DELEGATED DECISION REPORT

SMD/2020/0056 **Valid 03/02/2020**	**MOONWOOD** **CHEDDLETON ROAD** **LEEK**	**RETROSPECTIVE APPLICATION FOR RETENTION OF STABLES AND ALTERATIONS TO LAND LEVELS** **(FULL - MINOR)**

MAIN ISSUES

- Green Belt;
- Landscape character

DESCRIPTION OF SITE

The application site comprises of a 1.8 hectare irregular shaped parcel of grazing land which lies to the south east of Moonwood, a recently constructed detached dwelling which lies off Cheddleton Road, Birchall. The land, which climbs steeply in a south west to north east direction, is bounded by residential dwellings to three sides with open countryside to the north east. For the purposes of this assessment, the application site falls outside, but adjacent to, Leek Town Development Boundary. The site is blanketed by a Green Belt designation.

PROPOSAL

Retrospective approval is sought for the erection of a building comprising of a stable, loose box and feed store. Approval is also sought for engineering works carried out to reduce the land level located to the rear of the building. This application has been submitted following an investigation by the Council's enforcement team.

The development forms a material variation to planning approval SMD/2018/0083, which gave consent for the construction of a stable block measuring 11.5m in length, 5.4m in depth and 4.7m in height. The approved scheme comprised of a rectangular shaped building with a dual pitched roof. Accommodation within the building comprised of a stable, loose box and feed store. The approved building was sited 15m to the south east of the applicants dwellinghouse 'Moonwood' and was approved for private use. Approval was granted subject to conditions, one of which required the demolition of an existing stable located within the site. This building still exists on the site and its demolition forms part of this application.

The building that is the subject of this application measures 12m in length, 5.4m in depth and 4.8m in height. The land on which the building is sited has been graded and as such, the building sits 0.4m below the approved building. The building is positioned between 1.5m and 2.1m further north eastwards than the approved

development. Furthermore, the building as constructed is positioned 0.6m closer to the dwellinghouse than approved.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS5a Leek Area Strategy
SS6c Other Rural Areas Area Strategy
DC1 Design Considerations
DC3 Landscape and Settlement Setting
T1 Development and Sustainable Transport
R1 Rural Diversification
R2 Rural Housing

Emerging Staffordshire Moorlands Local Plan

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 agreed by the Council and the subject of public consultation between 18th September 2019 and 31st October 2019. The schedule consisted of modifications that the Inspector has deemed necessary to make the Local Plan sound. Following the consultation, the Inspector concluded that further hearing sessions were necessary to consider; proposals for safeguarded land at Gillow Heath in Biddulph, housing land supply, Local Green Spaces in Cheddleton (Ox Pasture), Biddulph (Dorset Drive and implications for the emerging neighbourhood plan) and Blythe Bridge. They were held on 4th and 5th February.

On 27th February, the Inspector issued his post hearing advice. Key recommendations in the letter include:

- The proposed safeguarded land at Gillow Health, Biddulph should be removed. Neither should the site be allocated for housing as requested by the landowners as the case for exceptional circumstances has not ben met. The land will remain Green Belt as per the Local Plan Submission Version agreed by the Council in June 2018

- No further housing allocations in Biddulph are required

- No further amendments to the housing trajectory are required aside from pushing back the predicted commencement of the Wharf Road, Biddulph site (excluding BDNEW) until 2022/23.

- Monitoring of housing supply will determine if a full or partial Local Plan review is required within 5 years

- Land at Ox Pasture (Cheddleton) and Dorset Drive (Biddulph) should revert back to the Local Green Space designations as per the Local Plan Submission Version as agreed by the Council in June 2018.

- Other modifications were considered during the recent hearings sessions are necessary to make the plan sound, including; updating neighbourhood area housing requirements (Policy SS4) to reflect the latest monitoring data, updating the employment land area for the Tunstall Road allocation to reflect the masterplan and other adjustments to the wording of Policy SS4 and Policy DC2.

No further representations will be sought by the Inspector. As such, the Local Plan policies as proposed to be modified in September 2019 along with the Inspector recommended revisions (February 2020) provide a strong indication of the final policies likely to be adopted in the Local Plan. The Inspector's final report is expected within 2 months and will reflect the post hearing advice. The Council will be able to consider the adoption of the Local Plan at this point. As such, the plan is at a very advanced stage of preparation with some of the key outstanding objections now having been resolved following the February 2020 hearing sessions.

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 considered below:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the main modifications have been subject to consultation

- The extent to which there are unresolved objections to relevant policies this varies depending on the policy in question – the Inspector wishes to explore

outstanding objections on a limited number of issues at the February hearing sessions further before drawing conclusions.

- The degree of consistency of the relevant policies in the emerging plan to this Framework – policies have been modified to address soundness issues identified by the Inspector to date. It is the Council's view that the policies (as modified) are consistent with national policy. The Inspector has yet to draw final conclusions, particularly on the matters subject to further hearing sessions.

Given the above, the majority of policies (as modified) can be given substantial weight.

Emerging Policies:

SS1 Development Principles
1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS10 Other Rural Areas Strategy
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 - 14
Section(s) 12 & 13

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2018/0083 Demolition of existing out building and erection of a stable block
Approved

CONSULTATIONS

Publicity

Site Notice expiry date: 01.04.2020
Neighbour consultation period ends: 25.02.2020
Press Advert: N/A

Public Comments

1no. objection has been raised:-

- Application relates to a building that should have been demolished 3 years ago;
- Original application clearly stated that the said block be demolished and replaced by new stable block which so far has not been used for that purpose;
- Alteration to land levels are vague and lacking information.

Town / Parish Comments

No comments received.

Staffordshire County Council Highways

No comments received.

OFFICER COMMENTS

Principle of Development

At the heart of the NPPF is a presumption in favour of sustainable development. For decision-making this means that development proposals that accord with the development should be approved without delay, unless material considerations indicate otherwise.

Core Strategy policies SS1 and SS1a set out how the Council will work with applicants in order to facilitate development that improves the economic, social, and environmental conditions of the Staffordshire Moorlands.

Though the application site as a whole falls within the Leek Town Development Boundary and the Green Belt; the land on which the development proposal is sited falls wholly within the Green Belt. Policy SS6c relates to the other rural areas falling outside of the development and infill boundaries of the towns and villages and allows for development which meets an essential local need, supports the rural diversification and sustainability in rural area.

In accordance with policy R1 appropriate development should not harm the rural character and environmental quality of the area. Wherever possible, new or replacement buildings should have minimal impact on the countryside and be in close proximity to an existing settlement.

Extant consent exists for the construction of a stable building of very similar proportions as that proposed. The principle of development has recently been tested and considered to be acceptable under planning reference SMD/2018/0083. There have been no changes in the site circumstances or planning policy that would warrant the Council reaching a different conclusion at this time. Green Belt policy as set out the in NPPF includes engineering operations as an appropriate form of development in the Green Belt provided that they maintain openness. It is considered that the changes to land levels continue to maintain the openness of the Green Belt and are thus found to be appropriate.

Design

Core Strategy policy DC1 requires all new development to be designed to respect the site and its surroundings and positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance. In accordance

with policy DC3 development which would harm or be detrimental to the character of the local and wider landscape will be resisted.

The stable block comprises of a brick built building which omits a window to the stable that was previously approved. A roller door has been used to serve the feed store and approved timber cladding has been omitted from the scheme. Cumulatively these features give the building a domestic character that detracts from its rural context. In order to address this concern amended plans have been submitted which see the re-instatement of a stable window, removal of the roller shutter door which is to be replaced by timber panel doors and the building is to be clad in timber. The alterations made are commensurate with the external building materials of the extant permission and considered to be acceptable.

Objection has been received in respect of the information submitted to address the change in levels to the rear of the stable building. Existing and proposed levels have been submitted with the application and clearly demonstrate what level changes have occurred. These changes are largely screened by the presence of the existing stable. The land has retained appropriate topography and does not appear engineered in character. At the time of my visit the engineered land had grassed over and did not appear incongruous.

Amenity

Core Strategy policy DC1 states that new development should protect residential amenity in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

The closest neighbouring properties (Birchdale and Underhill) are positioned at a distance of 37m away from the proposed stable block. It is noted that the existing site boundary is served by an established hedge. Taking account of the distance between the development and the existing residents combined with the presence mature trees falling outside of the applicant site, it is considered that the development is sufficiently screened and does not result in unacceptable effects on amenity.

At the spacing distances that are achieved, the private and domestic nature of its use, and the modest scale of the development it is not considered that the development would likely result in an undue loss of amenity. It is considered that conditions in respect of odour and drainage should be applied in the interests of consistency and to ensure that an acceptable standard of amenity is maintained.

Highway Safety

Core Strategy policy DC1 states that development proposals should provide for safe and satisfactory access whilst also meeting the parking requirements arising from the development.

The proposed development will be served by the existing access off Cheddleton Road which will be unaltered. The site is located within a sustainable location adjacent to the applicants' dwellinghouse and is for recreational purposes only. The

proposal will not lead to any increase in traffic and therefore is not considered to lead to harm to the highway network.

Other matters

Applicants are entitled to apply for planning permission retrospectively and the conditions requiring the demolition of the existing block can be applied to this consent and enforced. It is considered that sufficient information has been provided with regard to land levels to allow the application to be properly considered.

CONCLUSION / PLANNING BALANCE

Subject to the addition of appropriately worded conditions to ensure that the approved alterations to the building are carried out within a reasonable timescale, this application is considered to accord with the relevant policies contained in the Staffordshire Moorlands Core Strategy and National Planning Policy Framework.

OFFICER RECOMMENDATION : Approve

Case Officer: Lisa Howard
Recommendation Date: 02.04.2020 (updated 15.04.2020)

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council