DELEGATED DECISION REPORT

SMD/2019/0574 **Valid 24/09/2019**	**DRINKING TROUGHS** **OVERTON ROAD** **BIDDULPH COMMON** **BIDDULPH**	**REPAIR WORKS RE POINTING, REINSTATEMENT AND REPLACEMENT OF MISSINF FINIALS, PROPOSED NEW DRINKING TROUGH ADJACENT TO REMAINING TROUGH,** **(LISTED BUILDING CONSENT - ALTERATION)**

MAIN ISSUES

- Impact upon the Listed structure including consideration of character/appearance and design.

DESCRIPTION OF SITE

The application site consists of a stone drinking trough structure set behind a grass verge and within a lengthy run of stone wall fronting Overton Road, Biddulph Common. It is understood that the structure originally contained two troughs although only one remains at this time. The drinking trough is Grade II Listed and has historical significance. It is located to the east of a stone Shepherds Cross (said to be 14th Century and known locally as the Buttercross – former sales of butter) and is on a former Turnpike (toll) road. The troughs would have provided water for horses (and possibly travellers – separate troughs). The application site is also located within the Green Belt although it is noted that this designation is not applicable in terms of determining this Listed Building Consent application.

PROPOSAL

Listed Building consent is sought for repair works to the drinking trough structure which includes replacing a stone finial (with pyramidial capping), repair of coping stone, repointing where necessary and replacing the missing trough (to match the existing trough adjacent). Other works include the cutting back of vegetation and repairs to walling where necessary. The plans show the intention to add '2019' as a marker to indicate the repair date and the possible attachment of an historical narrative plaque.

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
DC2	The Historic Environment
R1	Rural Diversification

Supplementary Planning Guidance

1. Design Principles for Development in the Staffordshire Moorlands

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide.

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 is ongoing in order to determine whether the Local Plan is sound and legally compliant. Hearing sessions were conducted in October 2018 and the Inspector issued his initial post-hearing advice in January 2019 which set out some actions for the Council and a range of modifications that would be necessary to make the plan sound. The full schedule of modifications was the subject of public consultation between 18th September 2019 and 31st October 2019. The schedule consisted of modifications that the Inspector has so far deemed necessary to make the Local Plan sound. Following the consultation, the Inspector is expected to consider the responses before issuing his final report. Depending on the recommendations in the report, the Council may then be in a position to adopt the Local Plan.

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 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)
DC2	The Historic Environment (Significant)

National Planning Policy Framework

Including sections;

2:	Achieving sustainable development
12:	Achieving well-designed places
16:	Conserving and enhancing the historic environment

RELEVANT PREVIOUS APPLICATIONS

None.

CONSULTATIONS

Publicity

Site Notice expiry date: 15/11/2019
Press Advert: Biddulph Chronical Exp 31/10/2019.

Public Comments: No representations received.

Biddulph Town Council: This is a Biddulph Town Council application; no comment will be made.

Severn Trent Water: No representations received.

Conservation officer (SMDC): No objections subject to conditions.

Conservation Liaison Panel: No representations received.

National Amenity Societies: No representations received.

OFFICER COMMENTS

The application seeks Listed Building Consent for repair works as outlined above within the 'Proposals' section of the report. Detailed plans and a Heritage Statement have been submitted to support the application and to comply with National Planning Policy Framework (NPPF) requirements within paragraph number 189. The Heritage Statement as submitted is considered to be acceptable for the level and nature of works to be undertaken. The details are considered proportionate to the assets' importance and give satisfactory detail concerning the works required. The Heritage Statement also provides details concerning the history of the drinking troughs, their location alongside a known former Turnpike road and likely reasoning for their location opposite Shepherds Cross (also known as Butter cross). It is understood that the proposed restoration works are to be grant aided by the Moorlands Partnership Board and it is noted that the application is made by Biddulph Town Council.

NPPF section 16 is a significant material consideration when determining the application. In short chapter 16 gives clear support for sustaining and enhancing the significance of heritage assets. At the more local level Core Strategy policies DC1 and DC2 are also relevant. Policy DC1 advocates well-designed developments. Policy DC2 is more specific in respect of development within historic areas. The policy requires the council to safeguard and enhance the historic environment including Listed buildings and (with particular importance to this application – DC2 part 3) prevent the loss of buildings/features which make a positive contribution to the character or heritage of an area.

During the course of considering the application amendments have been made to the plans. Initially it was proposed for the year '2019' to be positioned on the frontage of the replacement trough which would have been visually prominent. The relocation of the '2019' marking to the rear rim of the replacement trough ensures that its renovation history is recorded but it is also within a more discrete part of the structure.

The renovation of this important Grade II Listed structure is welcomed and with the offer of grant aid in place is highly likely that the works will be undertaken. The application complies with the relevant NPPF and Core Strategy policies. There will be no harm to the Listed structure, simply maintenance and replacement. The architect has clarified that.. 'the central finial has been missing for some time. This will be reinstated or replicated if the central finial is found during the undertaking of the works. (We are hoping this has fallen off and is found within the undergrowth to the rear of the wall). We have no other physical evidence of what this finial was; therefore we will not reinstate this if it is not found.' This approach is considered to be appropriate, the addition of a replacement feature when the appearance of the original is not known, would likely be more harmful than if the section remained absent.

The application is fully supported by the Council's Conservation Officer and there are no identified reasons why this application should not be supported.

CONCLUSION / PLANNING BALANCE

For the reasons set out above it is recommended that the application is approved subject to conditions.

OFFICER RECOMMENDATION : Approve subject to conditions.

Case Officer: Lisa Jackson
Recommendation Date: 19/11/2019

X B.J. Haywood

Signed by: Ben Haywood
On behalf of Staffordshire Moorlands District Council