

DELEGATED DECISION REPORT

SMD/2021/0532
Valid 06/09/2021

**ROYAL OAK MACCLESFIELD
ROAD
RUSHTON SPENCER**

**REPLACE AND RELOCATE OIL
TANK TO COMPLY WITH NEW
REGULATIONS. PROVIDE
1600MM HIGH FENCE WITH
LOCKABLE GATE TO SCREEN
AREA AND STORE REFUSE
BINS. ADDITIONALLY, PROVIDE
SIDE DOOR TO EXISTING
GARAGE TO PROVIDE AREA
FOR COMMUNITY DONATIONS
TO FOODBANK AND ""SWAP""
AREA FOR EXCESS PRODUCE,
SEEDLINGS ETC**

(FULL - MINOR)

MAIN ISSUES

- Principle of development
- Design and visual impact
- Neighbour amenity
- Environmental Health Matters
- Car Parking

DESCRIPTION OF SITE

The application site is the Royal Oak pub, Macclesfield Road, Rushton Spencer. The pub occupies a generously sized plot and is located at the junction of Macclesfield Road and Sugar Street. Land within the site is generally flat and there is a large car park for pub customers. Within the grounds there are outbuildings and storage areas, much of the rear of the site is obscured from view by a large sandstone wall forming the Sugar Street boundary.

The Royal Oak pub is not within the Green Belt. There are no nearby Listed buildings/structures nor are there any protected trees which need to be considered. The pub does not form part of any Conservation Area and is not enclosed by any settlement boundary.

PROPOSAL

The application is for the replacement and relocation of an oil tank, a 1.6m high fence with lockable gate and the insertion of a pedestrian door within the northern facing side of the existing garage.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan

SS1 Development Principles
SS9 Smaller Villages Area Strategy
SD1 Sustainable Use of Resources
SD4 Pollution and Water Quality
DC1 Design Considerations
DC3 Landscape and Settlement Setting
T1 Development and Sustainable Transport

Supplementary Planning Guidance

1. Design Principles for Development in the Staffordshire Moorlands

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide.

National Planning Policy Framework

Including sections;

- 2: Achieving sustainable development
- 12: Achieving well-designed places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

A number of applications on the site but nothing specific to this scheme.

CONSULTATIONS

Publicity

Site Notice. Expired
Neighbour consultation period. Expired.

Public Comments: No representations received during the statutory consultation period.

Rushton Parish Council: Fully support the application.

Environmental Health: No objections subject to conditions.

OFFICER COMMENTS

Principle of development

The application site forms part of Rushton Spencer, a settlement which does not have development boundary but is identified as a Smaller Village within Local Plan policy SS9. There are no 'in principle' objections to the application. Policy SS9 seeks to (amongst other aims), support development which enhances community vitality or meets a social or economic

need of the settlement and its hinterland. The application for the oil tank is clearly related to the existing public house use and the new door to the garage will facilitate the creation/continuation of a community donations area (food bank/swap area). As such the general principle of development is acceptable, subject to compliance with other policies concerning design, amenity and parking matters.

Design and visual impact

There are no design or visual impact concerns. The insertion of a pedestrian door to an existing garage is a minor alteration. A new 1.6m high fence to surround an oil tank is also of no design or visual impact concern. The enclosure would be positioned well within the car park site, close to the existing garage and generally screened from roadside view, by the large stone boundary wall. Users of the car park will see the fence enclosure, but it would be simply formed and sat against existing structures. No adverse impact on the street scene.

Neighbour amenity

No neighbour amenity issues as the development is within the car park and not near to any boundary with any neighbouring property.

Environmental Health Matters

The Environmental Health officer has no objections to the application subject to a number of conditions concerning the oil tank bunding, any proposed external lighting and times/days of the week during which the development can be carried out. The EHO also provides advisory notes which can be added to the decision notice in the event of the application being approved. It is considered that the condition relating lighting is not reasonable nor proportionate to the scale of the development proposed. All other conditions are reasonable and relate to the development proposed.

Car Parking

Although the new oil tank and fencing will be within the pub car park it will not significantly reduce any parking provision; there is ample space for visitor parking.

CONCLUSION / PLANNING BALANCE

It is recommended that (for the reasons outlined within the report), that the application is approved subject to conditions and advisory notes.

OFFICER RECOMMENDATION : Conditional approval.

Case Officer: Lisa Jackson

Recommendation Date: 16/12/2021.

X *J Colley*

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council