DELEGATED DECISION REPORT

SMD/2020/0256 **Valid 22/05/2020**	**PLUM TREE COTTAGE** **FOXT ROAD** **FOXT**	**PROPOSED CHANGE OF USE FROM AGRICULTURAL TO GARDEN USE** **(FULL - MINOR)**

MAIN ISSUES

- Character and appearance of the Conservation Area
- Amenity

DESCRIPTION OF SITE

Plum Tree Cottage occupies a plot on the north western side of Foxt Road, within the centre of the village. The site is bound by the Fox and Goose Public House to the north, The Malthouse to the south and a horse riding arena to the north west. Plum Tree Cottage comprises of a detached bungalow that is positioned centrally within the plot.

This application relates to a rectangular parcel of land that is situated between the north west curtilage boundary of Plum Tree Cottage and the car park that serves the fox and Goose and the south east boundary of the horse riding arena. The site is bound by a combination of a post and rail fencing, dry stone walling and native hedgerow. The site adjoins the Foxt Conservation Area which bounds the site along its sought east boundary.

PROPOSAL

Approval is sought for the change of use from agricultural land to domestic garden.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan

SS1 Development Principles
SS2 Settlement Hierarchy
SS9 Smaller Villages Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 - 14

Section(s) 12, 16

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2016/0729 Erection of a 3 bedroom bungalow and new vehicular access
Approved

CONSULTATIONS

Publicity

Site Notice expiry date:
Neighbour consultation period ends:
Press Advert: 01.07.2020

Public Comments

No comments received.

Town / Parish Comments

Support the proposal.

Staffordshire County Council Highways

No comments received.

Conservation Officer

No objection (verbal)

OFFICER COMMENTS

Principle of Development

Paragraph 11 of the National Planning Policy Framework (NPPF) promotes a 'presumption in favour of sustainable development'. For decision takers this means (c) approving 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are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless: i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for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 the Framework taken as a whole.

Paragraph 8 of the NPPF identifies three dimensions to sustainable development as being economic, social and environmental.

The Council expects the development and use of land to contribute positively to social, economic and environmental improvement of the Staffordshire Moorlands in terms of delivering, amongst other things:

- A healthy, attractive, active, well-designed and well-maintained environment;
- Development which maintains the locally distinctive character of the Staffordshire Moorlands, its individual towns and villages and their settings;
- Development that is undertaken in a way that protects and enhances the natural and historic environment.

SMDC Local Plan policy SS9 identifies Foxt as a 'smaller village'. The smaller villages shall provide only for development which enhances community vitality or meets a social or economic need of the settlement and its hinterland. New development is required to reflect and enhance each village's special character and heritage.

Design

In accordance with policies DC1 and DC2 all development must be well designed to respect the site and its surroundings. The plot of land to which this application relates comprises of circa 490m² rectangular plot which extends to the north west of curtilage boundary of Plum Tree Cottage and the customer car park that series the Fox and Goose PH. The plot is bound by a combination of post and rail fencing, dry stone walling and native hedgerow. The plot extends beyond the curtilage boundary of Plum Tree Cottage by 15m. Adjoining the plot to the northwest is a horse riding arena.

The proposed application relates solely to the change of use of the land from agricultural to residential garden in association with plum Tree Cottage. No alterations are proposed to the existing boundary treatment. It is acknowledged that approval of this application would not constitute an extension to the residential curtilage of Plum Tree Cottage and as such the site would not benefit from permitted development rights in accordance with Class A, Part 1 of Schedule 2 of The Town and Country planning (General Permitted Development) Order 2015. Therefore, no structures such as sheds or decking could be erected without formal planning approval.

It is considered that the use of this land for domestic garden purposes, after having regard to the siting, scale and character of the plot, would not significantly detract from the character or appearance of the village or that of the Conservation Area. No objection has been received from the Conservation Officer subject to a condition to control future alterations to the boundary treatment.

Amenity

Policy DC1 requires new development to protect the amenity of the area in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy and soft landscaping. Similarly, paragraph 127f) of the National Planning Policy Framework seek to secure development that protects the amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping. The Councils adopted Supplementary Planning Guidance (SPG), Space About Dwellings provides

guidance to protect privacy for existing and proposed residents. Due to the position of the plot relative to nearby residential properties it is not considered that the application would result in injury to residential amenity.

CONCLUSION / PLANNING BALANCE

This application is considered to accord with the relevant policies contained in the Staffordshire Moorlands Local Plan and National Planning Policy Framework. As such a recommendation of approval is provided.

OFFICER RECOMMENDATION : Approve

Case Officer: Lisa Howard
Recommendation Date: 02.10.2020

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council