Rob Duncan
Planning
Consultancy

Mr. B. Haywood
Development Control
Staffordshire Moorlands District Council
Stockwell Street
Leek
Staffordshire
ST13 6HQ

17th May 2023

Dear Ben

REMOVAL OF CONDITION 2 OF APPLICATION: 99/00909/FUL & ERECTION OF FISHERMAN'S HUT LAND SOUTHEAST OF MOORVIEW, KINGSLEY ROAD, CELLARHEAD

On behalf of my client Mr. D. Price, I would be grateful if you would find enclosed a full planning application proposing the removal of Condition 2 of application 99/00909/FUL along with the erection of a fisherman's hut and provision of car parking.

The parcel of land extends to approximately 0.26 hectares and currently comprises of a field with a large pond contained therein. The pond was granted consent under application 99/00909/FUL and was subject to the following condition:

> *"2. The pool shall be used for private recreational fishing only as an incidental facility for the enjoyment of the occupants of Moorview and not operated as a commercial fishing pool".*

The stated reason for imposing this condition was as follows:

> *"To define the consent and limit"*

This application proposes the removal of Condition 2 of 99/00909/FUL to allow for the fishing pool to be used by visiting anglers. The application also proposes the erection of fisherman's hut in the northwesternmost corner of the site. The building will occupy a footprint of 20 square metres and stand to a ridge height of 3 metres, and is to be constructed from horizontal timber cladding with a cedar shingle roof atop. A series of photovoltaic panels on the southern roof slope of the building will provide it with a renewable source of electricity.

Rob Duncan Planning Consultancy Ltd.
T. 07779 783521
E. rob78duncan@gmail.com
W. www.robduncanplanning.co.uk
A. 28 Ferndale Road, Lichfield
Staffordshire, WS13 7DJ

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The building will provide a small sitting area, kitchenette and toilet, the latter served by a new Klargester Package Treatment Plant. A small portion of the existing commercial yard area to the north of the fishing pond is also to be repurposed to provide 5no. car parking spaces to serve the fishery, with access to be taken via the existing access serving the commercial yard off the Kingsley Road.

The application site is located within the Green Belt wherein recreational uses and the erection of buildings for outdoor recreation are generally held to be acceptable in principle in accordance with policy SS10 of the Staffordshire Moorlands Local Plan. Policy SS10 nevertheless also confirms that strict control will continue to be exercised over inappropriate development in the Green Belt, allowing only for exceptions as set out in Government policy. Paragraphs 149 and 150 of the National Planning Policy Framework set out those exceptions, and allow for the following:

> *"the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it" (Paragraph 149b).*
>
> And:
>
> *"material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds)"*

The originally imposed planning condition was stated to be required in order to define the permission and limit. The reason for imposing the condition did not have anything to do with the Green Belt or the location of the site, and it submitted that the removal of said condition will not derive any conflict with either Green Belt policy, or the Green Belt itself, as its openness will be preserved. It will remain an open fishing pond and the associated formation of 5no. car parking spaces on the adjacent yard area will not have any greater impact on the openness of the Green Belt than that already associated with the yard area. The removal of Condition 2 of 99/00909/FUL will therefore not give rise to any conflicts with policy SS10 of the Local Plan or the provisions of the National Planning Policy Framework.

The proposed fisherman's hut constitutes an appropriate facility for outdoor sport and recreation and will constitute a diminutive structure that will be well screened within its surroundings and have a close physical association with the existing commercial yard to its north. The proposed fisherman's hut will therefore preserve the openness of the Green Belt and not conflict with the purposes of including land within it. It consequently amounts to an appropriate form of development within the Green Belt.

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By virtue of its diminutive scale, and its location away from public view, the proposed fisherman's hut will not have any adverse impact on the character and appearance of the surrounding landscape. Its muted palette of materials will also serve to assimilate the building with its rural surroundings. No harm to the character and appearance of the surrounding area will arise as a result.

The provision of photovoltaic panels to the roof of the building will afford it a renewable, off-grid, source of energy, in accordance with the objectives of paragraphs 153 and 158 of the National Planning Policy Framework. The proposed means of foul water drainage is not considered to be contentious and is an appropriate and regularly used mechanism for dealing with waste water where mains connection is not available. The proposed development is consequently held to meet the requirements of policies SS1, SS10, DC1 and DC3 of the Staffordshire Moorlands Local Plan in this regard.

I trust this application will be of interest, and should you have any queries or concerns with the submitted proposal then please do not hesitate to contact me.

Yours sincerely



Rob Duncan
Planning Consultant / Director

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