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ED2087
11 October 2022

Full Planning Application (Retrospective)

PP-11522080

Dear Sir/Madam,

On behalf of the applicant, James Brookman Ltd, we are pleased to submit a full planning application at land adjacent to Horton Hall, Tollgate Road, Horton, ST13 8PH.

The development seeks permission for:

'Change of use of land for temporary car park and associated works (Retrospective)'.

This letter should be read in conjunction with the supporting information:

- Application Form – via Planning Portal – ref. PP-11522080;
- Application Fee – via Planning Portal;
- 201-P0001 Site Location Plan;
- 201-P0100 Existing (original) Site Plan;
- 201-P0101 Proposed Site Plan.

Site and Surroundings

The application site measures approx. 470sqm. Access is taken via a single vehicular access point to the north east corner onto Tollgate Road. Hedgerow bounds the eastern boundary along Tollgate Road to providing screening.

The land is owned by the occupier of the Grade II* listed building, Horton Hall. The applicant's heritage advisors (Pegasus – Heritage) have confirmed the site is located outside of its curtilage. The site is adjacent to the northern garden separated by mature trees and shrubs and is sited approximately 85 metres north of the dwelling.

The site is located within the Green Belt and Horton Conservation Area. The site does not have any buildings or structures present and does not comprise of statutory or locally listed heritage assets.

Planning History

A review of the Council's online planning system indicates that there is no planning history for the site.

Proposed Development

The use of the site as a temporary car park commenced June 2021. In addition to the use, the existing hard core was extended. Its purpose was to accommodate construction traffic associated with ongoing restoration works at Horton Hall, the aim being to avoid any parking on the narrow lane. The Enforcement Officer raised concerns following their site visit and the applicant instructed Eden Planning to provide advice which has resulted in this application.

This application requests the temporary use of the site for a period of 18 months from the date of a decision to enable the works at Horton Hall to be completed.

The soil scraped from the land is stockpiled on site in readiness for the reinstatement of the land. Once the use ceases, the hardcore would be removed and the site will be reseeded to restore the land back to its previous condition as grassland.

Site photographs of the current state of the site is attached to **Appendix 1.**

Policy Context

Relevant to the site, the adopted Development Plan comprises the Staffordshire Moorlands Plan (SMP) (adopted September 2020).

The application site is located within the Green Belt, Horton Conservation Area and Churnet Valley Strategy, and lies in close proximity to listed buildings.

The pertinent SMP policies are as follows:

- Policy SS2 Settlement Hierarchy;
- Policy SS 11 Churnet Valley Strategy;
- Policy DC2 The Historic Environment; and
- Policy DC 3 Landscape and Settlement Setting.

A summary of the above policies is listed in **Appendix 2.**

Section 70(2) of the 1990 Act deals with determination of applications general considerations requires that the authority in dealing with the application shall have regard to the provisions of the development plan, so far as material to the application and to any other material considerations.

The pertinent material considerations:

- Horton Conservation Character Appraisal;
- Churnet Valley Masterplan Supplementary Planning Document (2014);
- National Planning Policy Framework (The Framework);
- Planning Policy Guidance (PPG).

A summary of material considerations is summarised in **Appendix 3.**

Planning Considerations

The Development Plan is the starting point for decision making as required by Section 38(6) of the Planning and Compulsory Purchase Act 2004. Proposals that accord with an up to date development plan should be granted without delay.

Principle of Development

This retrospective application seeks the change of use of grassland to a car park for a temporary period of time.

The application proposes the car park is available for 18 months from the date of a decision as further works for Horton Hall are proposed and will come forward in a separate application.

Impact to Heritage Assets

The site is within Horton Conservation Area. The Horton Conservation Area Character Appraisal identifies Horton as a Special Landscaped Area where all green space is “significant”.

The site utilises an existing access onto Tollgate Road. The northern and southern boundaries are lined with hedgerow and trees. The parking area is therefore visually contained with views into the site screened along Tollgate Road. In our view it will not be visually prominent within the Conservation Area.

Hardcore has been laid to mitigate dust from the site and protect the original land from damage of vehicular movement. The use of the site will not have a significant impact to the setting of the nearby heritage assets in terms of noise, smell and vibration.

Any perceived impact on the Conservation Area would be negligible and the temporary use will not have a long term impact. The proposals are in accordance with SMP Policy DC 2.

Green Belt

The application site is situated in the Green Belt. The proposal is for a temporary period and the land will be reinstated to its former use, condition and appearance on cessation of use by the removal of hardcore and resoiling and reseeding the land.

The PPG Green Belt (2019) identifies that the provisions to return land to its original state should be taken into consideration when assessing the impact of the proposal on the openness of the Green Belt. The proposal seeks to reinstate the land back to the original use and condition after the temporary period expires. As such, the proposal will not have a long term impact on the openness of the Green Belt.

As set out within paragraph 138 of The Framework, the Green Belt serves five purposes. The car park does not result in in the sprawl of large built up areas (purpose 1), the merging of towns (purpose 2) or the permanent encroachment into the Countryside (purpose 3) The other two purposes (setting and special character of historic towns and recycling of derelict and other urban land) are not considered relevant to this proposal.

The temporary impact of the car park on the openness of the Green Belt is considered to be negligible and would not result in significant harm to the openness of the Green Belt in the longer term.

It is considered that the temporary car park does not result in a permanent or prominent intrusion into the countryside or have a significant adverse impact on the character or the setting of a settlement or important views into and out of the settlement. The proposed temporary period of the car park will not have a long term impact on the Green Belt and accords with SMP Policy SS 2 and the Framework.

Landscape and Visual Impact

The site is located with the Churnet Valley, an area that has been identified for rural regeneration and the need to enhance and protect the landscape character.

SMP Policy DC3 seeks to protect and enhance the local landscape where possible. The temporary car park will not have permanent impact on the landscape as the land will be reinstated to its original use as a grassed field and return to its original condition.

The car park is of a modest scale and sits against the hillside and is screened by the hedgerow along Tollgate Road, which conceals its appearance in the landscape.

The proposal will not have a permanent impact to the landscape character of the area and is in accordance with SMP Policy SS 11 and Policy DC 3.

Conclusion

This retrospective application seeks temporary change of use of land to a car park which will be reinstated back to grassland once the use ceased. This application is required to enable contractors to park close to Horton Hall to carry out works to the listed building and its gardens.

Due to the temporary nature of the car park, the proposal will not have a long-term impact on heritage assets, landscape and openness of the Green Belt.

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Should the proposals be considered acceptable by Officers, we politely suggest the following condition:

1. The permission hereby granted for a car park is for a limited period expiring 18 months from the date of this permission.
2. Following cessation of the car park use, the land shall be reseeded within the first planting season and reinstated to its former condition as detailed within the Existing Site Plan.

We trust this application provides sufficient information to register and progress the application and we look forward to your support for these proposals. Should you require any further information, please do not hesitate to contact us.

Yours faithfully



Zoe Reynolds MRTPI

PLANNER

Enc.

Appendix 1 – Site Photographs

Appendix 2 – Pertinent Planning Policies

Appendix 3 – Pertinent Material Considerations

Appendix 1 – Site Photographs

Figure 1: Site entrance on to Tollgate Road



Figure 2: View from the north of the site towards the south



Appendix 2 – Pertinent Planning Policies

Policy SS2 Settlement Hierarchy states "…this comprises the open countryside where development is normally unacceptable and green belt where further development is generally inappropriate. Within these areas there are some groups of houses and hamlets which are not identified as 'smaller villages' because of their predominantly open character and loose-knit nature. They also contain major developed areas which may be suitable for appropriate development or redevelopment".

Policy SS 11 Churnet Valley Strategy identifies the Churnet Valley as an area for sustainable tourism and rural regeneration which include measures amongst others to enhance, protect and interpret the landscape character and heritage assets of the Churnet Valley.

Policy DC 2 The Historic Environment notes "the Council will conserve and where possible enhance heritage assets, including their setting in a manner appropriate to their significance. This will take into account the desirability of maintaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment".

Policy DC 3 Landscape and Settlement Setting outlines that the Council will protect and, where possible, enhance local landscape and the setting of settlements in the Staffordshire Moorlands by

1. Resisting development which would lead to prominent intrusion into the countryside or have a significant adverse impact on the character or the setting of a settlement or important views into and out of the settlement as identified in the Landscape and Settlement Character evidence;
2. Supporting development which respects and enhances local landscape character and which reinforces and enhances the setting of the settlement as identified in the Landscape and Settlement Character evidence;
3. Supporting developments which conserve or enhance the biodiversity qualities of any natural or man-made features within the landscape, such as trees, woodlands, hedgerows, walls, watercourses or ponds;
4. Supporting opportunities to positively manage the landscape and use sustainable building techniques and materials which are sympathetic to the landscape;
5. Ensuring that development does not adversely affect the wider setting of the Peak District National Park

Appendix 3 – Pertinent Material Considerations

Churnet Valley Masterplan Supplementary Planning Document (2014)

This document seeks to make sure that the Council realise the potential of the Churnet Valley, whilst at the same time safeguarding what makes it special. This Masterplan provides a comprehensive framework for future development in the area. It identifies opportunities and measures to help regenerate and manage this important rural area based around sustainable tourism in a manner which is sensitive to and enhances its important heritage, landscape and ecology.

Horton Conservation Area Character Appraisal

Horton Conservation Area was established in 1970 and the Conservation Area Character Appraisal includes the following description:

- Its boundary has been drawn to include the whole of the ancient settlement, bounded at each end by Townsend and Horton Head Farms, and centered on the Church of St Michael and Horton Hall. It includes the road through the village, the road, track and pathway that formed the 'back lane' of the medieval settlement and the fields that lie between them.
- Horton is set in a Special Landscaped Area where all the green space is significant. (The Staffordshire Moorlands Plan 2020 does not designate the Landscape which Horton is set within as a special landscaped Area. The Character Appraisal predates the adopted Local Plan. There is a Landscape and Settlement Setting policy (DC3) which seeks to protect features, qualities and views that can make a valuable contribution to the landscape quality).
- Horton Hall is among the most impressive of the yeoman farmhouses in North Staffordshire and the most dominant in the Conservation Area.

National Planning Policy Framework

Section 13 focuses on protecting the Green Belt. Paragraph 138 sets out the five purposes of the Green Belt:

> *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.*

Section 16 highlights the importance for conserving and enhancing the historic environment. Paragraph 195 states "Local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including by development affecting the setting of a heritage asset) taking account of the available evidence and any necessary expertise. They should take this into account when considering the impact of a proposal on a heritage asset, to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal".

Planning Policy Guidance

Green Belt (2019) identifies the following matters which should be taken into account when assessing the impact of a proposal on the openness of the Green Belt:

- "openness is capable of having both spatial and visual aspects – in other words, the visual impact of the proposal may be relevant, as could its volume;
- the duration of the development, and its remediability – taking into account any provisions to return land to its original state or to an equivalent (or improved) state of openness; and
- the degree of activity likely to be generated, such as traffic generation".

Historic Environment (2019) states "the extent and importance of setting is often physical considerations. Although views of or from an asset will play an important part in the assessment of impacts on setting, the way in which we experience an asset in its setting is also influenced by other environmental factors such as noise, dust, smell and vibration from other land uses in the vicinity, and by our understanding of the historic relationship between places".