

5th August 2022

Dear Sir / Madam,

22-28: Extension of existing Tourist / Holiday Let use on the site by provision of 1 No. of shepherd's hut. (Resubmission of SMD/2021/0335) at Knypersley Mill Farm, Judgefield Lane.

1.0 Description of the Proposals & Analysis

- 1.1 This resubmission application has been prepared by Mr Bruce Johnson of 'b3rchitectural' and it is submitted on behalf of Mr M Hall who lives and works at the site; 'Knypersley Mill Farm'. A previous application: reference SMD/2021/0335 was submitted by 'Smytheman Architectural' and any reuse of material within this application has express prior permission.
- 1.2 The applicant is the sole owner of all land at Knypersley Mill Farm and the agricultural land in the blue edged boundary line on Drawing Reference '22-28-b3-03-XX-DR-A_0103'. This equates to 142,695m² / 35.26 Acres. There are no agricultural tenants. For clarity, Mr Hall is owner of the access track from Judgefield Lane; however, he also permits the owners of Knypersley Mill a 'right of way' to use his track, which he maintains.
- 1.3 The application site is within designated 'Green Belt', outside of the development boundary of nearby village 'Brown Edge'; 'Knypersley', which is part of Biddulph town and 'Kids Grove' town. A suggestion has been made by some consultees that the site is not a sustainable location and that any use requires vehicular dependence. At present, the site is a working farm which survives thanks to diversification; there is a Camping and Caravan Club use which operates all year round, a Holiday Let and Caravan Storage on site; a farming income alone is not sufficient.
- 1.4 In 2021 a Certificate of Lawful Development of Proposed Use was approved for an existing two storey outbuilding to be used as a Living Accommodation (C3 use) / Holiday Let alongside the existing Dwellinghouse. This is incidental to the enjoyment of the existing house. This was APPROVED under SMD/2021/0308.
- 1.5 Part of the site has certification from The Camping and Caravanning Club to allow up to 5 Caravans and 10 tents to use the land for up to 28 days at a time for holidaymaking. In the previous application, (SMD/2021/0335) consent was sought to increase this use to 11 Caravans; the Case Officer was under the opinion that this was a Change of Use to the land, and this was not acceptable because of the impact on the 'openness of the Green Belt'. As result, this application was REFUSED. This increase in numbers to the Caravan site has been omitted from the resubmission and it is hoped that this will make the revised proposals acceptable.

- 1.6 In the previously submitted application; SMD/2021/0335, consent was also sought for 4 No. of Shepherd's Huts, these are mobile timber structures of approximately 13m² footprint and they have a low overall height of under 3m. They are clad in timber, and some were painted sage green to help blend into their surroundings. This was included as part of the previous submission and as result all Shepherd's Huts were REFUSED under the same application, due to potential harm to the Green Belt.
- 1.7 The new proposals (submitted) seek consent for a single Shepherd's Hut. This will be located within a cluster of existing barns and farm buildings, on a low-lying area of land, below the crest of the hill. The Shepherd's Hut is currently in-situ and as result, this application is for retrospective permission. All other Shepherd's Huts have been removed from the site and are sold.
- 1.8 By locating the Shepherd's Hut in this location and by using such a modest sized structure the proposals would ordinarily be considered GPDO (Permitted Development) if they were located within 'gardens' or 'domestic curtilage'. The structure is lower than 3m maximum height, with an eaves of less than 2.5m, this would comply with Class E 'permitted development'. The raised access, however, would require permission. This statement is made simply to emphasise the modest nature of the proposals. The proposed location is within an area of the farmstead and as result planning permission is required; albeit the entrance to the C3 use Holiday Let is only 21m away from the Shepherd's Hut.
- 1.9 By proposing a modest sized structure alongside a cluster of much larger buildings this is thought to contain the development to one area, the volume of the proposals is small compared to the surrounding buildings and it will not be noticeable from outside the site. By preserving the openness of the site and not causing a sprawling effect away from the existing buildings and into the Green Belt the proposal meets National Planning Policy Framework Paragraph 137. A Class E 'permitted development' structure would not be considered 'disproportionate' and as result, the proposals comply with Paragraph 149 (c).



Figure 1: The Proposal in-situ. To the right is the crest of the hill which shields wider views, beyond the Shepherd's Hut is a cluster of Barn buildings, some of which are two storey.

2.0 Planning Policy Background & Discussion

- 2.0.1 Section 38(6) of The Planning and Compulsory Purchase Act 2004 (the 2004 Act) requires that planning applications be determined in accordance with the development plan unless material circumstances indicate otherwise.
- 2.0.2 In Staffordshire Moorlands, 'The Local Plan' was adopted on 9th September 2020 and sets out the council's vision and strategy for the district until 2033.
- 2.0.3 National guidance in the form of the National Planning Policy Framework 2021 (NPPF) underpin the general strategy for development with which all development plans must be in broad conformity.
- 2.0.4 The following policies are relevant to the proposals, and these will be appraised in the following section of this report:

2.1 Local Plan

- 2.1.1 The Local Plan sets out how SMDC would like to see the district develop by 2033. Section 5 sets out Spatial Aims and Spatial Objectives.
- Spatial Aim SA1 has the aspiration to create "distinctive, sustainable, self-supporting settlements".
 - Spatial Aim SA2 outlines policy should meet "the needs of our communities."
 - Spatial Aim SA3 aims to encourage "a strong, prosperous and diverse economy".
 - SO7 looks to "To protect, provide and enhance the tourism, cultural, sport and recreation and leisure opportunities for the district's residents and visitors."
 - Spatial Objective SO8 looks to "To promote local distinctiveness by means of good design and the conservation, protection and enhancement of historic, environmental and cultural assets throughout the district."
 - Spatial Objective SO9 looks to "To conserve and improve the character and distinctiveness of the countryside and its landscape, heritage, biodiversity and geological resources."
- 2.1.2 Policy E4 relates to 'Tourism and Cultural Development', the proposals are not for new tourism; rather, improved facilities associated with an existing tourist use. E4 will "support the provision and expansion of tourist, visitor and cultural facilities in the rural areas where needs are not met by existing facilities" provided that it is an "appropriate quality, scale and character compatible with the local area."
- 2.1.3 Policy C3 relates to 'Green Infrastructure', the council will support proposals which "contribute to the diversification of the local economy and tourist development through the enhancement of existing, and provision of new facilities."
- 2.1.4 Policy DC3 relates to 'Landscape and Settlement Setting' policy states the council will resist proposals which have a "prominent intrusion into the countryside".

2.2 National Planning Policy Framework 2021 (NPPF)

2.2.1 Chapter 13 of the NPPF relates to 'Protecting Green Belt land':

2.2.2 Paragraph 137 states "The government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence."

2.2.3 Paragraph 138 states "Green Belt serves 5 purposes:

- (a) to check the unrestricted sprawl of large built-up areas;
- (b) to prevent neighbouring towns merging into one another;
- (c) to assist in safeguarding the countryside from encroachment;
- (d) to preserve the setting and special character of historic towns; and
- (e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land."

2.2.4 Paragraph 149 states that 'exceptions' in the greenbelt that can be permitted include:

- (c) the extension or alteration of a building if it does not result in disproportionate additions over and above the size of the original building.

2.3 Chapter 6 of the NPPF relates to 'Building a strong, competitive economy':

2.3.1 Paragraph 84 states Planning policies and decisions should enable:

- (a) the sustainable growth and expansion of all types of business in rural areas, both through conversion of existing buildings and well-designed new buildings;
- (b) the development and diversification of agricultural and other land-based rural businesses;
- (c) sustainable rural tourism and leisure developments which respect the character of the countryside.

2.3.2 Paragraph 85 states that local authorities must "recognise that sites to meet local business and community needs in rural areas may have to be found adjacent to or beyond existing settlements, and in locations that are not well served by public transport."

3.1 Conclusion

- 3.2 The revised proposals at Knypersley Mill Farm are modest in scale and size. The proposals are appropriately sited such that they do not impact the wider site. The colour used on the proposal helps it to blend into its surroundings and there is no reduction in 'openness'. This is in accordance with NPPF Paragraph 149 (c) and this in turn, meets the 'fundamental aims' of Paragraph 137.
- 3.3 By allowing this building to remain in-situ this will help to secure a modest income stream from holidaymakers and guests of the applicant. This is necessary to allow the applicant to continue to upkeep the existing facilities at Knypersley Mill Farm. The NPPF Paragraph 84 and 85 recognise that rural businesses need support to remain sustainable and in profit. Pragmatism is requested from SMDC over this minor, revised proposal.
- 3.3 The applicant has carefully considered the refusal of application SMD/2021/0335 and has made adequate revision to the proposals to allow it to be supported, no further caravan pitches are proposed and the previous 3 Shepherd's Huts to the south of the farmstead have been removed from the site.
- 3.4 For the reasons rehearsed above it is respectfully suggested that the application should be recommended for **approval**.

Yours Faithfully,



Bruce Johnson BSc (Hons), MSc

on behalf of applicant: Mr M Hall