

## DELEGATED DECISION REPORT

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**SMD/2021/0241**  
**Valid 16/04/2021**

**PEAK WILDLIFE PARK**  
**ELLASTONE ROAD**  
**WINKHILL**

**PROPOSED MARQUEE FOR  
EDUCATIONAL VISITS,  
RELOCATED SNACK SHACK,  
COVERED EATING AREA &  
PROPOSED AGRICULTURAL  
BUILDING INCLUDING  
ASSOCIATED LANDSCAPE  
WORKS.**

**(FULL PLANNING - SMALL-  
SCALE MAJOR APPS)**

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### MAIN ISSUES

The principle of development in this rural location  
The impact on the character and appearance of the area and the rural landscape  
The impact on residential amenity  
The impact on highway safety

### DESCRIPTION OF SITE

The site lies within Peak Wildlife Park in the open countryside to the west of Winkhill and is on the western edge of the park to the north of the public footpath which crosses the site and to the north-west of the main complex of visitor buildings. The site currently comprises an untidy yard area with containers, a tractor with large trailer, piles of scrap material and a couple of small timber shed/portable building with windows. The animal enclosures lie to the east of the site. There is a field to the north and west and a long track leads from the top of the site connected to Ellastone Road to the north of the PWP main entrance. This track is included in the red edge application site. There is a listed stone dwelling a short distance to the south of the site which has recently (late 2020) been purchased by the Wildlife Park. There are other dwellings to the other side of the field to the west of the site.

### PROPOSAL

This is a full planning application for a number of buildings/structures comprising the following:

-A marquee with a standard marquee form and design which will occupy a floor area of 450m<sup>2</sup> and a would have a maximum height of 5.8 metres. It would be finished in a sand coloured material with glazed elevations. It is to be used principally to accommodate school groups for educational purposes.

-A snack shack, which would be a replacement of one that was erected on the yard next to the farmhouse building which was retrospectively refused permission in this location although an approval was given to relocate it closer to the visitor entrance (it is not certain if this has been implemented). This is a different location to the one now proposed under this current application. It comprises a flat-roofed timber structure with an open frontage and would contain a counter for ordering and collecting food/snacks, fridges and a small store.

-An associated large outdoor covered seating area with stretched canvas.

-A metal sheet finished storage building that is to be used for storage of hay and animal feed associated with the operation of the zoo and for general implement storage. The building would adopt the appearance typical of a portal framed agricultural building. The original plans showed this to have a max height of 10.0 metres to the ridge but amended plans were received to show the height reduced to 7.0 metres (with an eaves height of 5.8 metres) and the building elongated towards the south to compensate for the loss of space. The dimensions of the amended building would be 42.0 x 17.4 metres.

Also shown on the drawings is another metal-sheeted storage building to house a biomass generator and visitor toilets. This was approved recently under application SMD/2020/0711. This has a height of 6.0 metres and would be placed next to the snack shack.

The application also proposes the diversion of two sections of public footpaths ('Ipstones 87' and 'Ipstones 91') in order to address site security and safeguarding issues. A drawing showing existing, proposed and diverted routes has been provided. Although there are no public footpaths through the actual red edge application site, the applicants propose to enlarge the wildlife park at some stage in the future and there are existing diversions which have not yet been unauthorised. The drawings show areas proposed to the west of the site which are intended to be used for future animal enclosures at some stage in the future. The proposed re-routings, however, do not affect the actual application site. Notwithstanding this, re-routing of the path cannot be approved under the Planning Application process and requires a separate Diversion Order application under either the Planning Act (if development directly affects it) or otherwise the Highways Act. Accordingly it has been omitted from the description of development

A revised location plan was received (AL70B) showing the main access to the wildlife park and the actual application site from the main road within the red edged line, on request from the local highways authority (SCC). The original location plan included the site and a separate track access to the north of the site, connected to the main road further to the north of the main entrance, within the red edged line, with the main entrance and route to the application site excluded from this.

The application includes visual 3D drawings of the proposed development, a Heritage Statement (due to the presence of listed stone buildings further to the south within and adjacent to the wildlife park) and a Planning, Design and Access Statement.

## **RELEVANT LOCAL AND NATIONAL PLANNING POLICIES**

### **Staffs Moorlands Local Plan (adopted September 2020)**

SS10 – Other Rural Areas Strategy  
SS11 – Churnet Valley Strategy  
E4 – Tourism and Cultural Development  
DC1 – Design Considerations  
DC2 – The Historic Environment  
DC3 – Landscape and Settlement Setting

### **NPPF (Revised February 2019)**

Section 5 (Economy), 12 (Design) and 16 (Historic Environment).

## **SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS**

SMD/2020/0711: Biomass building. Approved.

## **CONSULTATIONS**

### **Publicity**

Site Notice expiry date: 16.7.21  
Neighbour consultation period ends: 16.7.21  
Press Advert: 27.4.21 (development affecting a Public Right of Way).

### **Public Comments**

None.

### **Town / Parish Comments**

Support.

### **Local Highways Authority**

No objection following receipt of the amended location plan to show the access to the site connected to the main road. The storage building will store feed, bedding, tools and implements for use on the site. This will not have a significant trip generation in itself.

The snack shop is already in existence elsewhere on the site. Its relocation will have no effect on the highway. The marquee is intended primarily for group educational, school visits. These will likely take place during term time when public visits will be at a lower level. School parties are much more likely to arrive by coach, reducing pressure on parking demand and restricting any effect on the highway. Group coach

travel is more sustainable and is encouraged. Visibility at the main access, to the car park area, is acceptable and should be maintained as existing.

### **Environmental Health**

No objection subject to standard conditions.

### **Conservation Officer**

No objection.

### **SCC Public Rights of Way Team**

*“The County Council’s Definitive Map of Public Rights of Way shows that no rights of way cross the area of the site proposed for development.*

*However, the proposals indicate the applicant also wishes to divert footpaths that are within the wildlife park (Public footpaths Nos 87 and 91 Ipstones Parish). As the proposed development does not impact on the current routes of the public rights of way, it would not be appropriate to divert them using the planning process and the Town and Country Planning Act (Section 257 Town & Country Planning Act 1990: Public Path Order (extinguishment or diversion). Therefore, if the applicant wishes to divert the rights of way across their property, they must apply to Staffordshire County Council under the Highways Act 1980. Details of how to do so are available on our website*

*The County Council has not received any application under Section 53 of the Wildlife and Countryside Act 1981 to add or modify the Definitive Map of Public Rights of Way, which affects the land in question.*

*It should be noted, however, that this does not preclude the possibility of the existence of a right of way at common law, or by virtue of a presumed dedication under Section 31 of the Highways Act 1980.*

*It may, therefore, be necessary to make further local enquiries and seek legal advice in respect of any physically evident route affecting the land, or the apparent exercise of a right of way by members of the public.”*

### **Severn Trent Water**

No objection.

### **SCC Flood Team**

“No comments to offer.”

### **SMDC Waste Collection Service**

Commercial waste collection required.

## SCC Minerals Team

No objection.

### OFFICER COMMENTS

The proposal is required in connection with the long term viability of the wildlife park and to improve existing facilities for both the visitors (in the case of the snack bar relocation and canopy seating area) and the welfare of animals and general operation of the park (in storage building) as well as provide new facilities which would help provide further income, in the case of the education marquee, for the use of school groups.

The Planning, Design and Access Statement explains the following:

*“The proposed marquee is required in order to provide additional accommodation on the site to enable the Peak Wildlife Park to cater for additional school groups and other indoor activities. Peak Wildlife Park currently host around 6000 school children every year (pre-Covid), with around 2,500 of those receiving specially created talks and workshops. The lack of indoor space on the site means the applicant has to regularly turn away schools, as they are unable to accommodate more than 100 pupils a day, as most schools insist upon indoor facilities for both lunchtimes and workshops.”*

*“The Covid-19 pandemic has only heightened the need for extra space to be provided, as there is a requirement for social distancing to be maintained, and for a safe environment to be provided. The business is looking to respond positively to the implications of the Covid-19 pandemic so that it can operate effectively (post lockdown) whilst meeting Government Imposed recommendations and requirements. As a zoological attraction, the overheads of the business do not disappear as soon as the doors are closed, as the applicants have a duty to keep their animals fed, cleaned and provided with warm and comfortable housing. It is therefore imperative to the business that they are able to provide appropriate space to maintain its visitor numbers, whilst also maintaining compliance with government requirements.”*

Although the numbers of animals has not recently increased, the applicant has stated the following in support of the storage building which is the largest and highest structure proposed as part of this application and therefore has more potential to have an impact on the landscape and visual amenities of the area:

*“Though the number of animals hasn’t increased dramatically, the type of species held has changed. When we took over the park was predominantly bird species, these are animals that have completely different dietary requirements in comparison to the hoof stock we currently have at the park. The infrastructure required to feed these animals is totally different to bird species, with their main diet consisting of hay and pellets. All the hay we feed is grown, cut and processed at the park providing organic feed that is literally grown on our doorstep. Not only is this great for our carbon footprint, it also means we can manage our crop and ensure our animals get the best possible feed. The main problem we face though is the storage of this food,*

*with all our bales currently being held outside we can lose as many of 30% of our cut to damage by birds and punctures to the wraps (see images attached), which if fed whilst wet it can ultimately affect the welfare of the animals. An indoor area to safely store the 200 bales we cut every year would allow us to safeguard this food source and prevent damage and therefore expressing the importance of the proposed barn.”*

The statement also explains the due an increase in plant and machinery associated with the operation and development of the site, indoor storage space is required.

With regard to the principle of the development, Peak Wildlife Park is recognised as a tourist attraction and an “Opportunity Site” in the Churnet Valley Masterplan and the following policies would apply:

Policy SS10, the strategy for the rural areas, aims to sustain the rural economy by, amongst other things, enabling the limited expansion or development of business for employment uses where a rural location can be justified and enhance and conserve the quality of the countryside by ensuring renewable energy schemes are of an appropriate scale, type and location. It also aims to enhance tourist opportunities by supporting sustainable tourism developments and measures in the Churnet Valley in accordance with Policy SS 11 and the Churnet Valley Masterplan SPD.

Policy SS11, the Churnet Valley Strategy encourages the expansion of existing tourist attractions and facilities. The wildlife park is also recognised as a key tourist attraction in the Churnet Valley Masterplan and encouragement is given to appropriate development at the wildlife attraction.

Policy E4, ‘Tourism and Cultural Development’ encourages development in areas specifically identified for tourism development in the Churnet Valley Masterplan or other relevant documents and states that all development shall be of an appropriate quality, scale and character compatible with the local area, protect the residential amenity of the area, enhance the heritage, landscape and biodiversity of the area and shall not harm interests of acknowledged importance.

Taking each component of the proposal in turn, starting with the snack bar and canopy, this involves the relocation of the existing snack bar building which was deemed to harm the setting of the listed buildings and is required to be relocated away from the yard area next to the listed buildings. It is an acceptable and appropriate visitor facility which helps compliment and improve the visitor experience. The proposed canopy seating area which helps to shelter snack bar customers from hot or rainy weather is also therefore acceptable in principle. The marquee helps to improve an existing facility for schools groups and increases capacity so that the PWP do not have to turn away school groups and hence lose business. The proposal is beneficial to education and therefore has “social” advantages as well as “economic” benefits. Finally with regard to the storage building, although this appears rather large, I consider that sufficient justification has been given by the applicant above in terms of the welfare needs of the animals. Furthermore, a visit to the site revealed containers, plant and machinery in the area and I can understand the demand for the additional floorspace for this purpose.

The principle of the overall proposal is therefore acceptable.

However, the acceptance of the proposal also depends on the impact on heritage interests, the landscape (including nearby Peak District) and residential amenity as outlined in the policies above.

With regard to impact on the landscape and general visual impact, the current yard area forming the application site is very untidy and the provision of neat single-storey buildings would help the appearance of this part of the park and due to the limited height would not harm the landscape. The marquee would have a sand colour rather than white colour and also the canopy which has a good contemporary design which would not harm the appearance of the area. Both structures due to their limited height would not harm the listed buildings to the south. The snack bar relocation would improve the setting of the listed buildings by being moved a sufficient distance away from them.

The storage building is higher than a standard single-storey building. I was concerned at the original height of 10.0 metres but justification has been given for the overall scale of the building (as above) and amended plans have been received reducing the height to 7.0 metres without significantly lowering the roof pitch (i.e. by dropping the eaves). This would not exceed the height of the current highest buildings at PWP which are the stone buildings in the centre of the complex including the farmhouse. It is appropriate that these remain the tallest buildings at PWP. The building would be visible from the "A" road to the north but the narrower gable end faces the main road which helps to reduce prominence when viewed from here. the building has the form of a typical modern portal-frame agricultural storage building which is not out of keeping with the wider rural area where other such buildings exist. However, as the building is placed adjacent to open fields to the west and where there is limited screening, just gappy hedges and scrub, I consider it appropriate that some form of hedge planting be provided and although the building exceeds a height of 5.0 metres, over time, the right type of hedging can establish and provide some visual softening and help the building blend in better with the landscape. This can be achieved via a planning condition. The amended plans also show building elongated further to the south but this would not be apparent when viewed from the main road to the north and the building would still remain a sufficient distance from the listed stone buildings further to the south. The building also has the advantage of storing items currently kept untidily around the site to the south of it and this is further justification of the scale of the building.

With regard to residential amenity, the listed dwelling to the south has recently been purchased by the wildlife park. The current nearest neighbours outside of the property are over 100m to the south-west and the proposed development would not appear harmfully overbearing or lead to any loss of light or privacy issues due to the sufficient distance between the site and the nearest dwellings. The Environmental Health Section also do not raise any concerns about the nearest residents being affected by any additional noise but recommend a condition restricting amplified sound and voice (from the snack bar or schools marquee).

With regard to highway safety, no objection is raised. The new education/marquee is an enlarged facility and would potentially lead to more frequent or larger schools groups visiting in vehicles but as this would be during schools term time and outside

the school holidays peak seasons, the proposal is unlikely to lead to any significant additional traffic generation that would cause any highway safety issues.

With regard to the comments of the Public Rights of Way consultees, although there are no footpaths through the actual application site, the current path through the wildlife park does not follow the actual line of the PROW which is blocked and the diversion route has not been formally approved. However, this does not preclude any approval being granted for the proposed development and the applicant's propose a further re-routing as part of their long-term proposals. Any future diversion cannot formally be applied for under this current application. It is noted however, that construction vehicles would be likely to use the current unauthorised diversion route and this has the potential to impact on the safety of users of the unlawfully diverted path. Although this is a not a planning matter for this current application (and the local highways authority has not objected in any case), an informative shall therefore be added requesting that the applicant apply for the formal diversion of the PROW which will allow proper consideration of whether, having regard to the approval of this application, the diverted path is a safe and suitable alternative to the definitive route.

## **CONCLUSION / PLANNING BALANCE**

The principle of the proposal in this location is acceptable and it would not lead to any landscape, visual or general environmental harms in the area or any highway safety problems. The proposal would therefore comply with the Council's Local Plan and the government planning guidance contained in the NPPF.

**OFFICER RECOMMENDATION :    APPROVE**

**Case Officer: Chris Johnston**

**Recommendation Date: 30.7.21**

X *B.J. Haywood*

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Signed by: Ben Haywood

**On behalf of Staffordshire Moorlands District Council**