CHARTERED SURVEYORS & PLANNING CONSULTANTS

BURY ST EDMUNDS – EXETER – WOLVERHAMPTON – SCOTLAND

RETROSPECTIVE PLANNING APPLICATION REGARDING WORKS AT

99 HIGH LANE, BROWN EDGE, ST6 8RT



Prepared for:-

Mr B Proctor
Upper Stone House Farm
Brown Edge
Stoke on Trent
ST6 8TF

April 2016

Prepared by:-

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1. Background

1.1 The planning application is in respect of engineering works undertaken at 99 High Lane by Mr Proctor. The works commenced in January 2016 and commenced without planning consent.

1.2 Planning Enforcement Officers from Staffordshire Moorlands Council visited the site on 22 February and a letter was subsequently issued to Mr Proctor by Julie Howard (23 February).

1.3 On 7 March Mr Proctor held a site meeting with the Council's Countryside Officer, Steve Massey, together with Tim Ashburner of N&J Tree Services Ltd. Subsequently a BS5837 tree report has been prepared by N&J Tree Services Ltd and is submitted with the planning application.

2. Development Works Undertaken

2.1 The works undertaken involve the creation of a harstanding area. The works have ceased, albeit the outstanding works involve the final surfacing of the hardstanding and the completion of landscaping works.

2.2 The hardstanding area has been created to provide an over-flow car parking area for the nursery enterprise at 99 High Lane. The car parking area will accommodate up to 12 cars.

2.3 The operations to create the hardstanding area have involved removing a section of the existing polytunnel (25 feet in length) and raising the ground level. The ground level has been raised with inert hardcore material and a 2.5 metre high retaining wall of concrete 'lego-blocks' has been put in-situ to the southern boundary adjacent to the polytunnel.

2.4 Within the area of hardstanding there are two mature trees and a further tree on the western boundary of the site. The tree report submitted with the application fully details these trees and the implications of the development. Ultimately, the intention is to remove the two trees within the hardstanding area and plant new standard trees within the western boundary of the site.

3. Layout and Landscaping

3.1 The block plan submitted with the application identifies the site concerned in relation to the adjacent structures and the site access.

3.2 The access to the site, which involves the nursery activity and a dwelling, is off High Lane (B5051). From entering the site there is a track leading southwards adjacent to the polytunnel which leads to a further polytunnel and a working area associated with the nursery. The hardstanding area is accessed from this track and is at the same level as the track.

3.3 The whole property as owned and controlled by Mr Proctor is a strip of land to the west of High Lane. Adjacent to High Lane there is an established hawthorn hedgerow which screens the site, this hedgerow from the footpath alongside the road) is a minimum of 2.1m (7 feet) tall.

3.4 To the north of the hardstanding area there is an established hawthorn hedgerow.

3.5 To the west of the hardstanding area there is a post and wire fence with some scrub planting. At the southern end of this boundary there is a mature oak tree as referred to in the tree report. Along the western boundary fence six new oak trees (Quercus Robur) are proposed as additional landscaping of the site, and also as mitigation for the loss of the mature trees within the hardstanding area (i.e. one Oak and one Ash). The oak trees to be planted will be heavy standards and therefore will provide and immediate landscape benefit.

3.6 Along the southern boundary of the site a beech hedge is being created, which will sit-upon the retaining wall. This will provide a new landscape feature for the site and provide mitigation for the loss of trees within the hardstanding area.

3.7 The hardstanding area is proposed to be finished with road plannings.

4. Planning Policy

4.1 The site area is not within the settlement of Brown Edge as defined in the Staffordshire Moorlands Local Plan. Consequently the site is within the Green Belt.

4.2 National Planning Policy Framework (NPPF) (March 2012)

Relevant planning policies of the NPPF are as follows.

9. Protecting Green Belt Land

79. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

80. Green Belt serves five purposes:

- to check the unrestricted sprawl of large built-up areas;
- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

90. Certain other forms of development are also not inappropriate in Green Belt provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in Green Belt. These are:

- mineral extraction;
- engineering operations;

- local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- the re-use of buildings provided that the buildings are of permanent and substantial construction; and
- development brought forward under a Community Right to Build Order.

4.3 Staffordshire Moorlands Core Strategy (March 2014)

Relevant planning policies of the Core Strategy are as follows.

SS6c - Other Rural Areas Area Strategy

The other rural areas comprise the countryside and the green belt outside of the development and infill boundaries of the towns and villages, as defined in the Site Allocations DPD, including those small settlements and dispersed developments not identified in Policies SS5, SS6a and SS6b.

These areas will provide only for development which meets an essential local need, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside. The Council and its partners will achieve this through the following actions:

1. Meet essential local needs by:

- Restricting new build housing development in the countryside to that which is essential to local needs, including affordable housing (in accordance with policies H2, H3 and R2);
- Allowing the conversion, extension or replacement of an existing rural building in accordance with policies R1 and R2;
- Allowing suitable development which would secure the future conservation of a heritage asset in accordance with policy DC2;
- Allowing rural exceptions housing (in accordance with policies H2 and R2)
- Allowing community facilities which meet a local need, where that need cannot be met in a settlement within the hierarchy. In such cases the development should be in a sustainable location close to an existing serviced settlement.

2. Sustain the rural economy by:

- Enabling the limited expansion or redevelopment of an existing authorised business for employment uses;
- Supporting the diversification of existing farm enterprises (in accordance with policy R1);
- Supporting the development of appropriate ICT and new means of communications to enable homeworking and small businesses reliant one-technology;

3. Enhance and conserve the quality of the countryside by:

- Giving priority to the need to protect the quality and character of the area and requiring all development proposals to respect and respond sensitively to the distinctive qualities of the surrounding landscape;

- Limiting uses which generate a substantial number of regular trips in areas that are not well served by public transport;
- Ensuring renewable energy schemes are of an appropriate scale, type and location;
- Recognising and conserving the special quality of the landscape in the Peak District National Park (in accordance with Policy DC3);
- Encouraging measures which protect and enhance the biodiversity, geological resources and heritage of the District.

4. Regenerate underused major developed areas in the countryside by:

- Identifying major developed areas through the Site Allocations DPD at:

  - Bolton Copperworks, Froghall – uses which may be suitable are employment, residential, tourist-related retail and accommodation, leisure; any development shall make provision for appropriate off-site highway improvements.
  - Anzio Camp, Blackshaw Moor – uses which may be suitable are employment, extra care housing, tourist accommodation;

  Development of these areas shall be complementary to and not undermine the role of the towns and larger villages nor shall it undermine wider strategic objectives. It shall also avoid or minimise environmental impacts and congestion and safeguard and enhance natural and cultural assets.

- Facilitating the appropriate redevelopment of other major developed areas where the proposed development brings positive benefits to the area and any resultant environmental or highways concerns could be adequately addressed and minimised. Such proposals will be expected to provide supporting information that demonstrates clearly that the redevelopment will complement the overall development strategy for the District.

Any development proposal that might have the potential to affect a European or Ramsar Site must itself be subject to appropriate assessment and also a rigorous environmental impact assessment to determine potential effects on ecology, protected species and site integrity.

5. Enhance tourist opportunities by:

- Supporting sustainable tourism developments and measures in the Churnet Valley in accordance with Policy SS7;
- Allowing for small-scale tourism developments in other areas (in accordance with policies E3 and R1);
- Establishing strong linkages between recreational and tourist resources;
- Recognising and developing the close linkages to the Peak District National Park.

6. Maintain the Green Belt within Staffordshire Moorlands but its detailed boundaries will be reviewed to ensure that its purpose in separating the urban areas and maintaining their identity is consistent with the need to promote sustainable patterns of development around settlements in or on the edges of the Green Belt. This review will be undertaken through the Site Allocations DPD to allow for any small scale site allocations required to meet local needs in exceptional circumstances.

Strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government policy.

R1 - Rural Diversification

All development in the rural areas outside the development boundaries of the towns and villages will be assessed according to the extent to which it enhances the character, appearance and biodiversity of the countryside, promotes the sustainable diversification of the rural economy, facilitates economic activity, meets a rural community need and sustains the historic environment.

Appropriate development should not harm the rural character and environmental quality of the area or any sites designated for their nature conservation, or historical interest by virtue of the scale, nature and level of activity involved and the type and amount of traffic generated or by other effects such as noise and pollution.

Wherever possible development should be within suitably located buildings which are appropriate for conversion. Where new or replacement buildings are involved, development should have minimal impact on the countryside and be in close proximity to an existing settlement.

Within the Green Belt, inappropriate development which is otherwise acceptable within the terms of this policy, will still need to be justified by very special circumstances.

Priority will be given to the re-use of rural buildings for commercial enterprise, including tourism uses, where the location is sustainable and the proposed use does not harm the building's character and/or the character of its surroundings.

5. Assessment of the Development with regard to Planning Policy

5.1 The key issue, given that the site is within the Green Belt, is whether the works are appropriate in the Green Belt.

5.2 As detailed above Paragraph 90 of the NPPF refers to forms of development (other than new buildings) that are not inappropriate in Green Belt. One of these is stated as 'engineering operations'.

5.3 The works undertaken at 99 High Lane by Mr Proctor are engineering operations. The works are relatively minor, amounting to an area of around 332m^2, and the site is well screened by the mature hedgerow adjacent to High Lane. Given the scale and location of the works the development is considered to be appropriate in Green Belt (i.e. not inappropriate).

5.4 The area covered by the hardstanding was previously in part covered by the polytunnel (since reduced in length). In light of this, and also the nature of the development (i.e. a small open area of hardstanding), it is considered that the development preserves the openness of the Green Belt and does not conflict with the purposes of including land in Green Belt.

5.5 It is considered that the creation of the hardstanding area fits within the requirements of the Core Strategy Policies, i.e. SS6c & R1.

5.6 The creation of the hardstanding area will result in the loss of two mature trees, one of which is subject to a Tree Preservation Order. However, as detailed in the tree report the trees are not of great quality and only have a limited useful life expectancy. Consequently, in order to provide additional screening of the area (notably from the west), and as a means of mitigation for the loss of the two trees, six new heavy standard Oak trees will be planted.

6. Conclusions

6.1 The works undertaken represent a minor engineering operation. It is evaluated and considered as above that the works are compatible and consistent with the prevailing planning policies.

6.2 The works will ultimately involve the loss of two mature trees (one of which is subject to a Tree Preservation Order). However, given the condition of the trees and their limited useful life expectancy the loss is seen to be adequately mitigated by the landscape planting proposals.

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April 2016