

DELEGATED DECISION REPORT

SMD/2018/0518
Valid 14/08/2018

BOOTH'S GARAGE ROCK
END
BIDDULPH MOOR

PROPOSED SITING OF
TEMPORARY STATIC
CARAVAN TO THE WEST OF
BOOTH'S GARAGE

(FULL - MINOR)

MAIN ISSUES

- Principle of development (Green Belt);
- Design and visual amenity;
- Access/parking.

DESCRIPTION OF SITE

The application site is Booth's garage, a working motor vehicle garage at Rock End, Biddulph Moor. Vehicular access to the site is at the junction of Park Lane/New Street/Crowborough Road. To the front of the garage is an area for the parking/turning of vehicles and boundaries consist of hedgerows and timber post and rail fencing. Land levels within the front (near roadside) and south (proposed caravan location) appear to be relatively level. The submitted drawings do not show any intentions to amend the land levels.

PROPOSAL

The application is for the siting of a temporary static caravan within the Booth's Garage site, the plans show that the caravan would be located to the side of the garage adjacent to the southern site boundary.

For the purposes of planning policy consideration the application site is located within the Green Belt. The site does not lie within a Conservation Area and there are no nearby Listed Buildings or protected trees.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

SS1	Development Principles.
SS1a	Presumption in Favour of Sustainable Development.
SS6c	Other Rural Areas Area Strategy.
DC1	Design Considerations.
DC3	Landscape and Settlement Setting.
R1	Rural Diversification.

R2 Rural Housing.
T1 Development and Sustainable Transport.

Emerging Staffordshire Moorlands Local Plan

National Policy Guidance

Paragraph 48 of the newly adopted NPPF states that:

“...decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

Local Plan process

The Council agreed to publish the Local Plan Submission Version for representations in February 2018. At this point, the Council agreed that the Local Plan was “sound”. Formal representations were then invited from residents, businesses and other stakeholders to provide them with the opportunity to support or challenge the soundness or legal compliance of the Local Plan. This stage in the process followed three previous public consultations since 2015 which had informed the preparation of the Local Plan alongside a comprehensive evidence base.

In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public will now be held this Autumn in order to determine whether the Local Plan is sound and legally compliant. Subject to the findings of the appointed inspector, the Local Plan is expected to be adopted in the Spring of 2019. At this point, it will supersede the adopted Core Strategy and become part of the statutory development plan for the District.

In this context, the Council’s position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is as follows:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the Council has submitted it to the SoS for examination
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question.
- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

Emerging Policies

The following policies (including their weighting) are considered to be relevant to this application:

SS1	Development Principles (Moderate).	
SS1a	Presumption in Favour of Sustainable Development	(Significant).
SS10	Other Rural Areas Strategy (Limited).	
DC1	Design Considerations (Moderate).	
DC3	Landscape and Settlement Setting (Significant).	
E1	New Employment Development (Moderate).	
H1	New Housing Development (Limited).	
T1	Development and Sustainable Transport (Moderate).	

National Planning Policy Framework

Section(s)

- 2: Achieving sustainable development.
- 5: Delivering a sufficient supply of homes.
- 6: Building a strong, competitive economy.
- 9: Promoting sustainable transport.
- 12: Achieving well-designed places.
- 13: Protecting Green Belt land.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

- 01/00273/FUL Steel framed industrial building for MOT testing. Approved.
- 02/01022/OUT Residential development (Outline). Refused.

CONSULTATIONS

Publicity

Site Notice expiry date: 5th October 2018.
Neighbour consultation period ends: 30th August 2018.

Public Comments: None received during the determination period.

Biddulph Town Council:

- Councillor's queried how long temporary was to be?
- A timescale should be included in the application;
- Seems to be a permanent development;
- What would the caravan be used for?

- There should be a time limit for the siting of the caravan;
- Should be sited for 12 months and used for residential purposes.

OFFICER COMMENTS

The Local Planning Authority is required to determine planning applications in accordance with the development plan, unless there are material circumstances which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations.

The application site is located within the Green Belt and as such the provisions of Chapter 13 (NPPF 2018) are relevant.

Paragraph 134 identifies the 5 purposes of the Green Belt. Paragraph 143 states that 'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.' Paragraph 144 identifies that Local Planning Authorities should ensure that substantial weight is given to any Green Belt harm and 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.

NPPF paragraph 145 specifies that the Local Planning Authority should regard the construction of new buildings as inappropriate in the Green Belt (with certain exceptions).

NPPF paragraph 146 clarifies that other forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it; this includes material changes of use of the land. However (as the report will explain) it is not known whether this proposal is for the partial change of use of the land.

Policy SS1 of The Staffordshire Moorlands Core Strategy identifies that development should contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands. Core Strategy policy SS1a establishes a 'Presumption in Favour of Development' in line with National Planning Policy where:

(1) planning applications that accord with policies within the Core Strategy will be approved without delay; and

(2) where there are no relevant policies or they are out of date, the Council will grant planning permission unless material considerations indicate otherwise considering:-
I. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework (NPPF) taken as a whole, or;

II. Specific policies in within the Framework indicate that development should be restricted.

Core Strategy policy SS1a establishes a presumption in favour of development inline with the NPPF whilst Core Strategy policy R1 requires that all development in the rural areas (outside of development boundaries) shall be assessed according to the extent to which they enhance the countryside, development should not harm the rural character/environmental quality of an area and most importantly notes that inappropriate development within the Green Belt needs to be justified by very special circumstances. Policy R2 states that in rural areas only certain forms of housing development can be considered acceptable including affordable housing, essential local needs housing (agricultural, forestry, rural worker), replacement dwellings, domestic extensions and the conversion of rural buildings.

The application seeks planning consent for the temporary siting of a static caravan within the curtilage of the Booth's Garage site. However, the applicant has failed to submit essential details to support the scheme. Although the architect has now provided correctly drawn plans there is still no explanation of why the caravan is needed, why it needs to be on the site or what its intended use would be (ie residential accommodation or possibly a welfare building for employees?). The answers given to questions 16 and 17 of the planning application form are worthy of note. The applicant/agent has answered no to the question of 'Does your proposal include the gain, loss or change of use of residential units' and no to the question of 'Does your proposal involve the loss, gain or change of use of non-residential floor space?' if the caravan is not providing any residential accommodation or any 'non-residential' floor space it is questioned what exactly is the caravan to be used for?

Furthermore, there is no information concerning what is meant by 'temporary' and the application does not seek any specific timescale.

The planning agent has been contacted a number of times (twice by email and once by telephone) to request additional information; no information has been submitted and no contact has been made with the LPA by either the agent or the applicant to request any additional time to gather supporting information. In the absence of fundamentally important information it is not possible to support the application, the caravan will have an impact upon the openness of the Green Belt. It is therefore concluded that in its current form the application is for inappropriate development within the Green Belt with no very special circumstances to justify its approval.

Design and amenity

The caravan is fairly simple in its appearance, it is rectangular in shape, has a shallow pitched roof and windows/doors of modest proportions. There are no floor plan details (so no indication of its intended use) and no information concerning the materials finish. The drawings appear to show the caravan being raised from the ground by a number of stilts/pillars. There are no objections to the design of the caravan, is of the type which would normally be expected when using the term 'static caravan.' In terms of visual amenity impact the caravan does not raise any significant concerns. The proposed positioning to the south of the site means that the van would be seen in the context of the much larger green corrugated gable end of the garage building. There are no dwellings immediately to the south of the site and therefore the positioning of a caravan in this location would not cause any neighbour amenity harm.

Access/parking.

Vehicular access to the site already exists and there is parking to the front of the garage building near to the roadside. As the intended use of the caravan is unknown it is not possible to assess whether or not there would be any significant increase in the use of the existing access or if any amendments to it would be needed.

CONCLUSION / PLANNING BALANCE

A static caravan is not included within the paragraph 145 (NPPF) exceptions list of development which is not inappropriate. The application lacks details concerning what is meant by a 'temporary' timescale, what the caravan would be used for or why it is essential for it to be located on the Booths Garage site. The application is therefore for inappropriate Green Belt development with no very special circumstances being submitted for consideration.

OFFICER RECOMMENDATION : Refuse

Case Officer: Lisa Jackson

Recommendation Date: 30/10/2018

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council