

DELEGATED DECISION REPORT

SMD/2024/0007
Valid 08/01/2024

MOORSIDE FARM
CLAMGOOSE LANE
KINGSLEY

RETENTION OF POND
(FULL - HOUSEHOLDER)

MAIN ISSUES

- Principle of Development (Green Belt);
- Design and visual impact;
- Highways/parking;
- Public Right of Way.

DESCRIPTION OF SITE

Moorside Farm house relates to a detached building located within the Green Belt. The building is a large replacement dwelling that was approved under planning reference under SMD/2020/0237 in Sep 2020. The dwelling itself is a red brick, gable roofed. The accommodation is spread over two floors. It fronts onto a large tarmac driveway with vehicular access gate to the south of the site. Post and wooden rail runs along the boundary of the large site. There is a pond currently under works to the east of the dwelling and an outbuilding to the west of the dwelling, serving as a hot tub shelter. It is positioned to the east of the associated farmstead surrounded by irregular field patterns lined with mature trees, hedges and woodland clumps.

The property can be seen in the wider landscape from the public footpath (Kingsley Parish 21), which provides views on approach from both the north and south, and Clamgoose Lane, which provides views from the west and south.

Surrounding the dwelling are a number of outbuildings. To the west there is a modern portal-framed agricultural building. Land levels from the entrance to the site are generally level, further to the north behind the dwelling the land drops and comprises of fields/open countryside. There is a long vehicular access leading from Clamgoose Lane to the application property.

For the purposes of planning policy consideration the application site is located within the Green Belt and is identified as being within a Coal Development High risk Area. The site is not within a Conservation Area and does not contain any Listed Buildings or protected trees. Footpath number 21 (Kingsley Parish) is located to the south, south-east, east. The footpath links with Clamgoose Lane by running alongside the vehicular access to the property.

PROPOSAL

The application is seeking retrospective approval for a pond situated to the east of the dwelling. There is timber decking to the west of the pond, in between it, a small bridge providing access to a central island. The pond has a depth of 1m with a approx. dimension of 20m. It currently has no body of water. The pond is for private domestic use.

The pond was previously designated for planting shrubbery when permission was granted for a replacement dwelling-ref SMD/2020/0237. At the time of visit, no soft landscaping or planting have been implemented.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

SS2 Settlement Hierarchy
DC1 Design Considerations
T1 Development and Sustainable Transport
SS6c – Other rural areas

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide

National Planning Policy Framework

Section 2: Achieving sustainable development
Section 9: Promoting Sustainable Transport
Section 12: Achieving Well-Designed Places
Section 13: Protecting Green belt land
Section 15: Conserving and Enhancing the Natural Environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2019/0029	Erection of a replacement dwelling. Refused.
00/01028/NOT_AG	Agricultural stock/storage building 'B'.
00/01027/NOT_AG	Agricultural stock/storage building.
SMD/2019/0521	Replacement Dwelling. Refused and dismissed at appeal.
SMD/2020/ 0237	Replacement Dwelling. Approved
SMD/2020/0643	Minor changes to fenestration, re siting Utility 225 mm towards South Elevation and Siting room/bedroom 788 mm towards North Elevation in relation to Condition 2 of SMD/2020/0237. Approved
SMD/2024/0006	Retention of outbuilding, change of use of land to residential use and reinstatement of other residential land to agricultural use. To be considered.

CONSULTATIONS

Publicity

Site Notice expiry date: 31/01/24
Neighbour consultation period ends: 31/01/24

Public Comments: No representations received.

Kingsley Parish Council: No objection

OFFICER COMMENTS

Principle of Development

The proposed development is located within the curtilage of the residential dwelling. It is however also situated outside of the development boundary within designated Green Belt land.

Paragraph 152 of the framework states that all proposals are considered inappropriate development within the Green Belt and should not be approved except in very special circumstances.

Certain development are considered exceptions which are set in Paragraph 154 and 155 of the framework. Due to the nature of the proposal, a pond with decking, the relevant section to be considered is Paragraph 155 b) engineering operations. This exception allows for the engineering operations provided that the resultant development does not impact upon the openness of the Green Belt or conflict with the five purposes of including land within it.

By its nature, the pond is low level body of water depressive within the land. The creation of the pond would have been an engineering operation given its scale and depth and therefore, meet framework 155b in this regards. The pond will have diminutive impact upon the wider surrounding area as it is tangibly read with the host dwelling and domestic curtilage it sits within. The associated decking would be a noticeable material change of the land however, is fairly low-level, confined within the domestic curtilage to have any impact to the openness of the Green Belt. The loss of the designated shrubbed area for the conventional man-made pond is neither detrimental to the openness of the Green Belt or an improvement to what was approved as both are natural features within the rural landscape. Therefore, the material change is deemed appropriate.

Design and visual impact

Policy DC1 refers to design and seeks to secure development of a high quality which is designed to add value to the area and to respect the site and its surroundings.

At the time of visit, the pond appeared barren. When considering the appearance of the decking and pond, it is a stately feature to the domestic curtilage albeit conventional and insipid owing to the lack of soft landscape and massing of timber decking. Nonetheless, this feature is not fully established and in time, could blend positively into the landscape in a sympathetically way.

The ornamental feature is highly visible from different public vantage points, one in mind the public footpath to the south east of the application site however, it is a man made addition that would be in keeping with the surrounding rural area. It would accord with Policy DC1.

Highways/parking

The proposal is not considered to alter the current highway arrangements.

Public Right of Way

The proposal does not impact the existence of public footpath number 21 (Kingsley Parish). This footpath runs generally to the south/south-east of the application site.

CONCLUSION / PLANNING BALANCE

The proposal would meet the exceptions set out in the NPPF. Accordingly, the application is to be considered to be in accordance with the NPPF and the Local Plan. It is therefore recommended for approval subject to conditions.

OFFICER RECOMMENDATION : Approve

Case Officer: Lisa Li

Recommendation Date: 29/02/24

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council