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Our Ref: 2019-064
Your Ref: PP-08109344

Staffordshire Moorlands District Council
Planning
Moorlands House
Stockwell Street
Leek
ST13 6HQ

3rd September 2019

Dear Sir / Madam,

Town & Country Planning Act (1990) (As Amended)
Erection of a teaching pod and associated works
Wentworth House, Ellastone Road, Caulden Lowe, ST10 3ER

Please find enclosed a full planning application, on behalf of Compass Community Ltd, submitted under the provisions of the Town & Country Planning Act 1990 (As Amended), for an 86sqm teaching pod on existing hardstanding south-west of Wentworth House.

The suggested description of development:

> *"The provision of a teaching pod, with all other associated works."*

The application is submitted via the Planning Portal (reference: PP-08109344) and supported by the following documents:

- Application Form and Certificate;
- Supporting Planning Statement (set out below); and
- Planning drawings, including;
  - Site Location Plan (NJL Consulting);
  - Existing Block Plan (NJL Consulting);
  - Proposed Block Plan (NJL Consulting);
  - Proposed Floor Plan (Avalon Cabins);
  - Proposed Elevation (Avalon Cabins); and
  - Avalon Cabins Information Pack.

The application fee of £924 has been paid via the Planning Portal.

Site context

The application site is located on existing dilapidated hardstanding to the south-west of Wentworth House (formerly known as Windy Harbour House). The property was originally constructed as the 'Green Man' public house but converted to a dwelling in 1998 and subsequently to a care home. However, it is currently vacant following the closure of the previous children's care home.

Wentworth House and associated land is south of the A52 adjacent the junction of the A52 and Ellastone Road. The house and surrounding curtilage extend to approximately 0.5ha. It is generally within an area of open moorland close to Caulden Low (0.8km to the south-east). In terms of nearby larger settlements, Ashbourne is 7.5km south-west, Leek 11.44km north-west with Stoke on Trent approximately18.4km to the west.

The property is accessed from the A52 via an existing entrance and benefits from off street parking. There are two bus stops located close by on Ellastone Road, within approximately 50m of the site.

It is not subject to any statutory designations (such as listed buildings or conservation designations) and there are no locally sensitive uses. Similarly, the site is in Flood Zone 1 as identified on the Environment Agency Flood Map and therefore at the lowest risk of flooding.

Planning history

The site has a relatively lengthy planning history. There have been various applications for extensions and alterations to the property, including the construction of a car park (ref: SMD/1979/0298, approved in June 1980). The property was converted from a public house to a private dwelling in 1998 (ref: SMD/1997/0225), subsequently a garage (ref: SMD/2001/0737, approved in July 2001) and two-storey rear extension were approved (ref: SMD/2006/0635, approved in October 2006).

More recently, there have been applications regarding the use of the property. A Certificate of Lawfulness for the existing use to accommodate residential care of young persons (ref: SMD/2015/0613) was approved in April 2016, this was followed by a change of use from C2 Use (Care Home) to C3 Use (Dwellinghouse) (ref: SMD/2018/0690, approved in January 2019). The 2018 change of use was then varied by way of a S73 consent (ref: SMD/2019/0120, approved April 2019). However, the change of use was not implemented.

The property has a lawful C2 Use which does not restrict the number of children which can live in the home.

In summary, there are previous consents for alterations and extensions at the property. Therefore, development in this location has previously been considered acceptable.

The proposed operator

Compass Community Ltd (operating as Compass Children's Homes) are an established and regulated care provider. They have 16 similar homes for children across the UK, with many of

them in former dwellings, elderly homes or older children's homes which require refurbishment. Each home is refurbished then equipped to the highest standard, reflecting Compass' commitment to creating safe and comfortable homes.

Education forms a key part of Compass' care provision. The homes are operated as a care home but include education facilities which aim to meet specific and tailored educational needs for their children. This is to ensure Compass give young people the opportunity to encounter normal, ordinary experiences in order to provide them with the building blocks to reach developmental milestones needed for everyday life.

Compass is fully registered with Ofsted, with an assigned Ofsted registered manager and qualified team who support the care provision and operational use. Their homes are of an exemplar standard with recent Ofsted reports showing the operator to be 'Outstanding' or 'Good' in all aspects of childcare and teaching.

The children at the home will come from a variety of backgrounds and have different needs. The home will have set 'house rules' in place which will be implemented by the staff, one or more of which will be an Ofsted registered manager. Children's needs clearly vary, and the proposed operator work to provide a safe environment, emotionally and physically for children who need a fresh start in life.

Proposed development

An 86sqm teaching pod (measuring 13.60m(l) x 6.30m(w) x 3.06m(h)) would be placed on hardstanding to the rear of the property. The pod includes two classrooms with their storerooms, a therapy room and quiet space, an office, toilets, kitchen and entrance hall.

The pod is to be constructed offsite then placed on existing hardstanding, therefore the only required ground works will be to connect the pod to existing utilities and positioning the levelling pads. Full details of the pod construction and materials is set out in the enclosed plans.

The pod forms an essential component of Compass' wider wholesale refurbishment and renovation of the property. In developing their refurbishment proposals, they have identified a lack of suitable teaching space within the property. As an extension to the property is cost prohibitive and unfeasible the only available option is to provide additional external space in the form of the proposed pod. Therefore, additional teaching space is essential to the full beneficial operation of the home.

Planning policy context

The Development Plan for Staffordshire Moorlands District Council comprises the Core Strategy ('CS') (2014). The emerging Staffordshire Moorlands Local Plan ('eSMLP'), National Planning Policy Framework ('NPPF') (2019), Planning Practice Guidance ('PPG') and local supplementary planning documents are material considerations.

Core Strategy (2014)

The Staffordshire Moorlands Core Strategy was adopted in 2014 and is the key Development Plan document for assessing planning applications.

SS1 *'Development Principles'* provides key development principles that will guide development and use of land to 2026. It states development should contribute socially, economically and environmentally to the improvement of the area.

SS1a *'Presumption in Favour of Sustainable Development'* states that the Council will take a positive approach that reflects the presumption in favour of sustainable development when considering development proposals, unless material considerations indicate otherwise.

SS6c *'Other Rural Areas Strategy'* highlights six criteria when considering development in 'other rural areas'. The policy sets out that development should meet an essential local need, support rural diversification and sustainability, promote sustainable tourism or enhance the countryside.

DC1 *'Design Considerations'* identifies 9 criteria for considering new development.

DC3 *'Landscape and Settlement Setting'* states the Council will protect local landscape and setting of settlements by developments considering the five criteria.

R1 *'Rural Diversification'* states development will be assessed according to the extent to which is 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.

Emerging Staffordshire Moorlands Local Plan

The emerging Staffordshire Moorlands Local Plan is advanced with Main Modifications consultation due to take place in September 2019. Therefore, the eSMLP has material weight when assessing planning applications.

Various policies have been carried over from the CS and remain unchanged. These are **SS1** 'Development Principles' and **SS1a** 'Presumption in Favour of Sustainable Development'.

SS10 *'Other Rural Areas Strategy'* will replace CS Policy SS6c. SS10 identifies 5 criteria which aim to aid the council in achieving rural diversification, sustainability and promotion and enhancement the countryside.

DC1 *'Design Considerations'* provides 11 design criteria for which new developments should give regard to; however, it remains largely unchanged from CS Policy DC1.

DC3 *'Landscape and Settlement Setting'* has been revised from CS Policy DC3. Of note, the emerging DC3 criteria 1 identifies the Council will only resist development which would lead to prominent intrusion into the countryside or have an adverse impact of significance to the character of the countryside, rather than resisting development if it is harmful, or detrimental as set out in CS Policy DC3.

In this context, the Officer Report for the 2019 consent at Wentworth House, states:

> *'In respect of Policy DC3 of the emerging local plan it is only development that leads to prominent intrusion / significant adverse impact rather than just being 'harmful' or 'detrimental'.'*

Therefore, there is local acceptance that some form of harm is to be expected from any new development and only development which has significant impact (harm) should be restricted. This is a clear marked change in policy, and this is material when considering this application.

National Planning Policy Framework (2019)

The NPPF, as its core, is aimed towards delivering sustainable development and economic growth. Paragraph 8 identifies the three overarching sustainable objectives; economic, social and environmental.

Paragraph 11 states that plans and decisions should apply a '*presumption in favour of sustainable development'*. In terms of planning applications this means:

> *'c) approved development proposals that accord with an up-to-date development plan without delay; or*
>
> *d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:*
>
> *i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
>
> *ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.'*

Paragraph 94 states, in the context of educational needs:

> *'That it is important that a sufficient choice of school places is available to meet the needs of existing and new communities. Local planning authorities should take a proactive, positive and collaborative approach to meeting this requirement, and to development that will widen choice in education.'*

Paragraph 118(c) highlights the need for decisions to give substantial weight to the value of using suitable brownfield land for homes and other identified needs. Paragraph 118(d) discusses the requirement to promote and support the use of under-utilized land and buildings.

Planning assessment

This section demonstrates compliance with all relevant local and national policy and is a clear example of sustainable development.

It is a significantly material consideration that the property is vacant, and Compass is investing in the property to ensure its long-term viable use. The pod is essential for Compass to fulfil their operational requirements by providing much needed additional teaching space.

The proposed teaching pod is an essential requirement, the additional space cannot be accommodated within the existing property and an extension is not feasible. The pod therefore forms a key part of the renovation and refurbishment. Therefore, given the logistical

difficulties with providing additional space within Wentworth House, the logical solution is to position the pod on existing hardstanding to the south-west (rear) of the property.

Core Strategy (2014)

Principle of the use

Compass has an identified need for additional teaching space at Wentworth House. It is neither feasible nor realistic to locate the additional space elsewhere (e.g. off-site) as this would not meet the clear and pressing need for additional space at Wentworth House. An extension to the property is not feasible in that it is cost prohibitive and would not meet needs.

The pod is located on an area of existing developed (brownfield) land to the rear of the property and within close proximity to the existing property, i.e. it is not entirely new development on an otherwise undeveloped site and would be viewed in this context

Notwithstanding the operational needs for the pod, the pod and associated refurbishment of Wentworth House will support rural growth through the reoccupation of an otherwise vacant property and provision of a high-quality children's home, thus delivering investment and a small but notable number of jobs in the area. These benefits are all material to decision making.

Indeed, SS6c supports the limited expansion or redevelopment of an existing business for employment uses. Although the policy is geared towards 'tradition' employment development (i.e. Class B Uses), the provision of jobs and investment at Wentworth House will create jobs and limited economic growth.

Furthermore, the provision of high-quality children's care and education is significantly beneficial, particularly in terms of social benefits. It is evidently significantly preferable to provide children with opportunities for a safe and secure home, particularly where they can also access structured educational provision.

Therefore, the proposed pod is essential development in this location which can provide economic and social benefits to the area, as identified in policy SS6c.

Other relevant considerations

The proposed pod is of an entirely functional and appropriate design and will not harm, nor be detrimental, to the character of the local and wider landscape. The pod has been designed so that it is in keeping with the surrounding moorlands and is of a scale and layout so that it will not impact upon any views into and out of the settlement. There will be limited works at the property other than the construction of the concreate slabs for which the pod will sit then manoeuvring the pod into. The proposed accords with Policy DC3.

In accordance with Policy R1, the proposed is an example of sustainable diversification through the reuse of developed land, which is currently underutilised. The children's home will provide approximately 19 FTE jobs and therefore support economic activity for the area. This will support the rural area and certainly not result in harm to the rural character. There will be no increase in the type and amount of traffic generated or by other effects such as noise and pollution, especially when compared to that of the previous use. The proposed development is entirely appropriate in this location when assessed against Policy R1.

In accordance with DC1, the proposed teaching pod is of a suitable design using materials in accordance with building regulations for timber framed pods. The pod will be finished in a dark green to blend in with the surrounding environs and has been designed to a scale, density and layout so it respects the site and surroundings. As the property was previously used as a public house there is existing drainage, wastewater and sewage infrastructure available. There will be no impact on amenity.

Turning to highways and accessibility. The property has existing access via the A52, which previously served the Green Man public house and more recently a dwelling then the previous care home. There is ample car parking available even with the placement of the pod on underused car parking. There are existing bus stops close by, providing sustainable links to nearby towns and other settlements.

In accordance with Policy SS1 and SS1a, the addition of the teaching pod at Wentworth House and subsequent occupation of the building as a children's care home will contribute socially, economically and environmentally by providing a home and teaching facility for children who need a new start in life. The proposed makes the best use of previously development land due to its location on hardstanding, previously used as a car park, in accordance with NPPF paragraphs 118(c) and 118(d).

Emerging Staffordshire Moorlands Local Plan

There is no material difference between CS SS1 and SS1a and the eSMLP SS1 and SS1a. These policies have been assessed in the previous section.

Key development matters are assessed above, nevertheless the fundamental points are re-assessed in the context of the emerging Local Plan (which carries weight in decision making).

The teaching pod is essential if the property is to be successfully operated as a high-quality children's home for those who need a new start in life. The reuse of existing developed land for a beneficial use is the cornerstone of sustainable development in accordance with NPPF paragraph 11. The proposed will mean the reoccupation of a vacant building and create 19 FTE jobs. The proposed accords with eSMLP Policy SS10.

As previously discussed, eSMLP DC1 is largely unchanged from CS DC1 which has been assessed in the previous section.

The teaching pod would not lead to prominent intrusion, nor would it produce a significant adverse impact of significance to the character of the countryside or setting of the property. Clearly the policy accepts that development will by its very nature have some impact but that simply having an impact does not necessarily mean planning permission cannot be granted. The proposed teaching pod is entirely compliant with emerging policy DC3.

As such, the proposed pod is entirely appropriate when considered against the emerging plan.

Conclusion

This application seeks detailed planning permission for an 86sqm teaching pod and associated works on hardstanding south-west of Wentworth House.

Compass have identified a requirement for additional teaching space to meet their operational requirements. It is demonstrated that the proposed pod is entirely compliant with local and national policy, not least through providing valuable teaching facilities to children in care.

NPPF paragraph 94 is clear that decision making should take positive, proactive and collaborative approach to meeting a range of educational needs and providing choice. The proposed use would meet an identified need.

The proposals are entirely compliant with adopted and emerging policy, not least it forms part of a wider refurbishment scheme which maximises the use of previously developed land in accordance with NPPF paragraph 11 and 118 (c) and (d). As such, the application should be approved without delay.

We trust that the above and enclosed are sufficient to enable the timely validation and positive determination of the application. However, should you wish to discuss matters then please do not hesitate to contact me.

Yours sincerely,

Nick Pleasant
Associate Director
On behalf of NJL Consulting