

Chair of the Council: Cllr Paul Roberts

Parish Clerk: Lynn Cantlay

Lisa Jackson
Planning Officer
SMDC

15th May 2024

Sent by email
Copy sent to Mark Trillo

Dear Lisa,

Planning Application – SMD/2024/0165 - Land at Caverswall Road, Caverswall - Change of use to part of the land for use as enclosed secure dog walking field (resubmission of SMD/2023/0179)

This application was discussed at our recent meeting and Caverswall Parish Council wish to OBJECT for the following reasons:-

1. This application is a resubmission of application SMD/2023/0179, which went before the Planning Committee and was refused permission at their 14th September 2023 meeting. On looking at this new application we can see only minor amendments, which are referred to in points below.
2. We consider that the reasons that application SMD/2023/0179 was refused still remain the position, these being :-
 - a. The application site is a parcel of grassland on the outskirts of Caverswall village. The proposed change of use of the land to a dog walking exercise and vehicular parking area constitutes inappropriate development within the Green Belt. The scheme would result in a loss of openness, encroachment, harmful visual impact and would conflict with the purposes of including land within the Green Belt. The application does not demonstrate any very special circumstances which would individually or cumulatively outweigh the identified harm. The application is therefore contrary to policies SS1, SS10, DC1 and DC3 of the Staffordshire Moorlands Local Plan together with sections 2 'Achieving sustainable development,' 12 'Achieving well-designed places' and 13 'Protecting Green Belt land' of the National Planning Policy Framework.
 - b. The proposal has the potential to adversely affect amenity as a result of noise emanating from barking dogs. It is not considered that conditions requiring noise mitigation measures would be sufficiently effective, reasonable or enforceable given the nature of the use and the unpredictability of animal behaviour. In the absence of achievable mitigation the proposal is considered to be contrary to Policy DC1 of the Staffordshire Moorlands Local Plan and the NPPF.
3. Several local residents attended our meeting, all of whom have legitimate concerns/objections to this application, and we are also aware that a petition against this application has currently been signed by over 100 local residents. We were advised by residents that this petition will be sent to yourselves, if they have not already done so.
4. This development is not in keeping with the village of Caverswall.

5. We see that Highways have been consulted again on the new application but are yet to respond. If they respond as they did with the previous application (SMD/2023/0179) and do not object then we would disagree.
Caverswall Road becomes very busy in the mornings and evenings and also whenever there are issues on the A50 traffic uses Caverswall as a “rat run”, so if vehicles are waiting on the roadside to enter the site this will have an impact on traffic. Also, when the Scout Hut is in use there are many vehicles going into the Scout Hut car park taking and collecting cubs/scouts and any addition traffic again another issue of safety. Visibility at these times is vastly reduced in both directions.
6. Regarding the list of Consultants to be notified as listed on the Planning Portal we would point out that very few have actually received any notification of this application from yourselves and the first known of the application was when the site notice appeared on the field gate. We would like to state that Caverswall Parish Council are amongst those who were not notified of the application.
7. Again looking at the current application on the planning portal this is currently showing seven comments from individuals with six objections and only one in support who lives in Blythe Bridge so the impact a dog field will have on the residents of Caverswall will not affect them at all.
8. This proposed dog field would be detrimental to neighbouring livestock, horses and cattle, and should any dog escape there could be catastrophic consequences.
9. Although the applicant has already installed 6ft fencing around the perimeter the spaces in the fencing are around 6inches wide which allows for any small dog or puppy to get through so in not appropriate and does not make the field totally secure.
10. Proposed opening hours in the new application have been altered very slightly from the refused application with Spring, Summer and Autumn hours from 7am-9pm to 8am-8pm but Winter hours remain the same at 8am-6pm, we consider this still to be excessively long periods of opening. Opening for this length of time will have detrimental impact of neighbouring properties. Additionally with Winter short days they would not be able to open the field unless they have floodlighting which should never be permitted due to its proximity to neighbouring properties.
11. We note that in this new application they do not propose to have any containers on site for dog waste etc but would install a Derwent Large 120 Litre Floor Mounted Dog Waste Bin. We are concerned, on an environmental health issues, as to how regularly this would be emptied, as there will be no onsite supervision to monitor this.
12. Regarding the security of the site. As stated in the Planning Statement - “Potential dog owners would visit a dedicated online booking website where they would be able to arrange a 1hr booking slot. As the site will be self serviced the dog owner would be provided with a pincode to unlock the gate and gain access to use the facility.”
There is no mention in the Planning Statement on how regularly the pin code would be change. Even if this was to changed on a weekly basis, as specified in the previous application, we have concerns that users could re-enter the site at a later date using the same code without the applicants knowledge and therefore should an incident happen the person using the site unlawfully could not be easily traced.

13. With the close proximity of the field to Caverswall Scout Hut there are significant risks to the safety and safeguarding of children at Caverswall Scout Hut which is used by both Parkhall Scouts Group and Caverswall Scout Group. Currently the only opportunity to 'see' children at this setting is from the gate at the end or from a small number of houses. Allowing public access to the land adjacent to this location when currently it is private, of agricultural use and safe is a major safeguarding concern.

The provision of an area of dogs next/near to an area full of children is in our opinion inappropriate with the risk of dogs escaping or dogs in the parking area being accessible by children through the fence. This poses a bite risk to children and a safety hazard, despite the main fenced area being further away from the Scout Hut. The times of use will be in operation when children will be present within and around the Scout Hut."

14. On the application form "Trees and hedges" the applicant states that there are no trees and hedges on land adjacent. There are hedges which border the road and the Scout Hut and therefore the application form is giving misinformation. This needs to be taken into account in your determination of the application.
15. Policy SS9 States that settlements shall provide only for appropriate development which enhances community vitality or meets a social or economic need of the settlement and protecting and enabling services and facilities which are essential to sustain rural living. We cannot see how a fenced dog compound which is not manned, is not owned or occupied by anyone living within Caverswall and Cookshill meets the social or economic need of this settlement. It isn't providing facilities essential to rural living and is therefore contrary to this policy.
16. Policy DC3 states that development should be resisted that would lead to prominent intrusion into the countryside or have a significant adverse impact on the character or the setting of a settlement. I am not sure how containers and additional fencing will contribute to the setting of the settlement. The site is located within the Settled Plateau Farmland Slopes which are affected by urban fringe pressures which have an adverse impact on landscape quality. This development is a prime example of urban fringe pressures leading to the degradation of the landscape character. This is therefore also classed as inappropriate development in relation to the NPPF as the development is not preserving the setting of Caverswall and Cookshill and is contributing to the encroachment with urbanising features/uses.
17. Policy SS10 relates to other areas within open countryside. It states that strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government policy. As discussed in point 11, above, this is not an exception and is therefore contrary to this policy.
18. Dogs and horses. The surrounding area is grazed by horses with adjacent pasture land, used by local residents to house their horses. It is of concern that placing dogs that may have 'issues' in close proximity to horses will undoubtedly cause stress to the horses whilst grazing and also in stabling. This is an inappropriate mix.
19. At the end of the Planning Statement they refer to three applications for dog fields which received permission. These all lie within the Newcastle-under-Lyme Brough Council area. When looking at

these applications none are adjacent to situated adjacent to residential properties or near to where a building is used by children as would be the case with the application for this site in Caverswall, therefore they cannot be deemed to be like for like applications to this one.

20. Previous an application, SMD/2008/037 for 38 dwellings, was refused partly on green belt reasons. This land lies within green belt and also fall into spatial land between two district and therefore need to be protected against any future applications for development.

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21. Finally, there are at least two dog exercise fields within a two mile radius of the application which are within supervised sites therefore we do not see the need for another one.

We trust that you will take all our comments into consideration when making your decision on this application.

Yours sincerely,

Lynn Cantlay

Clerk to the Parish Council