural Area Strategy
- SS11 Churnet Valley Strategy
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- E4 Tourism and Cultural Development
- NE1 Biodiversity and Geological Resources
- NE2 Trees Woodland and Hedgerows
- T1 Sustainable Transport

Churnet Valley Masterplan (2014)

National Planning Policy Framework (NPPF) (Dec 2023)

Sections

2: Achieving Sustainable Development

4: Decision Making

6: Building a Strong and Competitive Economy

12: Achieving Well Designed and Beautiful Places

15: Conserving and Enhancing the Natural Environment

## **6. CONSULTATIONS**

6.1 A site notice to advertise the original plans submitted in December 2020 was posted and displayed on the access track at the entrance to the site on the 14<sup>th</sup> December 2020. A Press Advert was also placed on 16.12.20 as “Development Affecting a Public Right of Way”. On receipt of the amended plans for the two smaller cabins closer to the existing cabin, notification letters were sent to all senders of representations (objectors etc.) in response to the original plans and were given 21 days in which to comment.

6.2 In response to the original plans, letters of objection were received from ten people and this included letters from the Churnet Valley Conservation Society. The points raised are as follows:-

- Harm to character and appearance of woodland if paths were upgraded
- The cabins would be visible from public footpaths
- Loss of amenity value of the area
- Harm to the biodiversity value of the area caused by increase of people walking in the woodlands and use of bikes
- Noise and anti-social behaviour has occurred since the hostel became a holiday let
- Prominence in the landscape
- There are heritage and geological features in the area e.g. Earls Rock and Earl of Shrewsbury Historic Carriageway close to public footpaths
- Harm to the biodiversity value of an adjacent SSSI

- Harm to a wide range of wildlife, flora and fauna caused by increased visitor numbers and tradespeople
- Further erosion of footpaths by increased pedestrians and bikes
- The access track to the site, also a public footpath, is inadequate to support the increase in traffic causing detriment to safety of all users of the track and PROW
- Increase in vehicle movements in relation to former youth hostel use of site
- The paths to the cabins would need lighting which would further harm wildlife
- The earthworks required to install the cabins would further harm biodiversity
- Groups attracted to the proposed cabins could cause forest fires
- Inadequate parking provision
- Litter creation affecting biodiversity
- Lighting needed in the cabins will also harm wildlife
- Foul drainage will harm biodiversity next to the SSSI

6.3 Following the consultation of the amended plans, further objection letters were received from seven of the previous objectors and one new objector. The points raised remain the same as those above and some of the letters claim that extraction works have been undertaken, a tree was removed and a large vehicle failed to deliver three septic tanks due to the access constraints and they therefore consider that works have commenced prior to decision.

6.4 Churnet Valley Conservation Society object strongly to the application. The objection letter states the following:

*"In conclusion there has been a recent surge in proposals for development of "Wooden Lodge type structures" as a low cost build form of holiday accommodation in the area. The Council's response to this type of application has been very specific according to the circumstances of each location. The negative factors associated with this particular application outweigh the narrow economic benefits. It should be refused."*

### **Alton Parish Council**

6.5 In response to the original plans: *The parish council object to this application on the grounds that the buildings encroach into the woodland and it is an overdevelopment in the area.*

6.6 In response to the amended siting: Above comments repeated.

### **Oakamoor Parish Council**

6.7 In response to the original plans:

#### *1. Location unsuitable for further development:*

- *Significant potential for Ecological damage - Located on the periphery of SSSI*
- *Visual impact - from variety of walks and open public space*
- *Accessibility - Unsuitability of access roads / tracks*

- *Over-development of a remote site*

## *2. Saturation of Southern End of Churnet Valley and surrounding area with Wooden Lodges / Wooden framed structure holiday accommodation*

- *Alton Towers - Farley (Existing)*
- *Star Caravan & Camping - Cotton (Existing)*
- *Ramshorn Estate - Ramshorn (Existing & Application Pending)*
- *Secret Cloud - Cauldon (Existing)*
- *Moneystone - Oakamoor (Outline Permission)*
- *Nabb Lane - Alton (Application Pending)*

*There has been a recent surge in developments and proposed developments of "Wooden Lodge type structures" as a low cost build form of holiday accommodation in the area. Whilst it is understood that they meet a specific need, there has to be a planning balance between meeting demand and consideration given to the negative factors associated with an application.*

*It is the view of Oakamoor Parish Council that the negative impact of this proposed development outweighs the perceived demand, and therefore recommend refusal.*

6.8 No response to the amended plans from the Parish Council.

### **SCC Highways Authority**

6.9 In response to the original plans:

*Recommendations: There are no objections on Highway grounds to this proposal. The parking provision for the 2 x 2 bedroom holiday cabins as per submitted plan R0112 - 001 Revision P2 is considered sufficient. I therefore have no objection to the proposal SMD/2020/0679.*

6.10 In response to the amended plans: No objection.

### **Environmental Health**

6.11 In response to the amended plans: No objection subject to standard conditions which include restrictions on lighting and amplified sound and noise from any plant and machinery to be included in the development. The EH Section commented as follows:

*The primary amenity and environmental concerns can be addressed through conditions, good site management and the obligations of the operator under the licensing regime (Caravan Sites and Control of Development Act 1960, Section 5). Application should be made to the Local Authority for the licence prior to first use.*

### **SCC Public Rights of Way**

6.12 In response to the original plans: *The Definitive Map of Public Rights of Way for Staffordshire shows a public right of way that may be affected by the proposed*

*application. The following should be brought to the attention of the applicant and noted in the planning consent if granted. A public footpath runs along the access lane (occupying the full width of the lane between boundaries). The granting of planning permission does not constitute authority for any interference with the public right of way and associated items - or its obstruction (temporary or permanent). Where private rights exist that allow the use of vehicles along a public right of way, drivers of vehicles must "give way" to pedestrians. In the absence of private rights, driving a vehicle on a public right of way is a criminal offence. It is important that users of the path are still able to exercise their public rights safely and that the path is reinstated if any damage to the surface occurs as a result of the proposed development.*

6.13 In response to the amended plans: *Public Footpath No.6 Alton Parish runs through the western area of the site, partially along the track access.*

*The applicant should submit a plan showing the legal line of the footpath, as depicted on the Definitive Map of Rights of Way in Staffordshire, along with the site proposals. (For further information please refer to our [Definitive Map webpage](#))*

*The attention of the developer should be drawn to the existence of the path and to the requirement that any planning permission given does not construe the right to divert, extinguish or obstruct any part of the public path. If the path does need diverting as part of these proposals the developer would need to apply to your council under section 257 of the Town and Country Planning Act 1990 to divert the footpath to allow the development to commence. The applicants should be reminded that the granting of planning permission does not constitute authority for interference with the right of way or its closure or diversion. For further information the applicant should be advised to read section 7 of DEFRA's Rights of Way Circular (1/09).*

*It is important that users of the path are still able to exercise their public rights safely and that the path is reinstated if any damage to the surface occurs as a result of the proposed development. The surface of the footpath must be kept in a state of repair such that the public right to use it can be exercised safely and at all times. Heavy vehicular use can cause the way to become unsuitable for use and in some instances dangerous. Some attention needs to be drawn to this and that surface works may be required.*

*The applicant needs to be reminded that although the access track to the property is private, the fact that the route is a public highway (footpath) takes precedence. The use by private vehicles is subject, and subordinate to, the public's right. In other words pedestrians, horse riders and cyclists have a public right and vehicles need to give way to them not the other way around.*

*The County Council has received an application under Section 53 of the Wildlife and Countryside Act 1981 to add or modify the Definitive Map of Public Rights of Way, which affects the land in question (north/north east of the site). The application (Reference 022980) concerns upgrading Public Footpath No.9 Alton Parish to a bridleway.*

**Peak & Northern Footpaths Society**

6.14 We note that the PROWs Alton 6 & 9 are close to the proposed site. Use of the PROW, and the safety of users should not be affected by the development, nor during the work taking place.

### **The Ramblers Association**

6.15 Footpaths Alton 6 and 9 run close to the proposed site. The footpaths should remain open during and after development and no risk to people using it

### **Staffordshire Wildlife Trust**

6.16 In response to the original plans:

*OBJECTION -impact to ancient woodland, insufficient information on proposed development infrastructure, insufficient mitigation.*

*The Preliminary Ecological Appraisal dated October 2020 by Elite Ecology does not adequately assess the impacts of the proposal in terms of construction and ongoing use. Surveys of semi-natural woodland should be conducted in spring to accurately assess the ground flora.*

*The lodges are proposed within an area of semi-natural ancient woodland and would impact the site with loss of habitat and disruption to the undisturbed soils. The need for such development does not override the policy protection for ancient woodland within the NPPF and Staffordshire Moorlands Local Plan. It is not appropriate to build within ancient woodland. The Forestry Commission should also be consulted on any application within 100m of an ancient woodland.*

*No information is provided on proposed lighting, access tracks, or surface/ foul drainage, so it is not possible to judge the full impacts of the scheme.*

*If the lodges are deemed acceptable in principle, they should be relocated outside of the ancient woodland areas. Should a suitable alternative location for the lodges be found, a comprehensive survey of the habitats affected should be undertaken. The impacts to biodiversity should be assessed, including all infrastructure required, and additional disturbance from visitors. Habitat impacts should be calculated via a Biodiversity Impact assessment using Defra metric 2.0. Impacts would need to be fully mitigated with 10% net gain, via management and enhancement of the surrounding habitats through a suitable enhancement and management plan. The enhancements in terms of landscape planting made in the PEA report are absolutely inappropriate for a semi-natural native woodland.*

6.17 In response to the amended plans to reposition the cabins (comments made in October 2022):

*Holding objection- insufficient information to show that a biodiversity net gain will be achieved.*

*The lodges have been moved outside of the semi-natural ancient woodland, which*

*has reduced the impact. However, there has still not been adequate assessment of the habitats to be lost or a biodiversity net gain metric provided- the latest Defra metric should be used.*

*The Preliminary Ecological Appraisal dated October 2020 by Elite Ecology does not adequately assess the impacts of the proposal in terms of construction and ongoing use. Surveys of semi-natural woodland should be conducted in spring to accurately assess the ground flora.*

*The proposed package treatment plan for foul drainage is not marked- this would impact on an additional area. It is not clear whether access tracks are also to be added.*

*All areas of habitat impact should be assessed, as well as areas to be enhanced to establish an accurate baseline, along with a suitable habitat enhancement plan.*

6.18 In response to the amended plans and updated Preliminary Ecological Assessment report (July 2023) and Biodiversity Net Gain report (July 2023), comments made in February 2024:

No objection, we have no further comments.

## **Natural England**

6.19 Natural England is not able to fully assess the potential impacts of this proposal on statutory nature conservation sites or protected landscapes or, provide detailed advice on the application. If you consider there are significant risks to statutory nature conservation sites or protected landscapes, please set out the specific areas on which you require advice. The lack of detailed advice from Natural England does not imply that there are no impacts on the natural environment. It is for the local planning authority to determine whether or not the proposal is consistent with national and local environmental policies. Other bodies and individuals may provide information and advice on the environmental value of this site and the impacts of the proposal on the natural environment to assist the decision making process.

## **SMDC Trees and Landscaping**

6.20 In response to the original plans:

*Summary: Objection, due to detrimental direct and indirect impacts on trees and woodlands and the character of the area, leading to deterioration of Ancient Woodland and consequently being in conflict with various policies and guidance relating to Ancient woodland and trees.*

*The application site lies within the wider extensive area of woodlands around Dimmingsdale which form a dominant part of the character of this stretch of the Churnet Valley, and which are well known and well used for informal recreation with a network of public rights of way and areas of permitted and promoted public access – a recognised local tourism/recreation destination. The majority of the wider c.2.75ha application site as shown red-edged on the applicant's location plan is*



identified as Ancient Woodland, this mostly being Ancient Semi-Natural Woodland (ASNW) with a small part as Plantation on Ancient Woodland Site (PAWS).

More specifically, the actual proposed positions of the two lodges lie fully within “The Ranger (north of)” ASNW site included in the Ancient Woodland Inventory. An Arboricultural Survey Report is submitted with the application. Neither the Arb Report nor the application Planning Statement refer to the ASNW status of the site. The applicant’s Preliminary Ecological Appraisal (PEA) does note the ASNW (and the small additional area of PAWS), but does not offer any detailed technical assessment of any likely impact of the proposed scheme, although this is normally a matter for an Arb Report. However, the PEA does advise that some impacts would be anticipated, but states that the clearings already exist and suggests that “the works will be of minimal impact to this site”.

The application proposes the siting of two lodges within the ASNW, but does not in itself require the removal of established/mature trees or understorey, nor clearance/change of use of any significant part or proportion of the woodland. It is considered that the proposal would therefore arguably not lead to the loss of Ancient Woodland. However, it remains to be considered whether the proposal would nevertheless have adverse direct or indirect impacts leading to deterioration or other harmful effects.

#### Direct Impact:

The Planning Statement suggests that as the specific footprint positions of the two proposed lodges are in “clearings” and do not require the removal of established trees, there would be no substantial harm. The applicant’s Arb Report does not in fact provide any assessment of the impact of the actual development as proposed, and does not even show the proposed layout nor relate this to on-site tree constraints. In fairness to the author, he clarifies that he was given only a copy of the existing site plan, and it is likely that there may have been no specific proposed layout to consider at that stage, and the stated terms of instruction/brief indicate that the requirement was to provide advice on the condition of trees which might be affected; the Arb Report also includes generic (but not site- or application-specific) advice on special measures such as pile and beam foundations, cellular confinement specification for hard surfacing etc which it may be possible to acceptably employ within the RPAs of trees – but as noted above BS 5837 advises that such measures should properly only be considered where it is accepted that there is some overriding justification to site structures within the RPA anyway. In turn the proposed layout plan does not show the constraints of RPAs, nor demonstrate that siting has taken such constraints into account.

Whilst the general positions of the two lodges could be referred to as clearings in that there is an absence of stems of mature/established trees or understorey shrub layer, and there are some notable canopy gaps with clear views to the sky, this does not mean that there are no tree related constraints, and the likely spread of roots and potential for damage to them by development remains an important consideration. The two lodges are each proposed in close proximity (i.e. within c.2m) of the stem positions of mature Oak trees locally forming the dominant element of the woodland structure, and the structures would clearly encroach substantially within the RPAs of

*these trees. Irrespective of the ASNW status of the site, I am not convinced that the proposal itself constitutes overriding justification for construction within the RPAs of these significant trees in which case the potential use of special measures for foundations would in theory be irrelevant in the context of the application of the BS 5837 guidance noted above. Furthermore, I do not consider that the particular means of foundation/support for the lodges which appears to be proposed, presumably in recognition of encroachment within RPAs, would in fact avoid the likelihood of significant damage to tree roots.*

*No details are shown for any underground services for the lodges, although these would also have potential for damage to tree roots; the application form proposes a package sewage treatment plant, but again no details or position are given and this also would have potential for root damage during installation. Furthermore, would periodic vehicle access to service the treatment plant be required? There is currently no vehicle access to the proposed lodge positions. This raises a further issue of construction access for delivery of materials and access routes/working areas for construction vehicles/plant. Again these issues are not addressed in the application plans nor specifically in the applicant's Arb Report.*

*In conclusion, it is considered that the proposed development would be likely to lead to significant damage to trees which would not be justified by any overriding need for or wider benefit of the proposed development. This in turn would be likely to lead to decline in condition of trees, potentially requiring significant remedial pruning or even premature removal, to the detriment of the structure, character, amenity and habitat value of the woodland. This would constitute deterioration of irreplaceable Ancient woodland habitat.*

*Indirect Impact:*

*The lodges are proposed at some 50 – 75m from the existing holiday lodge, and would introduce new development and associated activity into an area of ASNW currently devoid of physical development and relatively unused/undisturbed. In addition to potential direct physical impacts on the trees, there is also a likelihood of indirect impacts such as noise (music, rowdy holidaymakers) and light disturbance, litter, fires/barbeques etc during daytime, evening and nighttime, all of which could have a disturbing impact on any wildlife and an intrusive/detrimental effect on the character of this part of the woodland and its enjoyment for informal recreation.*

*Furthermore, as a separate entity of development and activity, the proposed development would have adverse visual impact within the woodland, again being detrimental to its character.*

*Whilst unlikely to be substantially visible from Public Footpath No.6 (Alton Parish) running past the western side of the existing holiday lodge, due to intervening landform and woodland, the lodges would be perched at the upper edge of a steep slope down into Dimmingsdale to the east of the site, from where they would be prominently visible from the well-used footpath only c.25m to the east of and below the proposed lodge positions, and also from Public Footpath no. 9 (Alton Parish) further down into the valley below (albeit with a greater amount of intervening filtering vegetation, more effectively so when in leaf). The existing buildings of the holiday*

*lodge, cottage and outbuildings are not visible from these paths, so the proposed scheme would introduce a new and incongruous built form into currently undeveloped woodland views, with consequential adverse visual impact.*

### Conclusion

*The proposed development would in principle conflict with local and national policies for the protection of Ancient Woodland, and in detail would cause direct and indirect harmful effects leading to deterioration of Ancient Woodland and detrimental impact. The proposal would be in conflict with Paragraph 175(c) of the NPPF, with SMDC Local Plan Policy NE.2, with Natural England and Forestry Commission Standing Advice on Ancient woodland, ancient trees and veteran trees: protecting them from development, with the Council's adopted Tree Strategy, and with guidance in British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations. I object to this application on these grounds, and recommend that planning permission be refused.*

6.21 In response to the amended plans:

*The proposed lodges have been re-sited and also scaled down in footprint size.*

*The revised positions for the 2 new cabins are now outside the Ancient Woodland site (albeit there is no physical boundary feature/marker on the ground to delineate the extent of the Ancient Woodland designation) and in addition would be just at or slightly beyond the minimum 15m buffer zone distance outside Ancient Woodland advised in the Natural England/Forestry Commission standing advice; moreover, this buffer zone is already woodland and would continue as such – this again supports the standing advice that the buffer zones themselves should be, and be managed as, complementary semi-natural habitats. At this location, the woodland thins out and the proposed cabins are in positions clear of substantial trees and largely clear of their Root Protection Areas. Given the use of intermittent post-type supports (as opposed to continuous trench footing or mass slab foundations) the siting of these relatively light structures using such low-key supports would be unlikely to have significant adverse direct impact on trees.*

*It is therefore considered that the proposal as now amended would not lead to loss of or direct deterioration of Ancient Woodland.*

*In terms of issues such as disturbance to habitat/wildlife etc, the revised siting would put the proposed new cabins in amongst existing buildings and related activity, and as previously noted the various woodland paths and tracks around Dimmingsdale are anyway heavily used for informal recreation by the general public. Therefore it is considered that the proposal as now amended would not introduce new elements of disturbance at harmful levels into currently undisturbed areas of the woodlands (Ancient Woodland or otherwise).*

*By the same token of revised siting, the proposed new buildings would be seen amongst/against the existing buildings rather than, as previously proposed, more isolated new development visually detached from existing. In addition, the original siting was on the upper edge of a steeply sloping hillside where, notwithstanding*

*intervening woodland vegetation, they would have been visible from the well-established and well used woodland paths below as new and incongruous structures and not seen in conjunction with existing buildings which are mostly obscured by landform in these views; with the revised siting, the proposed new cabins would also not be seen from the woodland paths in the valley below, being hidden beyond the brow of the hill.*

*It is therefore considered that the proposed development in the revised siting now shown would not have significant adverse visual impact. Nevertheless, it is suggested that some additional intermittent tree planting to the more open area to the front (west) of the cabins would be beneficial, together with supplementary understorey planting to the rear (eastern) side to reinforce the Ancient Woodland buffer zone, and should be secured by suitable landscaping condition.*

*In conclusion I have no objection to the application as amended, subject to the conditions requiring further details of foundation design to be submitted for approval, tree protection measures during construction e.g. tree protection fencing, the retention of all trees and vegetation and the planting of six new native trees to the west of the site in accordance with details to be submitted to the Council for approval.*

## **Forestry Commission**

6.22 In response to the amended plans (comments made in July 2023):

*Ancient woodlands are irreplaceable. They have great value because they have a long history of woodland cover, with many features remaining undisturbed. This applies equally to Ancient Semi Natural Woodland (ASNW) and Plantations on Ancient Woodland Sites (PAWS).*

*It is Government policy to refuse development that will result in the loss or deterioration of irreplaceable habitats including ancient woodland, unless “there are wholly exceptional reasons and a suitable compensation strategy exists” (National Planning Policy Framework paragraph 180c).*

*As a Non Ministerial Government Department, we provide no opinion supporting or objecting to an application. Rather we are including information on the potential impact that the proposed development would have on the ancient woodland.*

*The development is within the recommended 15m buffer zone required to protect Ancient Semi-Natural Woodland (ASNW). For ancient woodlands, any proposal should have a buffer zone of at least 15 metres from the boundary of the woodland to avoid root damage (known as the root protection area). Where possible, a buffer zone should:*

- *Contribute to wider ecological networks,*
- *be part of the green infrastructure of the area*

*A buffer zone should consist of semi-natural habitats such as:*

- *woodland*
- *a mix of scrub, grassland, heathland and wetland*

*Development proposals within a buffer zone should not be approved.*

*In the development location there are already a significant number of other structures including various stores and outbuildings. The new cabins would increase the impact on an already pressured area of Priority Habitat.*

*Evidence from aerial photographs highlights that recreational activity within the ASNW is already having damaging effects, including opening up the tree canopy and damaging the ground, including soils and flora, contributing to a decline in the quality of the ASNW. The proposed development would lead to further increase in such recreational activity within the woodland.*

*If the planning authority takes the decision to approve this application, we may be able to give further support in developing appropriate conditions in relation to woodland management mitigation or compensation measures. Please note however that the Standing Advice states that “Ancient woodland, ancient trees and veteran trees are irreplaceable. Consequently, you should not consider proposed compensation measures as part of your assessment of the merits of the development proposal.”*

*We suggest that you take regard of any points provided by Natural England about the biodiversity of the woodland.*

*We also assume that as part of the planning process, the local authority has given a screening opinion as to whether an Environmental Impact Assessment is needed under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. If not, it is worth advising the applicant to approach the Forestry Commission to provide an opinion as to whether an Environmental Impact Assessment is needed under the Environmental Impact Assessment (Forestry) (England and Wales) Regulations 1999, as amended.*

6.23 Comments made in April 2024:

*I discussed this with the local Woodland Officer and can confirm that, from the revised plans the log cabins would be just outside the 15m buffer zone.*

### **Severn Trent Water**

6.24 No objection.

### **Waste Collection Services**

6.25 *No issues regarding waste collections. Note: Commercial collection arrangements.*

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

### Introduction

7.1 The main issues with the proposal are as follows:

- The principle of the proposal and sustainability
- The impact on the character and appearance of the area
- The impact on the ecological value of the site
- The impact on highway safety

### **The principle of development**

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

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

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

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

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

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

7.7 This is the “first part” of the policy.

7.8 Policy E4 also states, in the “second part” of the policy, that new accommodation, attractions and facilities should:

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

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

7.8 Policies S10 and S11 are generally supportive of new tourist facilities (which includes accommodation), particularly in the Churnet Valley, providing they are compatible with the area.

7.9 With regard to the first part of Policy E4, the site has historically been used for tourist accommodation purposes as a former 20-bed youth hostel which was later converted into a 3-bedroom, holiday let which accommodates up to ten people. The scheme of two small 1-bed cabins (neither of which are capable of accommodating more than two people each) at an existing tourist accommodation site would therefore pass the test of having “good connectivity” with other tourist amenities outlined in “A” in the first part of the policy.

7.10 With regard to “Test A” of the second part of Policy E4, the Council’s Tourism Strategy (adopted Feb 2023) outlines an undersupply in the District of overnight tourist accommodation. The Strategy also outlines that tourism in the District is dominated by day visitors and that overnight stays should be encouraged as this provides income for businesses such as local pubs, eating places and food shops. Self-catering overnight accommodation is particularly encouraged for this reason. There is therefore general support for self-catering overnight accommodation in the District in the Council’s Tourist Strategy and which also outlines an undersupply of such accommodation. Furthermore, a recent online search of existing holiday let accommodation in the Oakamoor and Alton area also reveals that whilst there is a range of holiday cottages and larger units available to let in the area, there is a lack of small 1-bed units. It is therefore considered that this part of the policy has been complied with.

7.11 The Churnet Valley Masterplan requires “minimal” development outside of Alton Towers but does not define “minimal”. It is considered in this respect that the provision of two small 1-bed timber cabins on an existing 3-bedroom holiday let site that was formerly a 20-bed youth hostel, could in terms of the overall scope of development, arguably be classed as “minimal”.

7.12 With regard to “Test B” above, it is considered the provision of two small 1-bed cabins would not be of an inappropriate scale in relation to the current significantly larger 3-bedroom unit with ten beds and rangers bungalow. As previously stated, the site used to accommodate up to 20 people and now currently only accommodates half of this number. In terms of vehicle movements and sustainability, it is recognised that the site is not in a sustainable location with poor access to public transport and not that conveniently located for walking or cycling to the nearest services, large villages or towns. However, it is not considered the proposed two 1-bed cabins together with the existing 3-bedroom holiday let unit would cumulatively lead to a significant increase in vehicle movements in relation to the former 20-bed hostel. This would have typically sometimes have led to, at one end of the scale, a large group arriving by one mini-bus (a school group perhaps) but at the other end of the scale the hostel could have accommodated several different groups of people or couples at the same time arriving in multiple cars. At the moment, the existing holiday let would typically lead to one or two cars arriving and

leaving at the site at the same time and together with this new proposal, two more cars if the site is at full capacity but overall, it is still maintained that the potential movements from 14 max. bed spaces would not be significantly higher than the 20 bed spaces of the former hostel, even if this attracted different types of visitors or groups of visitors. Therefore I do not consider this new proposal when viewed in conjunction with what is already there, to be less sustainable than the former hostel use of the site.

7.13 The proposal is also not incompatible with the site with regard to design. The cabins would have a conventional timber lodge appearance similar to the current unit and this is also not an inappropriate material given the edge of woodland setting. The cabins would be visible from parts of the public footpaths to the north-east and west but they would also be seen in the same view as the other buildings on site and also against the backdrop of trees. A combination of their small scale (not dissimilar to the storage shed a short distance to the north), limited height and recessive timber wall cladding would avoid the cabins appearing visually intrusive or harmful when viewed from the paths. There are no nearby residential properties that would be affected by the proposal and therefore no harm to residential amenity.

7.14 With regard to the rest of Test B, which requires an *enhancement of the heritage, landscape and biodiversity* of the area and no harm resulting to interests of acknowledged importance, this part is assessed below.

### **Impact on the character and appearance of the area**

7.15 As outlined above, there is an existing timber holiday let on the site in addition to a white render rangers bungalow and two timber shed-like structures which would not be dissimilar in scale and design to the holiday let buildings proposed, approximately ten metres to the south. The proposed buildings would not be out of keeping with the area. They would be placed in relative close proximity to other buildings in a well-defined woodland clearing that is also well screened in the landscape by the woodland mainly to the east but also to the south and north and there is also significant tree screening along the west boundary. As stated above, the cabins would be visible from parts of the public footpaths in or on the edge of the woodland but overall, the proposal would not lead to harm to the landscape.

7.16 With regard to tree impact, the cabins would be placed close to trees and could be described as being just within the woodland. However, despite the Council's Tree Officer commenting that one of the cabins looks to be just inside the 15 metre "buffer zone" applied to the edges of the Ancient Woodland, required to be protect it, the Forestry Commission has confirmed that both cabins would be outside of the zone. No trees are proposed to be removed and the cabins due to their siting and limited size and height, would not lead to harm to the existing nearby trees. However, for the avoidance of doubt, a condition would be added requiring details of the specific foundation design in order to ensure no damage to tree roots. The Council's Trees and Landscape Officer recommends the planting of six new trees in the cleared area to the west. This would provide further screening particularly from the path to the west although there is also more of a significant biodiversity benefit from this, as explained further on in this report.



7.17 Overall, it is not considered the proposal would not harm the landscape or appearance of the area, in compliance with policies DC1 'Design Considerations', DC3 'Landscape and Settlement Setting' and NE2 'Trees, Woodland and Hedgerows' of the Local Plan. However, with regard to the wording of Policy E4, it would also not lead to an "enhancement" to the landscape. It is considered this impact could be described as "neutral" with the safeguard of providing six new trees. As there are no buildings or monuments within close proximity of the woodland clearing, with any heritage value i.e. no listed buildings, Conservation Areas of Schedule Ancient Monuments, it is also considered that heritage impacts of the proposal are also "neutral".

7.18 With regard to other matters relating to the "character" of the area, concerns have been raised about the increase of noise and disturbance of holiday let proposals affecting the amenity value of the area. This in turn does have impact on the "character" of an area and Dimmingsdale is sensitive to this being a largely tranquil woodland environment enjoyed by walkers and other people enjoying the natural environment. It is not considered that the cabins, due to their limited size, with one small bedroom each, would lead to any exacerbation of the current holiday let/visitor accommodation use of the site, especially considering the site was once a 20-bed youth hostel which would have accommodated groups of people, whilst the present 3-bedroom holiday let would be largely occupied by one or two families or one group of people.

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

7.19 As stated above, one of the requirements of Policy E4 is that all tourist development lead to an enhancement to the landscape, heritage and biodiversity values of the area.

7.20 The proposed cabins are to be located close to the edge of Ancient and Semi-Natural Woodland (which is also an SMDC Nature Conservation site), which has significant biodiversity value and there is also a Site of Special Scientific Interests (SSSI) to the south of the site although the cabins would be further from this than the Ancient Woodland. There was significant concerns raised with the original scheme for two larger 2-bedroom 6-person holiday let units placed considerably further into the Ancient Woodland. The scheme has been revised to considerably reduce the size of the cabins to 1-bed (max 2-person) units but placed much closer to the woodland clearing where the other buildings are located and also not only outside of the Ancient Woodland boundary but also outside of the required 15m buffer zone around the Ancient Woodland, as confirmed by the Forestry Commission. A revised Preliminary Ecological Assessment (PEA) was undertaken.

7.21 The PEA identified that the site contains numerous habitat types. These come in the form of scattered scrub, semi-natural broad-leaved woodland, and semi-natural coniferous woodland and that part of the site where the cabins would be located would be medium quality broadleaved woodland.

7.22 The PEA also identified that the development site is of limited value to protected species and that no impact will occur, with the habitats on site being retained. It also states that efforts have been made to preserve the woodland with the canopy left

intact and the structure is to be built on stilts to protect root protection areas and minimise impacts to the soil biomass as the vast majority of this will be retained. The PEA also states that “the canopy within the development zone consists of a low number of trees with occurrences of elder, sycamore and silver birch. The understory is underdeveloped consisting mostly of bare ground and leaf litter however, rare occurrences of mostly ornamental species can be found with Spanish bluebell, daffodil, large leaved avens and herb Robert all located on site. The woodland as a whole has the potential to support a number of protected species.”

7.23 Although the area has biodiversity potential, the actual proposals would result in a “low” impact on bats, amphibians, reptiles, and hedgehogs and a “negligible” impact on a number of other species. Therefore measures have put forward to avoid harm to these species which includes, for bats, the avoidance of artificial lighting or if this required, an artificial lighting plan will need to be devised to illustrate the splay of light, as well as bat transect surveys to ensure no regionally important populations are to be impacted and for hedgehogs and herptiles (amphibians and reptiles), method statements applying to the construction phase of the development. These could be achieved by way of planning conditions.

7.24 The enhancement measures include the installation of a bat box, two bird boxes, a bug hotel, bumblebee box and the planting of wildflower meadow and further native planting which could be suitable for bats. Furthermore, the Council’s Trees and Landscape Officer recommends the planting of six new native trees. It is considered that in order for the measures to amount to an “enhancement” of the biodiversity value of the site, all the measures including the trees should be required as part of a planning condition.

7.25 A With regard to achieving a “Biodiversity Net Gain” (BNG), Policy NE1 of the Local Plan expects all development where possible seeks to deliver a net gain in biodiversity proportionate to the size and scale of the development. A “BNG” would normally lead to a 10% increase in the level of biodiversity from new developments. A BNG report was submitted along with the revised PEA report in July 2023 and also BNG calculations which concludes that neither a loss or gain in habitat biodiversity would be achieved i.e. not lead to an actual BNG. However, despite this the report does state that species-specific enhancements that are not calculable, can be achieved.

7.26 Staffordshire Wildlife Trust concur with the findings of both reports and have raised no objection to the amended scheme.

7.27 It is worth noting that it is not an obligation of Policy NE1 to achieve a Biodiversity Net Gain (BNG), stating that “where possible” this should be achieved. The BNG report does reveal that this is not possible due to the small scale of the development and its particular location. Changes in the legislation however, do make it mandatory for a BNG to be achieved on all minor applications submitted from the 2<sup>nd</sup> April 2024. However, the application was submitted in 2020.

7.28 Overall, the proposal as amended, despite the location close to the Ancient and Semi-Natural Woodland would not lead to significant harm to the ecological value of the site and would comply with Policy NE1 of the Local Plan and would lead to some

enhancements albeit limited.

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

7.29 It is not predicted that the scheme, together with the existing holiday let, would lead to a potential significant increase in traffic or vehicular movements in relation to the former use of the site as a 20-bed youth hostel. The local highways authority does not object to the proposal and it is considered there would be no impact on highway safety. Four new parking spaces would be created but given the two units have one bedroom each, it is considered that this is excessive. The application complies with policies DC1 and T1 of the Local Plan.

## **8. Conclusion and Planning Balance**

8.1 The planning policies in the Local Plan are generally supportive of tourist-related development in the interests of the local economy, particularly in the Churnet Valley, in principle but providing it is sustainable. It is considered the proposal would not lead to a significant increase in traffic or vehicle movements in relation to the former use of the site as a 20-bed youth hostel. It would comply with Policy E4 relating to specially to tourist/visitor related development. Despite its location very close to an Ancient Woodland and close to a SSSI, it would not harm the ecological value of the area and would also not lead to the loss of trees or harm the landscape or overall character and amenities of the area. The proposal also puts forwards some ecological enhancements in order to fully comply with Policy E4. Therefore, the proposal as amended from the original harmful scheme of larger units placed further into the woodland, would, with the safeguard of conditions to protect the ecological values of the area and the appearance and amenity value of the area, comply with the Council's Local Plan and is in line with the government planning guidance contained within the NPPF. Therefore, the application is recommended for approval.

## **9. RECOMMENDATION**

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

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

**Reason:-**

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

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

**R0112 002 P0 dated 24.6.22 Amended Site Plan  
Plans and Elevations received July 2022**

**Reason:-**

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

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

**Reason:-**

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

**4. Before the commencement of works, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. It shall include a minimum of 6 new native trees to the west side of the approved cabins, together with reinforcement understorey/shrub planting to the east side of the cabins, wildflower areas, plants rich in a pollen source, bat-friendly planting and shall comprise only native species appropriate to and characteristic of the surrounding woodland. It shall also include:**

**- Hard surfacing materials**

**Soft landscape details shall include:**

**- Planting plans**

**- Written specifications (including cultivation and other operations associated with plant and grass establishment)**

**- Schedules of plants, noting species, planting sizes and proposed numbers/densities where appropriate**

**- Implementation timetables**

**The approved landscaping scheme shall be implemented in the first available season following the completion of the development hereby approved.**

**Reason:-**

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

**5. The implemented planting scheme shall be subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.**

**Reason:-**

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

**6. Before the commencement of development (including any site clearance, stripping, preparation or establishment) details of the proposed specification and construction method of foundation support for the cabins hereby approved shall be submitted to and approved in writing by the local planning authority. Such details shall be designed to have the minimum number and size of support points, minimal disturbance of or intrusion into existing ground, and avoid wider excavation or building-up of existing ground levels.**

**Reason:-**

To protect trees in the interests of the appearance and ecological values of the area.

7. No trees or shrubs or ground vegetation shall be removed unless directly required to accommodate the approved development, unless otherwise approved in writing by the local planning authority. There shall be no removal of any trees or shrubs during the bird nesting season (nominally March to August inclusive), unless otherwise agreed in writing by the local planning authority and in this case only following careful inspection by a competent person immediately prior to removal in order to establish that such trees, shrubs or hedgerow are not in active use by nesting wild birds.

Reason:-

To protect trees in the interests of the appearance and ecological values of the area.

8. The first action on commencement of development, prior to any further action (including any site clearance, stripping, preparation or establishment) shall be the erection of temporary tree protection barriers and advisory notices for the protection of the existing trees to be retained, in the vicinity of the cabins hereby approved and any vehicle access routes between the cabin positions and the existing site access track, in accordance with guidance in British Standard 5837:2012 *Trees in Relation to Design, Demolition and Construction – Recommendations*, and as set out in the Arboricultural Survey Report & Method Statement dated September 2020 submitted in support of the application hereby approved, and these shall be retained in position for the duration of the period that development takes place, unless otherwise agreed in writing by the local planning authority. Within the fenced areas there shall be no excavation, changes in ground levels, installation of underground services, provision of hard surfacing, passage of vehicles, storage of materials, equipment or site huts, tipping of chemicals, waste or cement, or lighting of fires unless otherwise agreed in writing by the local planning authority.

Reason:-

To protect trees in the interests of the appearance and ecological values of the area.

9. Before the commencement of works, details of foul and surface water drainage/disposal shall be submitted to and approved in writing by the local planning authority and the approved drainage/disposal shall be implemented before the development is first brought into use.

Reason:-

In the interests of the ecological value of the area.

10. The development shall be undertaken in exact accordance with the measures set out in para 5.3 of the Elite Ecology Preliminary Ecological Appraisal dated July 2023.

Reason:-

In the interests of the ecological value of the area.

**11. Ecological enhancement measures shall be provided before the development is first brought into use in accordance with para 5.4 of the Elite Ecology Preliminary Ecological Appraisal dated July 2023 and shall include bat boxes, bird boxes, hedgehog nesting boxes, a bug hotel, reptile log piles, hibernacula measures and bumblebee boxes in accordance with details to be submitted to and approved in writing by the local planning authority.**

**Reason:-**

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

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

**Reason:-**

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

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

**Reason:-**

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

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

**Reason: -**

**To avoid the risk of disturbance during unsocial hours.**

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

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

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

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

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

**17. No artificial lighting shall be installed at the site, unless details of all lighting including location, manufacturing details and luminance levels, have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed in accordance with the approved details.**

**Reason: -**

**To protect the character and local amenities of the area from excess of luminance and to protect the ecological value of the area.**

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

**Reason:-**

**In the interests of the appearance of the area.**

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

