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Planning Statement

Full Planning Application for change of use to beer garden / play area and external storage area
At Charlie Bassetts, New Road, Dilhorne
For Mr. K. Ball

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1.0 INTRODUCTION

1.1. This Planning Statement has been prepared to support a planning application which seeks consent to regularise the change of use of a parcel of land to the north and northwest of Charlie Bassetts PH, New Road, Dilhorne to a beer garden with children's play equipment, and external storage area.

1.2. The works undertaken on site encompass the formation of the beer garden, including a large external seating area surfaced in golden gravel, wherein a number of moveable timber benches/tables are located. Alongside side this are some ancillary children's play equipment, including swings, slide, climbing frame and toddlers play equipment. The play equipment is located in an area which is surfaced with bark chippings and rubber playground tiles. The remainder of the beer garden is laid to turf. To the immediate northwest of the public house an external storage area has also been created, and which is surfaced with gravel and enclosed by close board fencing.

1.3. This Planning Statement seeks to address the planning issues associated with the development, in particular that associated with the Green Belt.

2.0 SITE DESCRIPTION

2.1. The application site lies to the southwest of the centre of Dilhorne village, and comprises a long-established public house. The site benefits from a large parking area that extends to the south and west of the public house, with access taken direct off the Caverswall Road, which runs along the southern boundary. Residential development is located to the south beyond the Caverswall Road, with one of the properties (The Old Parsonage) being Grade II Listed. The eastern boundary of the site comprises of a mature hedgerow that extends all the way from the public house northwards to the edge of the built up area of the village, beyond which runs New Road. Residential development is located to the east beyond the highway, with the Grade II* All Saints Church located to the northeast. The site as a whole lies within the North Staffordshire Green Belt.

3.0 PLANNING POLICY

3.1. Paragraph 11 of the NPPF confirms that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The development plan for this area comprises the Staffordshire Moorlands Core Strategy DPD (March 2014) and the following policies are of relevance to the determination of this application.

3.2. Policy SS1a of the Core Strategy states that when considering development proposals, the Council will take a positive approach that reflects the

presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in this Core Strategy (and, where relevant, with polices in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that Framework indicate that development should be restricted

3.3. Policy SS6b of the Core Strategy states that the smaller villages shall provide only for appropriate development which enhances community vitality or meets a local social or economic need of the settlement and its hinterland. It goes on to state that community vitality will be enhanced by protecting and enabling services and facilities which are essential to sustain rural living.

3.4. Policy SS6c of the Core Strategy states that the rural 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 policy also states that local needs will be met by allowing community facilities which meet a local need, where that need cannot be met in a settlement within the hierarchy. It further adds that the rural economy will be sustained by enabling the limited expansion or redevelopment of an existing authorised business for employment uses. The enhancement of tourist opportunities is also supported, with provision made for allowing small-scale tourism developments in accordance with policies E3 and R1. Policy SS6c also confirms that strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government policy.

3.5. Policy E3 of the Core Strategy states that new tourism and cultural development will be assessed according to the extent to which it supports the local economy and promotes the distinctive character and quality of the District and enhances the role of Staffordshire Moorlands as a tourism and leisure destination. The policy confirms that support will be given to the provision of new cultural facilities in town centres and villages to meet the needs of local communities and visitors. 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.

3.6. Policy R1 of the Core Strategy states that 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. 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

3.7. Policy C1 of the Core Strategy confirms that in order to create sustainable communities, the Council will support proposals which protect, retain or enhance existing community facilities or provide new facilities. New facilities should preferably be located within defined built up areas where they are most accessible. In exceptional cases facilities may be located adjacent to these areas where it can be demonstrated that this is the only practical option and where a site is well related to the existing settlement.

3.8. Policy DC1 of the Core Strategy states that all development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council's Design SPD. In particular, new development should (amongst others):

- be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area;
- be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance;
- create, where appropriate, attractive, functional, accessible and safe public and private environments which incorporate, amongst others, landscaping and designing out crime initiatives;
- protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping;
- promote the maintenance, enhancement, restoration and re-creation of biodiversity and geological heritage, where appropriate, in accordance with policy NE1;
- provide for safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use;
- ensure that existing drainage, waste water and sewerage infrastructure capacity is available, and where necessary enhanced, to enable the development to proceed;

3.9. Policy DC2 of the Core Strategy states that the Council will safeguard and, where possible, enhance the historic environment, areas of historic landscape

character and interests of acknowledged importance, including in particular scheduled ancient monuments, significant buildings (both statutory listed and on a local register), the settings of designated assets, conservation areas, registered historic parks and gardens, registered battlefields and archaeological remains by:

- Resisting development which would harm or be detrimental to the special character and historic heritage of the District's towns and villages and those interests of acknowledged importance.
- Promoting development which sustains, respects or enhances buildings and features which contribute to the character or heritage of an area and those interests of acknowledged importance through the use of conservation area appraisals, design statements, archaeological assessments, characterisation studies and Masterplanning.
- Preventing the loss of buildings and features which make a positive contribution to the character or heritage of an area through appropriate reuse and sensitive development, including enabling development, unless their retention is not viable or there would be substantial planning benefits to outweigh the loss.

4.0 MATERIAL CONSIDERATIONS

National Planning Policy Framework (NPPF)

4.1. The National Planning Policy Framework sets out guidance in respect of development within the Green Belt. It also sets out guidance in respect of supporting the rural economy (amongst others). The content of the NPPF has been taken into consideration in the preparation of this application and is discussed in more detail within the Statement of Case below.

5.0 PLANNING ISSUES

Impact on the Green Belt

5.1. The application proposes the retrospective change of use of a parcel of land to the north of the existing public house to form a beer garden and children's play area, as well as the retention of an external storage area to the northwest of the existing public house. The site lies within the Green Belt and is also designated as 'rural area' within the adopted Core Strategy.

5.2. The change of use of the land to a beer garden / play area / storage area associated with the public house does not fall within the any of the categories of appropriate development listed in paragraphs 89 and 90 of the NPPF, and thus it is expected that the Local Authority will conclude that the proposal amounts to inappropriate development.

5.3. Paragraph 87 of the NPPF confirms that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very

special circumstances. Paragraph 88 adds that very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

5.4. It is submitted that the proposed development has a limited impact on the openness of the Green Belt and the five purposes of Green Belts. The creation of the beer garden and play area has involved the laying of open hardstanding areas within the site, and these by their nature, do not derive any material impact to the openness of the Green Belt. The play equipment installed on site is also small-scale in nature and owing to its limited physical attachment to the ground, will not give rise to any material harm to the five purposes of including land in the Green Belt. The general transparency of the play equipment will also serve to maintain a sense of openness.

5.5. The external storage area created to the NW of the public house is also open in nature, but is enclosed by 1.8m high close boarded fencing, which could be considered to derive some degree of impact to the openness of the Green Belt. However, it should be noted that planning permission is not required to erect such fencing, and this should be taken into consideration when assessing the impact of the development on the openness of the Green Belt.

5.6. It should also be borne in mind that the beer garden is afforded reasonably good screening in views from the public domain owing to the presence of existing mature hedgerows along the site boundary. The applicant is agreeable to supplementing this existing vegetation by undertaking planting along the 'un-vegetated' boundaries of the beer garden area. Such landscaping and planting can be secured by way of planning condition.

5.7. For the reasons set out above it is submitted that the harm to the Green Belt arising from this proposal, over and above that of harm by inappropriateness, would be limited. It is furthermore submitted that a compelling case of very special circumstances exists to clearly outweigh the totality of harm arising.

Very Special Circumstances

5.8. The need for the beer garden / play equipment / external storage area is driven by the applicant's desire to safeguard the public house as a community facility. It is a local pub, and one which has suffered with numerous periods of closure over the course of its history.

5.9. The proposed development adds to the attractiveness of the public house as a community facility and its retention will enable the business to continue to thrive. If compelled to remove the development, the overall attractiveness and viability of the public house would be threatened, and risk the loss of this community facility and the local employment that it provides.

5.10. Paragraph 81 of the NPPF states that once Green Belts have been defined, local planning authorities should:

> "plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; **to provide opportunities for outdoor sport and recreation**; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land".
> (our emphasis)

5.11. Paragraph 9 of the NPPF furthermore confirms that pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including:

> "**improving the conditions in which people** live, work, travel and **take leisure"** (our emphasis)

5.12. In this context, a survey conducted by YouGov in July 2017 explored what features the ideal pub would have. 63% of respondents to the survey identified the availability of a beer garden as a key feature, second only to the pub serving meals (Source: yougov.co.uk). This is a country pub, and by virtue of its rural location has to provide an attractive offer to its clientele in order to maintain footfall. The beer garden and play area contribute positively to this, and provide opportunities for outdoor recreation and taking leisure.

5.13. The external storage area adjacent to the beer garden is surfaced with gravel, and accommodates a gas tank which provides fuel for the public house. The area is also used for the storage of crates and barrels which are awaiting collection. These are enclosed within the fenced off area adjacent to the beer garden in the interests of minimising their impact on the character and appearance of the surrounding area. There is no other realistic area on the site for accommodating such storage without deriving an adverse impact in views across the pub car park.

5.14. Paragraph 28 of the NPPF states that local plans should:

> "**promote the retention and development of local services and community facilities in villages,** such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship" (our emphasis)

5.15. These provisions are reflected within the Strategic Aims of the Core Strategy which seek to create sustainable, self-supporting settlements (SA1), to meet the needs of local communities (SA2), and to encourage a strong, prosperous and diverse economy (SA3). Policy SS6b goes on to state that community vitality will be enhanced by protecting and enabling services and facilities which are essential to sustain rural living. This is embellished further by policy C1 of the Core Strategy, which states that the Council will:

> "**support proposals** which protect, retain or **enhance existing community facilities**… or provide new facilities" (our emphasis)

5.16. The explanatory text to the policy goes on to state that:

> "Community facilities such as… public houses… play an **important role in community life** in the Staffordshire Moorlands. The loss of such facilities can have a **widespread negative impact** on the community" (our emphasis)

5.17. Policy E3 of the Core Strategy further adds that support will be given to the provision of new cultural facilities in town centres and villages to meet the needs of local communities and visitors.

5.18. The beer garden and play equipment, along with the external storage area, are important facilities required to maintain and sustain the continued growth and success of the public house. In this current climate of local pubs closing down – CAMRA calculates this as 27 per week – efforts to ensure the retention of community facilities such as this should be supported.

5.19. Paragraph 28 of the NPPF furthermore confirms that planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. It goes on to state that local plans should:

> "support the **sustainable growth and expansion of all types of business** and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings" (our emphasis)

5.20. The existing public house employs a fairly significant number of employees (7 FTE), and the proposed development will serve to ensure that these jobs are safeguarded into the future. Without the beer garden the business will be under threat, and risk leading to the loss of these jobs and along with it, this important community facility. This is not stated as a threat, but more to emphasise the very real implications for the business of losing these facilities. There is no other area on site within which to accommodate a beer garden / play area without implicating on existing parking provision, which itself would derive an adverse impact to highway safety. This site therefore represents the most appropriate location for the proposed development.

5.21. Overall, it is submitted that the benefits of this proposal in safeguarding the existing community facility and supporting its sustainable growth, coupled with the safeguarding of existing jobs carry substantial weight, and collectively amount to very special circumstances to clearly outweigh the totality of harm to the Green Belt. The proposed development is therefore considered to be justified in the context of paragraph 87 of the NPPF, and policies SS1, SS6b, SS6c, R1 and C1 of the Core Strategy.

<u>Impact on the Landscape</u>

5.22. The presence of existing mature hedgerows to the eastern boundary of the site, along with the presence of the existing public house and its associated vegetation to the south, serves to minimise the impact of the proposed development on the character and appearance of the landscape. The applicant is furthermore agreeable to undertaking further landscaping and

planting on the site to enclose the northern and western boundaries, and in doing so the impact of the development will be further softened.

Heritage Impacts

5.23. The presence of existing mature hedgerows to the eastern boundary, coupled with the small-scale nature of the play equipment and tables/chairs, means the proposed development does not have any material impact on the setting of the nearby Listed Church. The proposal is therefore in accordance with the provisions of policy DC2 of the Core Strategy.

6.0 CONCLUSION

6.1. It is considered that the proposed development is justified in the context of Green Belt policy and that no significant adverse harm will arise to the character and appearance of the area or to the setting of nearby heritage assets.

6.2. The proposed development is accordingly considered to constitute a sustainable form of development that accords with the provisions of policies SS6b, SS6c, E1, R1, C1, DC1 and DC2 of the Staffordshire Moorlands Core Strategy DPD and guidance contained within the National Planning Policy Framework. The Local Authority is therefore requested to grant planning permission to retain the development undertaken on site.