

## **7. FULL APPLICATION - CHANGE OF USE FROM DOMESTIC GARDEN TO CAMPING POD SITE, AT TOP RILEY, RILEY LANE, EYAM (NP/DDD/1223/1513, WE)**

**APPLICANT: MR M BELIVANIS**

### **Summary**

1. The application seeks full planning permission for the siting of eight glamping pods. It is a resubmission of a previous planning application (NP/DDD/1121/1299) which was refused by Planning Committee in September 2023. The pods are considered large in scale, measuring 2.6m in height, 5.5m in length, and 2.8m in width. The pods would feature a double bed, sink/food preparation area, small table, and 'cycle store' at the rear of the pod which can be accessed internally and externally. The proposed pods have been decreased in scale slightly and have removed the bathroom/shower room; however, it is considered that the scale of pods, in addition to the facilities proposed within them, would be contrary to the 'small, simple wooden pod' structures allowed through policy DMR1.B. As such, the proposed development should be determined against policy RT3.B, which advises that the provision of static caravan, chalet and lodges will not be permitted. On this basis, it is considered that the proposed development is contrary to policies RT3 and DMR1.
2. In addition to this, the development would result in a significant increase in the vehicular use of Riley Lane, which is an important part of the local public rights of way network and, as such, would cause harm to the quiet enjoyment of that network by existing users.
3. The application is therefore recommended for refusal.

### **Site and Surroundings**

4. Top Riley is located at the eastern end of Riley Lane, to the east of Eyam. It sits in a relatively elevated location at the junction of the valley above Eyam/Stoney Middleton and the main Derwent valley, above Grindleford and Stoke. The areas below the site are relatively well-wooded, whilst the areas above and to the west are more open. The application site is to the east of the house, at lower level, in a small field bordered by mature trees and drystone walls.
5. In addition to the main house, the applicant's ownership includes three holiday cottages (granted by virtue of a lawful development certificate, see planning history below), a camping barn, laundry/office/store and areas of grassland and woodland (19 acres in total). Riley Lane is part of the wider footpath and bridleway network, and gives access to the Riley Graves and to two other properties. The Eyam walk is a well-used visitor trail which also passes along Riley Lane and through the woodland below the site.
6. The site is outside Eyam Conservation Area and none of the buildings are listed. Pretty Wood, which lies to the south is protected by Tree Preservation Order (TPO).

### **Proposal**

7. The application is for the siting of eight glamping pods around the perimeter of the field, in two lines of four. The application proposes a footpath surfaced in gravel to access the individual pods from the carpark which would be located to the west of the camping field. The pods would measure 5.5m in length, 2.8m in width, and have an overall height of 2.6m. The pods would be constructed from timber and feature a UPVC front door and timber rear door. The design and access statement advises that the roof would feature solar panels to provide energy to the pods; however, there are no details of the scale or appearance of them. Internally there would be a double bed, room for a single day bed, and 'basic' facilities. It is worth noting that the Design and Access Statement advises that the kitchenette has been omitted from the scheme; however, drawings still show a sink and room for a small cooking area.

8. The application does not provide any details relating to the WC or shower facilities for guests staying in the pods. The agent has suggested that an existing building in the Top Riley complex could provide shared facilities for guests, or potentially a structure be erected near the carpark to provide these, but these have not been submitted formally as part of the proposal and the latter suggestion would require planning permission.
9. The application is accompanied by a plan and report showing the proposed passing places along Riley Lane after concerns were raised by the Parish Council and Highway Authority during the previous application. It is also supported by a tree planting schedule which shows that the built-form would be located away from the adjacent tree's root protection zone.
10. Whilst only summarised within the supporting Design and Access Statement, the Planning Statement submitted with the previous applications explains the rationale behind the development, stating *"the applicants are seeking to diversify in line with the guidance in the National Park Authority's publication "Farming in Protected Landscapes" (FiPL) to secure additional income to maintain the land they own and occupy. The holding includes 6 acres of woodland (Pretty Wood) which has not been managed over recent decades. The applicants have sought the advice of the NPA's arboriculture officer who has advised on steps to introduce light to the woodland floor to encourage new growth and encourage ecological diversity. However, this takes resources and funding. This aligns with the guidance in the FiPL relating to "Climate Outcomes", "Nature Outcomes" and "Place Outcomes" directives. The Eyam Walk which passes through the wood generates significant visitor numbers and so it makes sense to provide accommodation on this historic route and allow people to visit this part of the National Park, providing the funds to manage and increase wildlife habitat in the woodland, and grasslands (flower meadows etc) whilst increasing a greater area of species-rich habitat. This will provide an additional opportunity for people to explore, enjoy and understand the landscape whilst enabling the applicants to establish a small holding, potentially becoming a sustainable farmland business that supports the local economy"*.

### **RECOMMENDATION:**

#### **11. That the application be REFUSED for the following reasons:**

1. **The proposal is considered to be unacceptable by virtue of the number, scale and nature of the pods. As such the proposal is in conflict with Core Strategy policy RT3 and DM policy DMR1.**
2. **The proposal would be contrary to Core Strategy policy T6 and DM policy DMT5 *Development affecting a public right of way* as it would increase vehicular traffic on the public right of way network serving the site, to the detriment of the quiet enjoyment of the route by walkers and riders.**

### **Key Issues**

12. The principle of development.
13. Impact on the landscape character and special qualities of the National Park.
14. Highways Impacts, including impact on existing users of the public rights of way.

### **History**

15. The following applications relate to Top Riley:
16. NP/DDD/1121/1299: Full planning application for change of use from domestic garden to camping pod site. Refused planning permission following referral under S1.48 of PDNPA

Standing Orders after planning committee originally resolved to support the scheme. Following the presentation of report on the implication to strategic planning policy if the scheme were to be approved, members resolved to refuse the application in September 2023.

17. NP/DDD/0519/0543: Certificate of Lawfulness for existing development granted, confirming that the existing three holiday cottages were not constructed in accordance with the 2004 appeal decision and that the use of the barn for three holiday accommodation units, the associated external works, external seating areas, use of the adjacent building for laundry/store/office, water tank and associated car park were lawful.
18. 2004: Appeal allowed for conversion of barn to two holiday cottages.
19. June 2003: Revised scheme for conversion of barn to two holiday cottages – refused
20. April 2003: Conversion of barn to two holiday cottages – refused

### **Consultations**

21. Highway Authority (key points extracted as follows): *On 5 January 2024, the County Council provided the following (extract) regarding the above planning application:*

*....'However, reason 2 of refused Decision Notice NP/DDD/1121/1299 states: 'The proposal would be contrary to Core Strategy policy T6 and DM policy DMT5 Development affecting a public right of way as it would increase vehicular traffic on the public right of way network serving the site, to the detriment of the quiet enjoyment of the route by walkers and riders.' The County Council response to NP/DDD/1121/1299 did not raise any concerns over the increased vehicular traffic on the public right of way, I had an internal discussion with my colleagues in the County Council Public Right of Way (PRoW) section and they are of the same opinion and have no objections. As the applicant has submitted the same passing place drawing (R.B.22.01) for both applications and which was previously assessed by the County Council and recommended it as a Condition for application NP/DDD/1121/1299, before the County Council can provide a formal response, can you let me know how the increase of vehicular traffic on the public right of way conclusion was reached.'*

22. *I have now been provided an answer for reason 2 of refused Decision Notice NP/DDD/1121/1299 which clarifies that it was a concern over amenity and the "character" of the track, as opposed to concerns over pedestrian safety or conflict between users.*
23. *Therefore, as drawing number R.B.22.01 was submitted previously and recommended as a Condition for NP/DDD/1121/1299 and has been resubmitted for application NP/DDD/1223/1513, I offer no highway objections, but it is recommended that the following Conditions/Informative Notes are appended to any consent granted:*
  - *The proposed site, the subject of the application, shall not be occupied until the proposed passing places on Riley Lane as demonstrated on Drawing No R.B.22.01 have been constructed in accordance with the detailed design which conforms to this Authority's Guidance Delivering Streets and Places which can be accessed at [http://www.derbyshire.gov.uk/transport\\_roads/roads\\_traffic/development\\_control](http://www.derbyshire.gov.uk/transport_roads/roads_traffic/development_control) and as per scheme agreed in writing with the Local Planning Authority in consultation with the County Highway Authority. The detailed design of the proposed passing places must include information such as dimensioned plan, intervisibility splays between proposed passing places and construction details all in accordance with current guidance in a manner be agreed in writing with the Local Planning Authority in consultation with the County Highway Authority.*
  - *Prior to commencement of the development hereby permitted details of a construction management plan shall be submitted to and approved in writing by the Local Planning Authority. The approved plan shall be adhered to throughout the*

demolition/construction period. The plan/statement shall include but not be restricted to:

- *Parking of vehicle of site operatives and visitors (including measures taken to ensure satisfactory access and movement for existing occupiers of neighbouring properties during construction);*
- *Any temporary access to the site;*
- *Locations for loading/unloading and storage of plant, waste and construction materials; Method of preventing mud and dust being carried onto the highway;*
- *Arrangements for turning vehicles;*
- *Arrangements to receive abnormal loads or unusually large vehicles;*
- *Highway Condition survey;*
- *Throughout the period of the development vehicle wheel cleaning facilities shall be provided and retained within the site. All construction vehicles shall have their wheels cleaned before leaving the site in order to prevent the deposition of mud or other extraneous material on the public highway.*
- *The site, the subject of the application, shall not be occupied until space has been provided within the application site in accordance with the application drawing 'Drawing No R.B.22.01' for the parking (of 8 vehicles) and manoeuvring of visitors, service and delivery vehicles, laid out, surfaced and maintained throughout the life of the development free from any impediment to its designated use.*
- *Before the commencement of any operations on site, a scheme for the disposal of highway surface water via a positive gravity-fed system, discharging to an outfall on public sewer, highway drain or watercourse, shall be submitted to and approved by the Local Planning Authority.*

24. District Council: No response.

25. Eyam Parish Council: No response to date.

26. PDNPA Tree Officer: No comments to make.

## **Representations**

27. We have received 50 representations, with 34 supporting the application and 15 objections. There was one general comment received.

28. Those supporting the application raise the following points:

- The proposed development is modest in scale and would be successfully concealed within the wider landscape, with no detrimental impact.
- The proposed development offers a different kind of accommodation for the local area, and is eco-friendly and sustainable. The scheme would enable people to visit and enjoy the National Park.
- The scheme would present economic benefits to the local area, including providing additional custom to local businesses. Many representations sited the 'fragile' nature of Eyam, with several services closing in the past due to lack of visitors.
- Benefit to local employment.
- The development would not result in a substantial increase in vehicle movements on Riley Lane.

29. Those objecting to the development raised the following concerns:

- Significant concern over the increase in traffic along Riley Lane. In particular, concern over walkers, horse riders, and cyclists with the increased movements associated with 8-vehicles.
- Noted that Riley Lane is culturally significant to the area due to it providing access to the Riley Graves. They noted that the area is popular with school-groups, in particular primary school children, and had concern over potential conflict with vehicles.
- Concern over the impact on the quiet character of the lane.
- Impact on increased traffic on the ecological value of woodland on the western side of Riley Lane.
- Questioned the design and impact on the traditional farmstead at Riley Top.
- Questioned overall need for additional short-stay holiday accommodation.

30. One general comment also raised concern over the impact on the increased traffic on Riley Lane.

### **Main Policies**

31. Relevant Core Strategy policies: GSP1, GSP2, GSP3, GSP4, DS1, L1, RT3, T6, & CC1.

32. Relevant Development Management policies: DMC3, DMR4, DMT3, DMT8.

### **National Planning Policy Framework**

33. The National Planning Policy Framework (NPPF) should be considered as a material consideration and carry particular weight where a development plan is absent, silent or relevant policies are out of date. In the National Park the development plan comprises our Core Strategy 2011 and the Development Management Policies 2019. Policies in the development plan provide a clear starting point consistent with the National Park's statutory purposes for the determination of this application. There is no significant conflict between prevailing policies in the development plan and the NPPF and our policies should be given full weight in the determination of this application.

34. Paragraph 182 states that *“great weight should be given to conserving landscape and scenic beauty in National Parks, the Broads and Areas of Outstanding Natural Beauty, which have the highest status of protection in relation to landscape and scenic beauty. The conservation of wildlife and cultural heritage are important considerations in all these areas, and should be given great weight in National Parks and the Broads.”*

### **Peak District National Park Core Strategy**

35. Policy GSP1 sets out the broad strategy for achieving the National Park's objectives having regard to the Sandford Principle, (that is, where there are conflicting desired outcomes in achieving national park purposes, greater priority must be given to the conservation of the natural beauty, wildlife and cultural heritage of the area, even at the cost of socio-economic benefits). GPS1 also sets out the need for sustainable development and to avoid major development unless it is essential, and the need to mitigate localised harm where essential major development is allowed.

36. Policy GSP2: *Enhancing the National Park* states that opportunities for enhancing the valued characteristics of the National Park will be identified and acted upon. Proposals intended to enhance the National Park will need to demonstrate that they offer significant overall benefit to the natural beauty, wildlife and cultural heritage of the area. Development in settlements necessary for the treatment, removal or relocation of nonconforming uses to an acceptable site, or which would enhance the valued characteristics of the National Park will be permitted.
37. Policy GSP3 sets out development management principles and states that all development must respect, conserve and enhance all valued characteristics of the site and buildings, paying particular attention to, amongst other elements, impact on the character and setting of buildings, scale of the development appropriate to the character and appearance of the National Park, design in accordance with the National Park Authority Design Guide and impact on living conditions of communities.
38. Policy GSP4 says that to aid the achievement of its spatial outcomes, the National Park Authority will consider the contribution that a development can make directly and/or to its setting, including, where consistent with government guidance, using planning conditions and planning obligations.
39. Policy DS1 sets out the Development Strategy for the National Park. DS1.C. sets out the forms of development that are acceptable in principle in the countryside outside of the Natural Zone. There is no scope for the erection of new housing here other than as part of development needed to secure effective conservation and enhancement.
40. Policy L1 says that development must conserve and enhance valued landscape character and valued characteristics, and other than in exceptional circumstances, proposals in the Natural Zone will not be permitted.
41. Policy RT3 states that small touring camping and caravan sites and backpack camping sites will be permitted, particularly in areas where there are few existing sites, provided that they are well screened, have appropriate access to the road network, and do not adversely affect living conditions
42. Policy T6 sets the strategic principles for the safeguarding of routes for walking, cycling and horse riding, ensuring that the Rights of Way network is protected from development.
43. Policy CC1 states that development must make the most efficient and sustainable use of land, buildings and natural resources, taking into account the energy hierarchy and achieving the highest possible standards of carbon reductions and water efficiency.

#### Development Management Policies

44. The most relevant development management policies are DMC3, DMR1, DMT3 and DMT5.
45. Policy DMC3 says where development is acceptable in principle, it will be permitted provided that its detailed treatment is of a high standard that respects, protects and where possible enhances the natural beauty, quality and visual amenity of the landscape, including the wildlife and cultural heritage that contribute to the distinctive sense of place.
46. Policy DMR1 *Touring camping and caravan sites* states:
47. *The development of a new touring camping or touring caravan site, or small extension to an existing site will not be permitted unless its scale, location, access, landscape setting and impact upon neighbouring uses are acceptable, and it does not dominate its surroundings.*

48. *Shopping, catering or sport and leisure facilities at camping and caravan sites will be permitted provided that they accord with the requirements of Part A and there is no significant adverse effect on the vitality and viability of existing facilities in surrounding communities.*
49. *Exceptionally, the development of structures may be permitted where these are small, simple, wooden pod structures in woodland locations with minimal landscape impact, or a single shepherd's hut where this can be located close to the facilities of a farmstead without harm to the natural or historic landscape*
50. Policy DMT3 sets out that development will only be permitted where a safe access that is achievable for all people can be provided in a way that does not detract from the character and appearance of the locality.
51. DMT5 *Development affecting a public right of way*, Part C says:
52. *“C. Development that would increase vehicular traffic on footpaths, bridleways or byways open to all traffic to the detriment of their enjoyment by walkers and riders will not be permitted unless there are overriding social, economic or environmental conservation benefits arising from the proposal.”*

## **Assessment**

### Principle of proposed development

53. The proposed camping pods would be permanent timber structures which would be placed on the ground within an open area to the south-east of the building group at Top Riley. The pods would measure 5.5 metres by 2.8 metres, 2.6 metres high, with timber walls and roof, with a UPVC front door, timber rear two. Internally there would be a double bed, room for a single day bed, a sink/food preparation area, and a small table. Notably, the pods 5.5m length includes a cycle store at the rear of the pod which can be accessed both internally and externally. The bike store section of the pod would measure approximately 1.15m in length. If the bike store and small canopy are removed from the dimensions, internally the structure would measure approximately 3.5m by 2.8m.
54. Policy RT3(B) specifically states that static caravans, chalets or lodges will not be permitted. The supporting text says that, exceptionally, static caravans, chalets or lodges may be acceptable in locations where they are not intrusive in the landscape. RT3 therefore makes a general presumption against this type of development unless it is proposed in locations where it would not be intrusive in the landscape. Policy DMR1 provides further criteria, permitting small, simple, wooden pod structures in principle where they are located in woodland settings and have acceptable landscape impacts.
55. The supporting text to DMR1 is important so it is quoted in full below:
56. *“5.20 Core Strategy policy RT3 is clear that static caravans, chalets and lodges are not acceptable features in the National Park. The open character of large parts of landscape particularly in the White Peak and Dark Peak mean that the non-traditional and permanent presence of such forms of accommodation is incompatible with the conservation purpose of the National Park. There is however a growing range of alternative forms of accommodation such as camping pods, yurts, shepherd's huts etc. which have come onto the market in response to a demand for greater quality and comfort. For clarity, the National Park Authority considers all such forms of accommodation to have the same potential for adverse landscape impact and therefore they will be determined against Core Strategy policy RT3B.*

57. *5.21 There may be exceptional circumstances where some structures may be acceptable. For example, experience has highlighted that wooden pod structures with no associated development can provide a sensitive, low key form of accommodation particularly in woodland settings where the scope for landscape harm is negligible. Such solutions can help to support the local economy by extending the tourism season. Similarly, the traditionally styled shepherd's hut accommodation can also provide an alternative form of provision with very minimal landscape impact but can only be justified as exceptional if only one hut is installed on any one agricultural holding. Such development should be used to support farm diversification and as such should also be assessed against the requirements of policy DME2. Policy DMR1 then requires that such development is located close to an existing farmstead where existing access, parking arrangements and facilities can be utilised”.*
58. In an appeal against the refusal of an application for similar pods on a site in Bakewell, the Inspector dealt with this point as follows:
59. *“It is clear to me that Policy RT3 favours the location of such camping sites to farmsteads, particularly where this assists in farm diversification and where existing buildings can provide access to facilities needed for the campsite. The text that supports the policy mentions that small and simple structures with communal facilities be provided. I appreciate that the pods have a low arched form, and would not be as large as a chalet or static caravan. However, the proposal does feature many of the elements of such structures in that the pods would have a separate living and bedroom, bathroom and kitchenette as well as a decking, and a requirement to have adequate drainage. As a result, the proposal is situated in an inappropriate location and are not simple structures which would be contrary to Policy RT3 of the CS” (Core Strategy).*
60. In response to the refusal of application NP/DDD/1121/1299, the applicant and agent has reduced the scale and facilities of the pods. In the original application, the pods measured 7m x 3m x 2.5m and featured an internal kitchenette and shower and WC. The area previously reserved for the shower room/WC still features on the plans, but they are now described as a “bike store”. The DAS advises that kitchenette has been removed; however, it still appears that there would be a sink and food preparation area.
61. The Authority are mindful of the limited control over the use of the internal space. Whilst it is appreciated that the rear section of the pod could be used for storage, it could very easily be incorporated into the main section of the pod. Similarly, there is sufficient room internally to provide the kitchenette, and the Authority would have no control over the installation of additional internal services to the pod. It is anticipated that the structures permitted under DMR1.A are ‘small’ and ‘simple’, and the internal size of the pods would typically restrict the ability for additional facilities and services to be installed within them. In contrast, the scale and details on the submitted drawings indicate that the pods could feature facilities which do not comply with the anticipated “simple” character.
62. For reference, the standard approved pods at North Lees camping site measure 2.56m x 3.94m, while the accessible pods measure 2.83m x 4.76m, and the family pods measure 3.5m x 5.4m. Internally, the pods at North Lees are completely empty with the principle of them acting as a replacement for a tent, as opposed to providing any additional facilities or services.
63. The Authority acknowledge that the pods have been decreased in scale from the original submission, and have also removed the shower and WC. The pertinent consideration is whether these now constitute the ‘small’ and ‘simple’ as policy DMR1.C intends. It is considered that the overall scale of the pods, which measures slightly less than the ‘family pods’ at North Lees are too large for the number of anticipated guests in each pod. Similarly, the provision of the amenities, such as the sink and food preparation area, are considered to extend beyond the ‘simple’ requirement of the policy. It is considered that if the Authority tried to implement conditions which restrict the internal facilities within the pods, or restricted



the use of the rear store as storage space, these would not meet the 6-tests of planning conditions due to them being difficult to enforce. In contrast, the small size of the pods at North Lees inherently restrict the prospect of internal additions which may take it beyond the prescribed 'simple' character.

64. On this basis, it is considered that the proposed pods do not constitute 'small' or 'simple' and are more akin to a chalet or lodge. As such, they should be determined against policies RT3 and DMR1 which state that 'static caravan, chalets and lodges' will not be permitted.
65. Officers are also mindful of the fact that no details for WC provision has been provided with the application. The agent advised that facilities could be provided within the existing buildings at Top Riley, or perhaps a timber block measuring 2m x 3m could be installed on site. It is considered that should services be provided on-site; the size of the pods could be decreased accordingly. Notwithstanding this, officers are mindful of paragraph 5.21 within the Development Management Plan which advises that wooden pod structures with *no associated infrastructure* can provide a sensitive, low key form of accommodation. The provision of additional structures on site would constitute associated infrastructure. In any case, this does not form part of this application.
66. The Planning Officer has also raised concerns about the description of the development, which describes the application site as domestic garden, but it is more likely that it is outside the curtilage of the property as it still has an agricultural character, albeit with a more "managed" appearance as it may have been used by the adjacent holiday accommodation. If the applicant considers this to be residential curtilage, they should submit a planning application for change of use or provide evidence that it has been used as residential curtilage for a period in excess of 10 years. However, this is not considered to be a significant issue in the determination of this application because the development is contrary to policy whether the site is agricultural land, residential curtilage or some other hybrid use.

#### Landscape Impacts

67. The application site is in a relatively elevated position on a hillside above the Eyam-Grindleford road (now closed) and above the Calver-Grindleford road. However, it is enclosed by woodlands on the downslope sides and there is rising land, up to the building group at Top Riley above the site, to the west. As a result, the site is well screened from public views in the wider landscape. There are well-used public rights of way close to the site, to the south and east, but these are at a lower level so there is little likelihood of the pods being visible – any views would be in winter, through the trees, and relatively restricted. One of the adjacent woodlands, Pretty Wood, is protected by a TPO. Consequently, there are no landscape objections to the proposal.

#### Highway Issues:

68. Access to the proposed development would be via Riley Lane, which leaves the public highway at the eastern end of Eyam, close to where the road to Grindleford has been closed for many years due to subsidence. The lane, which is tarmacked for most of its length also serves two other properties and is a well-used bridleway and footpath, with the Riley Graves roughly half way up the lane to Top Riley. This is on the Eyam Walk, a history trail around the parish of Eyam. The Planning Statement says that visitor parking for 8 cars will be provided at the entrance to Top Riley and that traffic movements will be minimal as monitoring of the movements of visitor using the existing holiday accommodation over recent years has shown that they are unlikely to use their vehicles other than on arrival and at departure. It states that most visitors walk from their door and abandon the use of their vehicle for the duration of their stay. From the parking area, a no-vehicle track will give pedestrian access only to the pods. This track will be lightly surfaced with compacted stone around the perimeter adjacent to the wall.

69. The Highway Authority initially raised concerns about the use of the Lane to serve the development. However, the applicant provided details of passing places at 10 points along Riley Lane and this has addressed the Highway Authority's concerns. These are not additional passing places, but existing locations along the lane where the applicant has shown that two vehicles can pass each other. A series of photographs have been submitted showing two vehicles passing at each of these points. Although some appear to be tight and could encroach onto the verge, they have satisfied the Highway Authority's concerns. The Highway Authority now has no objections subject to conditions, although if Members are minded to approve the application, some of these would require amendment because, as worded, they are not appropriate to this development.

Impact on Bridleway and footpath users:

70. Although the Highway Authority now has no objection on highway safety grounds, based on the availability of passing places along Riley Lane, officers have strong concerns about the increase in the level of traffic using the lane and the impact this could have on the public's enjoyment of that lane, which is a popular bridleway and footpath. This concern has been expressed through several representations.

71. The addition of eight camping pods to the existing visitor accommodation at Top Riley would result in a significant increase in the vehicular use of the lane. There are currently three holiday cottages, a camping barn, and the existing house, so the proposed pods would create a significant holiday complex for a relatively remote location such as this. Although the Planning Statement suggest that visitors do not use their cars once they arrive, this is not guaranteed and the level of use would inevitably be much greater than it is at present.

72. Given the popularity of the existing lane, as a bridleway and footpath and the main route to the Riley graves, which are one of the best-known sites related to the Eyam Plague and is a popular attraction for school groups. The increased vehicular movements arising from the development would result in conflict with existing users, harming their quiet enjoyment of this part of the National Park, contrary to Development Plan policy T6 and to the requirement of the Framework to protect tranquillity in an area which is valued for its recreational and amenity value.

Impact on residential amenity

73. The nearest neighbouring properties are lower down Riley Lane, several hundred metres from the application site, which is on a slope below Top Riley, facing away from Eyam. As a result, there would be no overlooking or disturbance to neighbours directly associated with the occupation of the pods, although the use of the Lane itself would cause the issues set out in the previous paragraphs, affecting the neighbours in that respect. However, in terms of more direct impacts, the proposal accords with policies GSP3 and DMC3.

Climate Change and Carbon Reduction Measures:

74. No measures are specifically proposed in the application, but the Planning Statement says that low energy lighting (LED) will be used, which would be powered by solar panels on the roof of the structures.

**Conclusion**

75. The proposed site is considered to be unacceptable on the grounds that the proposed development does not constitute small and simple structures, and that they are more akin to chalets or static caravans. It is acknowledged that the applicant has decreased the scale of the structures and simplified them; however, it is not to the degree which Officers can support. As noted above, if the principle of camping pods in this location is considered to be acceptable, there would have to be a smaller number of pods and the pods themselves

would need to be smaller, with no internal facilities, similar to tents, rather than caravans in this respect.

76. However, the current application is considered to be unacceptable by virtue of the scale and nature of the development and its impact on the quiet enjoyment of the area, particularly when taken together with the existing holiday accommodation. As such the proposal is in conflict with policies RT3, DMR1, T6 and DMT8.

**Human Rights**

77. Any human rights issues have been considered and addressed in the preparation of this report.

**List of Background Papers** (not previously published)

78. Nil
79. Report Author: Will Eyre – North Area Senior Planner