

DELEGATED DECISION REPORT

SMD/2021/0653
Valid 11/10/2021

WHISTON HALL GOLF
CLUB BLACK LANE
WHISTON

PROPOSED NEW
AGRICULTURAL STORAGE
SHED

(FULL - MINOR)

PROCEDURAL MATTER

There is a fundamental contradiction in the plans submitted as there are drawings which show two different locations for the proposed building with drawings A 0104 A and A 0106 A showing the building differently positioned relative to its surroundings from that shown in drawings A 0103 and A 0105. For the purposes of this report both alternative locations will be considered. If either were deemed to be acceptable conditions could be imposed to reference the appropriate drawings.

MAIN ISSUES

- Character and Appearance
- Heritage
- Access and neighbour amenity

DESCRIPTION OF SITE

The application form describes the existing use as "Existing Hotel, Golf Course, Agricultural Storage Sheds". The Case officer for the LPA made an extended site visit to the location on the 24th March 2021 to review four planning applications with the Authority at that point. One of these was SMD/2021/0056 for a 'Proposed new Agricultural Storage Shed' which was subsequently withdrawn 20th May 2021. The current application has been submitted as a 'free-go' revision.

The LPA finds no evidence or indication that the site edged red is in any sense agricultural nor is there any indication that agriculture is being carried out on the estate in general as the land is understood to have been long in use, and to be in continuing use, as a golf course, with a hotel use alongside. No agricultural storage is found to be present.

The site as shown in the submitted red edge is cut into the north facing slope of a historic man-made embankment which forms the now disused Cauldon Low tramway dating from 1804. The embanked tramway is recorded in the Staffordshire Historic Environment record as: "*The third of four successive tramways between Caldon Canal and the Cauldon Low Quarry. Work began on the railway in 1802 and was completed in 1804.*" It should properly be regarded as a non-designated heritage asset within the meaning of the NPPF.

Although the site address for the application is given as Whiston Hall Golf Club, Black Lane, Whiston, the proposal is shown in drawing DR-A-0103 as deriving its access not via the Hall but via a private lane to the north and through a stone arched tunnel under the tramway embankment. This access appears to lie outside the land associated with the ownership of the Hall.

PROPOSAL

Submitted drawing GF-DR-A-0102 shows a building 30m in length by 15m wide with height to eaves of 6m and a 10.5m high ridge. Each end elevation would have a roller shutter door c.4m x 4m with alongside of it a personnel door and glazed panel above. Materials are described in the application form as using Corrugated Metal Sheetting (Green) for the walls, and for the roof: Corrugated Metal Sheetting / Rooflights to enable natural daylight.

A heritage statement compiled by the planning agent is submitted. This states:

The proposed development site, known as 'the site', is an area of land contained within the boundary of Whiston Hall Hotel & Golf Course. The hotel & golf club is located towards the eastern side of Whiston Village.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
DC3 Landscape and Settlement Setting
NE1 Biodiversity and Geological Resources
NE2 Trees, Woodland and Hedgerows
T1 Development and Sustainable Transport

National Planning Policy Framework February 2019

Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 8 Promoting healthy and safe communities; 11 – Making effective use of land; 12 – Achieving well designed places; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

Local Plan Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2021/0056 – Proposed new Agricultural Storage Shed – Whiston Hall Golf Club, Black Lane Whiston – withdrawn 20th May 2021

CONSULTATIONS

Publicity

Site Notice expiry date: 17th Nov 2021
Neighbour consultation period ends: N/A
Press Advert: N/A

Public Comments

One representation in objection has been received stating:

- 1) There is already an application in for an agricultural storage shed SMD/2020/0739* and waiting for a decision since 12/5/2021? Why do they need a second agricultural storage shed?
- 2) The golf course business has nothing to do with agriculture.
- 3) Ownership of the WGC site is still not resolved.

[*Ref SMD/2020/0739 relates to an application for a lawful development certificate for an Existing use or development on land elsewhere within the Whiston Hall estate).

Town / Parish Comments

Kingsley Parish Council:

1. Application is misleading. The Golf Club business has nothing to do with agriculture.
2. The construction would impact on the site of the 1805 Froghall – Cauldon Tramway, the site forming part of the embankment of the Whiston Incline.
3. There are alleged issues around ownership of the land in question.

Environmental Health

1. Noise (Recommend Refusal)
2. Construction Impacts (Condition)
3. Land Contamination (Condition)
4. Lighting (Condition)
5. Drainage (Condition)

Staffordshire County Council Highways

No objection subject to condition.

Notes: The access to the development is along a private road. This and other recent applications/approvals will intensify use of the access. The access will require maintenance which should be considered at this stage. This application is described as an agricultural storage shed for a hotel/golf course. Application suggests that the implements to be stored are required for maintenance and are generally already on the site. Access to the building is existing and in current use. The storage building in

itself will not be a significant trip generator and the development will not have a severe effect on the highway.

Severn Trent Water

Minimal impact on the public sewer system therefore no objections and no requirement for a drainage condition.

OFFICER COMMENTS

Principle of Development

Policy SS10 for the rural areas supports only development which meets an essential local need and supports rural diversification and sustainability of the rural areas or supports sustainable tourism or enhances the countryside.

The basis of this application is put forward as being needed for agriculture. It is not clear if the applicant is under the misapprehension that the maintenance of a golf course should be regarded as an agricultural operation or whether a genuine agricultural use is intended. Whether or not the building is needed either for agriculture or in connection with maintaining the golf course, in the absence of information to explain and justify the purpose of the building there is no basis by which the development can be considered as having an essential need to be located in the countryside. The development cannot be found as being acceptable in principle.

The LPA is aware of existing buildings alongside or near the hall (subject of LDC application SMD/2020/0739) seemingly in use for storage and maintenance activities apparently in support of the running of the golf course. The proposal building in this application is more than double the area of the existing buildings examined by the LPA in relation to SMD/2020/0739. It is also considerably greater in overall volume capacity with its top height of 10.5m and eaves of 6m as against c. 3m max height in the extant buildings.

Design

The building is large and industrial in appearance rather than agricultural and would stand at odds with the 'green' surroundings in which there are no immediate nearby other buildings. Owing to the size of the building it is likely it will stand out even from distance and despite some intervening tree clumps it will be seen from the A52 Ashbourne Rd some 200m to the north, and where it is seen it is likely to appear obtrusive or certainly out of place in this otherwise verdant setting.

Amenity

The EHO has concerns about the potential for noise to arise from the use of the building, including access to and from the building, to adversely affect the living amenity conditions of nearby residential development. The applicant was previously advised in relation to the earlier withdrawn application to provide a noise assessment but none has been submitted.

Highway Safety

With no substantive concerns raised by the Highways Officer the development appears acceptable in Highway Safety terms.

Heritage

The submitted heritage statement (HS) acknowledges the Tramway, including the stone arched tunnel under it, as being historic features of note and a Non-Designated Heritage Asset. The HS asserts that “the archways, and embankment are to be retained” or to retaining “the majority of the embankment”. That the submitted site edge plans show the building set into a cutaway of the embankment on its north side seems not to be reflected in the submitted assessment. This would amount to direct loss of historic structure. The HS says the development will not be taller than the former tramway though this is not supported by drawing DR-A-0106 rev A.

Other matters

Ownership certificates not served in relation to the withdrawn application have been included this time although it is not fully clear to the LPA that owners of the access road have been notified of the development and the LPA is in receipt of correspondence with attached Land Registry records which suggest further owners may need to be notified by the applicant.

CONCLUSION / PLANNING BALANCE

Fundamentally as a matter of principle this is not a development that finds support under the Council’s adopted Local Plan as it has not been established that there is an essential need for this development – as would be required under area strategy policy SS10 for the rural areas.

The development is harmful to the non-designated heritage asset of the 1805 Caldon tramway embankment being harmful by causing direct loss (drawings A 0103 and A 0105) and / or harmful to the setting (drawings A 0104 A and A 0106 A). Through policy DC2 the NPPF paragraph 203 requires the LPA to make a balanced judgement as to the impact having regard to the scale of any harm or loss and the significance of the heritage asset. With actual loss of physical heritage occurring the scale of loss is at the higher end. Given that no essential need has been established there is little or no counterbalancing argument to weigh in support of the development against the harms identified whether this harm is actual physical loss restricted to harm to setting alone.

In design the building proposed is large and industrial with its sheet metal finish and would stand out of place and at odds with this otherwise verdant location in which there are no immediate other nearby buildings.

In the absence of a noise assessment (as had previously been advised to the applicant was necessary) it is not possible to fully and properly consider the potential impacts for nearby dwellings but as they are in a rural location which is likely to have

very quiet ambient background noise levels the risk of noise disturbance reaching unacceptable levels and / or time of day occurrence from activities associated with a development of this size could potentially be significant.

The proposed building is therefore found to be unacceptable in either location as shown on the submitted drawings and is recommended for refusal for the reasons as set out above.

OFFICER RECOMMENDATION : refuse

Case Officer: Arne Swithenbank

Recommendation Date: 6th December 2021

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council