

DELEGATED DECISION REPORT

SMD/2023/0637
Valid 31/01/2024

LAND ADJ FOXEARTH
HOUSE FARM LEEK ROAD
MOORVILLE
CELLARHEAD

RETROSPECTIVE
PERMISSION TO USE AN
EXISTING DOG TRAINING
FACILITY FOR DOG KENNELS,
DOG GROOMING AND DOG
EXERCISE AREAS

(FULL - MINOR)

MAIN ISSUES

- Impact on Green Belt
- Local Plan approach to development in the other rural areas
- Impact on Character and Appearance of the Area

DESCRIPTION OF SITE

The application concerns a collection of three sheds that are set back 100m from Leek Road (to the west) behind the scattered row of roadside bungalows. The sheds have access with the road along an unmade driveway. To the north of the sheds there is a large enclosed paddock and to the south the sheds have a boarder with Serendipity rescue kennels (no association).

The application does not discuss the pre existing use of the site. From aerial photographs – in 2006 the site consisted of just one shed with mowed paddock to the north (assumed to be agriculture); by 2011 it is apparent that the shed and land had become used to kennel and train Grey Hounds (circular dog walker, linear pens, and lane type enclosure set out on paddock area); by 2018 a second shed had been added and an extension had been made to the original shed.

It is apparent that through the passage of time a previous use related to dog training and the introduction of sheds had been established.

PROPOSAL

Application seeks permission retrospectively for development that has already been carried out consisting of a material change of use to dog kennels, dog grooming and dog exercise areas open to the public. The applicant has already removed the old dog walkers and the areas of grass that surround the sheds in favour of compacted hard surface. Some minor alterations have been made to the sheds and part of the extension removed to provide a smaller reception cabin.

The running lane enclosures on the paddock to the north have been removed in favour of three wider enclosures to provide 'exercise areas'.

At the request of the Planning Officer a revised plan has been submitted to show how areas of parking would be reduced and defined with most of the new hard surface returned to grass.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan Development Plan Document (Adopted 2020)

S01 Spatial Objectives
SS1 Development Principles
SS10 Presumption in Favour of Sustainable Development
DC1 Design Considerations
DC3 Landscape Character
T1 Development and Sustainable Transport

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 22/03/2024
Neighbour consultation period ends: 22/03/2024
Press Advert: N/A

Public Comments

None

Town / Parish Comments

Caverswall Parish Council: No Objection, Some concern about the use of lighting to extend periods of exercise beyond darkness.

Environmental Health

No record of any noise complaints

Staffordshire County Council Highways

No objection subject to condition requiring provision of parking.

OFFICER COMMENTS

Impact on Green Belt

The site is in the Green Belt. Development in the Green Belt is inappropriate and, by definition, harmful to the Green Belt unless it is provided for by one of the exceptions that appear on the closed lists at paragraphs 144 and 145 of the NPPF. Any harm to the Green Belt should be attributed substantial weight and planning permission should only be granted if 'very special' circumstances clearly outweigh the harm.

One such exception is a material change of use providing the development would preserve openness and not conflict with the purposes of including land within the Green Belt.

Largely the change of use makes use of existing sheds that had become established and lawful. However, without planning permission the applicant has carried out considerable ground works with JCB diggers to take up surrounding areas of grass and scrub and replace it with a large area of compacted stone hard surface. On inspection the hard surface was given to what appeared to be indiscriminate parking and storage of vehicles not necessarily associated with the change of use (customers or staff) of note – motorhome, crane, forklift truck, horse box, dumper truck. In those regards, the development has not preserved openness and there has there has been an urbanising impact with areas of open grass land being covered with hard surface and given over to indiscriminate parking and storage.

However, the applicant has submitted a revised plan that details the removal and reduction of hard surface in favour of the restoration of grass. With hard surface limited to the parking and turning space for 8 vehicles. It is purported that the applicant is willing and committed to altering the site to accord with the revised plan and that 8 spaces can appropriately serve the use.

In these regards the change of use would preserve openness. The 8 space parking and turning area would replace and make use of areas previously covered by part of a building extension, a dog walker and a cabin. The surrounding grass would be restored remedying a harmful breach. The three broad dog exercise enclosures would replace the narrow running lane enclosures that were used by the Grey Hounds. A conditional permission could ensure that the enclosures are not used and cluttered with obstacle and agility equipment.

Approach to development in Other Rural Area

The development makes use of existing established buildings where there is a history of similar dog training uses. In those regards there is justification for this rural location. The site is served by a main road between the large settlements of Werrington to the north and Weston Coyney to the south. The development is compliant with the Local Plan other rural area strategy SS10.

Impact on Character and Appearance of the Area

The use largely makes use of existing established sheds on the site. There has been some sensitive alteration of some of the sheds with the introduction of Yorkshire board cladding. They essentially retain an agrarian character. A pre existing dog training use means that areas of existing infrastructure would be replaced by areas of parking for customers and staff. Narrow racing lanes would be replaced with three broad enclosures for dog exercise.

Wide areas of hard surface that have been extended and spread to cover grass would be shown by revised plan, be reduced and restored as grass. With revision there would be no harm to the character and appearance of the area.

There would be no conflict with Local Plan policy DC1 or Dc3 in these regards.

Amenity

The site is adjacent to and at the northern boundary of a rescue kennels. The site also has some established use for the kennelling and training of grey hounds. There should not be significant noise increase against pre existing levels. The dog exercise enclosures would be in place of running lanes previously used to train dogs. The nearest non associated dwellings are to the north and west of the site- 80m from the kennel buildings and 60m from the exercise areas.

The use is already in practice and commenced. There has not been any complaint to environmental health or objection to the planning application. The nearest dwellings have received letters directly.

There are no lights proposed for the dog exercise areas and the artificial lighting of the areas during darkness can be prohibited by planning condition to prevent light pollution in an other rural area and nuisance to neighbours. It is considered that the use could continue without undue harm to the amenity of neighbours.

Highway Safety

The site and use would be clear and some distance from the public highway. The highway authority have no objection providing parking and turning provision is made on site in accordance with the approved plan.

CONCLUSION / PLANNING BALANCE

The application proposes a material change of use in the Green Belt that, with revision, would restore and preserve the openness of the Green Belt. The use of the existing buildings would not harm the character and appearance of the area and it is considered that the use could continue without unduly harming the amenity of residential neighbours. There would be no conflict with the Local Plan Policies listed above.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst

Recommendation Date: 24th April 2024

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council