

DELEGATED DECISION REPORT

SMD/2023/0629
Valid 07/12/2023

5 MILL HAYES ROAD
KNYPERSLEY

PROPOSED STABLE BLOCK
AND HARDSTANDING

(FULL - MINOR)

MAIN ISSUES

- Whether the proposal comprises an exception to inappropriate development in the Green Belt
- Heritage Impact and Design
- Amenity
- Highway Safety

DESCRIPTION OF SITE

The proposed site comprises a plot of land adjacent to the rear domestic curtilage of No. 5 Mill Hayes Road (owned by the residents of this dwelling), situated in the Biddulph South Ward. The site is on greenbelt land, where development is more restricted. The site is enclosed by neighbouring dwellings comprising a section of Mill Hayes Road and Park Lane. The site runs adjacent to the rear curtilages of the neighbours at No. 1 and No. 3 Mill Hayes Road to the North-West of the site and Squirrel Hayes Lodge, Park Lane is situated to the North-East. No. 7 Mill Hayes Road lies South-West to the proposed site. The site adjoins an area of open green land owned by the applicants to the South and East. The Mill Hayes Road highway runs adjacent to the Western curtilage of the site.

It is noted that a number of properties within the estate have been extended, however the established character of the original estate has been retained.

PROPOSAL

The proposed development consists of a proposed stable block and hardstanding on some existing agricultural land. The stable block would incorporate 3 stables and a tack room. It would not be used for commercial purposes, nor would it be used as a livery. It would have a width of approximately 14.56 metres. The stable block would be a 'L' shaped building; having a predominant depth of approximately 3.78 metres and increasing to a depth of 5.10 metres on the North-Eastern section. It would have a maximum height of approximately 3.20 metres and an eaves height of 2.20 metres. The stable block would be constructed from materials including dark oak timber cladding and black onduline corrugated roofing sheets. It would sit on a hardcore / MOT base, with concrete hardstanding to the area of the stable.

The application has been the subject of a number of revisions, with local residents being consulted on the latest sets of plans.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted 2020)

SS1 Development Principles
1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS9 Smaller Villages Area Strategy
SS10 Other Rural Areas Strategy
DC1 Design Considerations
DC2 The Historic Environment
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 – 14
Section(s) 4 – Decision making, 12 – Achieving well designed places, 13 – Protecting Green Belt land, 16 – Conserving and enhancing the historic environment

Staffordshire Moorlands Design Guide SPD

Part 5 – Alterations, Extensions and Conversions

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HNT/2023/0019 – Proposed single rear extension extending 8.00m beyond the rear wall of the existing dwelling, 3.00m maximum height and 3.00m to height of eaves. Permitted.

SMD/2023/0538 - Lawful certificate for a proposed entrance canopy to front elevation 3sqm footprint and 3m max height. Re-siting of front door to existing window opening. Proposed dormer to rear roof slope. Lawful.

CONSULTATIONS

Publicity

Site Notice expiry date: 15/08/2024
Neighbour consultation period ends: 17/07/2024
Press Advert: N/A

Public Comments

Following submission of a revised scheme, one comment has been received from a neighbour, as follows:

“Notwithstanding any changes to the proposal reflected in the additional revised information, I wish to restate my formal objection to planning application SMD/2023/0629.

I would like to raise a number of planning concerns:

1. Despite measures to ameliorate the impact of the proposal, there will still be intervisibility and visual conflict with the Lodge. The materials are of an alien palette and the height and scale of the building will still have a detrimental effect on the setting and context of the Lodge by impairing key views. Setting makes a significant contribution to the appreciation of heritage assets. This unsympathetic and intrusive development will sever the link between the Lodge and its original setting. This may be considered less than substantial harm, but it is harm nonetheless - and it will be irreversible.

2. Screening can only mitigate the negative impact of a development, rather than remove the impact, and should never be regarded as a substitute for well-designed development within the setting of a heritage asset. The seasonal effect of screening should also be taken into account.

The proposal states that a Hawthorne hedge (Crataegus Monogyna), maintained at a height of 200cm, will be used to partially screen the unsightly stable block. Crataegus are deciduous and will provide no screening from Autumn until late spring. At 3.2 meters high, the proposed stable block will also be visible for 1.2 meters above the deciduous hedge. The permanence of such screening is also a concern as it may be removed or changed unless it enjoys statutory protection and/or management measures secured by legal agreements.

3. Given the close proximity of the proposed stable block and manure heap to residential dwellings, odour, insects, vermin, light, and noise will all attract statutory nuisance complaints.

4. Manure Management has still not been addressed and is likely to be incompatible with Environmental Health standard conditions. The location of the ‘muck trailer’ is considerably closer to residential properties than stipulated by Environmental Health in the previous proposal (at least 50m from all neighbouring residential properties). The current truck does not have sufficient capacity to store 6 months’ worth of manure. Furthermore, the mobile nature of the proposed solution will make manure management completely unenforceable. The ‘muck trailer’ will also be located on granite chipping and permeable hardcore, which are permeable surfaces and may result in foul leachate.

5. The hardcore (permeable) area shown between the proposed stable block and the curtilage of my heritage asset appears, to all intents and purposes, to be a menage. This points towards horses being kept on the land for leisure, rather than agricultural purposes, which will require planning permission for change of use.

6. There are still planning concerns regarding about the lighting. Pheobe Lykos batten lights feature Tri-Colour CCT colour changing technology (3000K, 4000K, and 5700K). High-lumen LED lighting with a colour temperature of 4000K will have a detrimental effect on the flight path of the bats that forage around the Lodge. According to the Bat Conservation Trust, severing a key flightpath due to artificial lighting can cause desertation of roosting sites, which may constitute an offence under legislation.

The true effect of a development on setting may be difficult to establish from plans, drawings, and visualisations. A case in point is the significant visual harm caused by the erection of the 2-metre plus fence documented in my previous comment on this application. Once a development deemed unlikely to affect the heritage of a setting been implemented, any damage caused will be almost impossible to reverse. As the owner of a Grade II Listed Building, it is my responsibility to do everything in my power to ensure that Squirrel Hayes Lodge does not become that 'lesson learned'."

Town / Parish Comments

Biddulph Town Council initially recommended refusal of the application, considering the Conservation Officers comments that the proposal would fail to preserve the special interest of the listed building. No comments were received in relation to the revised scheme.

Environmental Health

Final comments:

"Potential Areas of Environmental Concern

1. *Construction Impacts (Condition)*
2. *Manure Storage/ Odours (Condition)*
3. *Lighting (Condition)*
4. *Importation of fill material (Condition)*
5. *Surface Water Drainage (Condition)*

General Comments:

The site has been visited on 11th July 2024 to assess the proposed development under environmental concerns.

From an Environmental Health consideration there is no general objection to the development of the site to incorporate the additional stabling and block, subject to condition. It was noted during our visit the land available to the applicant is significantly different to the submitted plans.

Use and horse number limits -

At no time shall the stables or associated land be used for livery, riding school or other business purposes. The stables shall be limited to housing a maximum of 5 horses. This was agreed verbally by the applicant during the site visit.(Condition)

Manure Storage: Concerning the manure heap, as advised previously the standard condition should be imposed. The 50m separation distance should be based on the distance between the storage area and any permanent habitable dwelling which will be measured from the boundary of any dwellings including the recreational garden area (this does not include temporary dwelling, workshops, agricultural buildings or field boundaries etc). The storage area should be accessible in all weather conditions. Our standard advice is attached. The submitted plans do not accurately reflect the land available to provide a suitable location for a manure storage area which would be compliant with the standard condition, this has been clarified by the applicant. (Condition)

Drainage: Concerning the drainage of the proposed stabling and block there is no detailed information on the Planning application so we would recommend that all storm water and residue water from cleaning should be directed into the existing drainage/sewer systems of the site, if it is possible. Connection guidance and permission may need to be gained from the Local Water Utility Company of the area.

It has been reported that the existing pens/stabling blocks which are proposed following the proposed development to be used as hobby garaging/storage have previously been used as penning of pigs so there could already be a history of agricultural drainage connection for the site into the existing drainage/sewer systems of the area.

If it is not possible to connect into the existing drainage/sewer systems of the area then we recommend that all storm water and residue cleaning water is directed into its own discharge system and then into a soakaway/herring bone drainage system to be located on the applicants own land so that any storm/waste water can soak away into the natural subsoil of the area.

It is also recommended for both the above drainage scenarios that suitable drainage interceptor traps are incorporated into the drainage system to collect any solids such as straw, hay and wood chippings etc. (Condition advised)

Lighting: The lighting proposed appears relatively low level and with suitable direction, installation and use of curfews then no significant adverse impacts is predicted. (Condition)

Note: There appears to be a significant area of land in the ownership of the applicant available to undertake all the above recommendations. Unfortunately the full scope of the land available is not clearly shown on the Planning application plans.

Advisory: The granting of planning permission does not in any way indemnify against statutory nuisance action being taken should substantiated complaints within the remit of part III of the Environmental Protection Act 1990 be received.

Recommendation –

The Environmental Health Department withdraw its objection subject to the conditions below being imposed on any permission granted.”

Conservation Officer

Final comments following submission of a revised scheme:

"If we condition the hedge, it would equate to neutral."

Staffordshire County Council Highways

Final comments:

"The proposal is for the construction of a stable block and hardstanding. The proposal was initially for a stable block of 7 stables and a tack room. The proposal was revised (Revised Plan P347-211PP022 Revision B) to provide 5 stables, a tack room and hay and tool store. However, the proposal has since been revised and now proposes 3 stables and a tack room (Revised Plan P347-211PP02 Revision C). It was proposed to construct the stable block to the northwest corner of the site, directly behind properties 1 and 3 Mill Hayes Road. However, it is now proposed to position the stable block to the south-eastern boundary of the site as detailed in revised plan P347-212PP03 Revision C.

Access will be via the existing domestic driveway to 5 Mill Hayes Road (applicant's property). It is considered that the applicant who occupies the property 5 Mill Hayes Road can walk to and have direct access to their horses, therefore vehicular access will be limited, and trips will be low.

The stable block is for the private use by the applicant.

It is considered the proposal would not have a detrimental impact on the highway. I therefore have no objection to the proposal (application number SMD/2023/0629) subject to the following being conditions."

OFFICER COMMENTS

Principle of Development / Impact on the Greenbelt

Paragraph 11 of the National Planning Policy Framework (NPPF) promotes a 'presumption in favour of sustainable development'. For decision takers this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless: i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 8 of the NPPF identifies three dimensions to sustainable development as being economic, social and environmental.

In accordance with Policies SS1 and SS2 of the Staffordshire Moorlands Local Plan the Council expects all new development to make a positive contribution towards the sustainability of communities and to protect and where possible enhance the environment. A more limited focus on future growth is to be directed to smaller villages, including the rural area of Biddulph. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF).

The application site is located in the Open Countryside and Green Belt whereby Policy SS10 of the Local Plan (2020) is applicable. Policy SS10 states that these rural areas will provide only for development that has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside.

Part (3) of policy SS10 seeks to protect the quality and character of the area and requires all development proposals to respect and respond sensitively to the distinctive qualities of the surrounding landscape.

The site is located within the Green Belt. Part (6) of Policy SS10 states that the Council will “maintain the Green Belt within Staffordshire Moorlands. Strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government policy.”

The proposal is for a proposed stable block and hardstanding on some existing agricultural land. Paragraph 154 of the NPPF (2023) outlines that the construction of new buildings should be regarded as inappropriate in the Green Belt unless it meets an exception. Paragraph 152 of the NPPF (2023) states that ‘inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances’. One such exception is b) 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.

There is no doubt that initially, the size and scale of the proposed stables would have resulted in harm to the Green Belt by way of inappropriateness and harm to openness and should not have been allowed unless there were very special circumstances to outweigh that harm. In this instance, there were no very special circumstances which would allow for a stable block of this size and scale in this location. Although the stables were sited well, within the existing cluster of development, the size of the building would have undoubtedly impacted the openness of the greenbelt.

Since this issue was raised, a revised plan has been submitted to the Council, substantially reducing the size of the stable block from 7 stables and a tack room to

3 stables and a tack room. Additionally, the new proposed stables would run adjacent to an outbuilding belonging to the applicants, as opposed to running adjacent to the rear curtilage of neighbouring dwellings on Mill Hayes Road. The large reduction in the size of the stables would no doubt have a considerably lesser impact on the openness of the greenbelt land, whilst remaining to be positioned within the existing cluster of development. Thus, the revised scheme is now considered acceptable in greenbelt terms. Overall it is considered that the revised development does not amount to inappropriate development in the green belt and would not harm openness,

It is now necessary to identify whether there is any other harm arising from the proposed development.

Heritage Impact and Design

Policy DC2 states that the Council will safeguard and where possible, enhance the historic environment by resisting development which would harm or be detrimental to the special character and historic heritage of the District's towns and villages and those interests of acknowledged importance; promoting development which sustains, respects or enhances buildings and features which contribute to the character or heritage of an area; and preventing the loss of buildings and features which make a positive contribution to the character or heritage of an area through appropriate reuse and sensitive development.

Policy DC1 seeks to ensure that all development is well designed and of a high quality, contributing to local distinctiveness and harmonising with sense of place.

Although the dwelling which the stable block serves is not listed, nor in a conservation area, one of the neighbouring dwellings is a Listed dwelling and is a designated heritage asset. The proximity of the proposed stable block to the neighbouring Grade II Listed building 'Squirrel Hayes Lodge' would not prevent development, but the proposals require careful consideration of their potential impact upon the Listed building. This is an application for the erection of a stable block and additional area of hardstanding.

Initially, the Conservation Officer of the Council objected to the proposed stable block and hardstanding. As the stable block was within immediate context of the lodge, it was considered crucial that any development would remain sensitive to this and not cause any harm to the character of the lodge. It was viewed by the Conservation Officer that the visual conflict imposed and detriment imposed on the character of the Lodge would amount to substantial harm. At this time, there was not believed to be a clear and convincing justification, nor mitigation for this heritage harm and it was assessed that there were no public benefits associated to this project.

The size and scale of the proposed stable block was viewed to be overbearing and overly prominent. The very large size and footprint of the building was considered excessive. As well as leading to heritage issues, the size of the stable block was also

considered to detrimentally impact the openness of the open, greenbelt land to the rear of the row of dwellings.

Since these issues were raised, revised plans have been submitted, substantially reducing the size of the stable block from 7 stables and a tack room to 3 stables and a tack room. Furthermore, the location of the stable block has changed, so that it now runs adjacent and in a linear path with the outbuildings to the rear of the host dwelling, thus sitting further from Squirrel Hayes Lodge. The Conservation Officer of the Council has taken the view that the revised scheme would equate to neutral impact, provided that the planting of hedging around the stables is conditioned to secure some screening of the stables.

Notably, a neighbour objection has been received from the owners of Squirrel Hayes Lodge based on the revised scheme submitted. The objection is partly based around the visual conflict, intrusive prominence and unsympathetic facing materials dominating and encroaching on the heritage assets associated with the Listed building. Furthermore, this neighbour believes that although the proposed stables may be considered to have less than substantial harm on the Listed building, this would still equate to harm nonetheless.

Although the objections of this neighbour have been noted by the Council, it is considered that a number of substantial amendments have been made from the initially proposed scheme in order to reduce impact of the stables on Squirrel Hayes Lodge. The large reduction in the size and relocation of the stable block have ensured that there would not be a detrimental impact on the setting of the Listed building.

Initially, the applicants proposed to plant a hawthorne hedge around the North, East and South of the proposed stables. A neighbour concern was received in relation to this, stating that hawthorne is deciduous and that it would provide no screening from autumn until late spring. Additionally, concern was expressed regarding the permanent maintenance of the hedge and the fact that its two metre height would not fully screen the stables, which would sit at a 3.2 metre height.

Since this concern was expressed, a revised plan has been submitted, proposing that a mixed species hedge shall be planted around the North, East and South perimeter of the stables. The proposed mixed species hedge shall include the likes of hawthorne, beech, holly and hazel and shall be maintained at a two metre height. A mixed hedge consisting of the combination of the planting mentioned above would ensure sufficient year round screening of the stables to mitigate any impact on the setting of the Listed building. The maintenance of the hedging shall be conditioned and complied with in conjunction with the planning permission granted.

Dark oak timber cladding and black onduline corrugated roofing sheets would be used in the construction of the proposed stable block. It is noted that this is somewhat a typical material palette used in the construction of a stable block. The Conservation Officer initially objected to the proposed materials, based on the immediate context of the site to the adjacent Listed lodge. It was considered to be an alien material palette, which would not be inconspicuous or respectful to the setting of the heritage asset. Thus, the proposed materials would not harmonise with the

surrounding street scene, detracting from the character of the adjacent Listed building. Neighbour objection has also been received in relation to the proposed materials, for the same reasoning as the objection from the Conservation Officer.

Although the revised plans submitted consist of a stable block constructed from the same materials as referenced above, other measures have been put in place. These measures include increasing the distance between the stables and Squirrel Hayes Lodge, the reduction in the size of the stables and the use of hedging to partially screen the stables. As the proposed materials are typical for a stable block, it is considered that in this instance the proposed material palette is acceptable.

The proposal, subject to conditions would comply with the provisions of local plan policies DC1, DC2 and section 12 of the NPPF. It is considered that the stables would have a neutral impact on the setting of the Listed Building which would sustain the importance of the heritage asset.

Amenity

Paragraph 135 f) of the NPPF seeks to secure a high standard of amenity for all existing and future occupants. Local Plan Policy DC1 requires development to achieve a satisfactory relationship to adjacent development and to not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The application site is bound by the rear curtilages of the neighbours at No. 1 and No. 3 Mill Hayes Road to the North-West and Squirrel Hayes Lodge, Park Lane to the North-East. No. 7 Mill Hayes Road lies to the South-West of the site. Therefore, it is essential that amenity impact assessment is carried out on all direct neighbours to the site.

The proposed stable block would run adjacent to an outbuilding belonging to the applicants, however it would also be within relatively close proximity to the rear curtilages of No. 1, No. 3 and No. 7 Mill Hayes Road, as well as Squirrel Hayes Lodge. Due to the approximately 30 metre plus distance between the rear elevations of No. 1, No. 3, No. 7 and Squirrel Hayes Lodge and the site, it is clear that the light amenity of these neighbours would not be detrimentally impacted. Furthermore, the approximately 2 metre high boundary fence between the site and these neighbours would aid in mitigating any overshadowing which could occur as a result of the proposed stable block.

A neighbour has commented on the submitted details, expressing concern regarding proximity of the proposed stable block and manure heap to residential dwellings resulting in odour, insects, vermin, light, and noise, manure management and lighting. Environmental Health have requested a condition that the manure heap shall be located more than 50 metres from all residential properties. The applicants own a sufficient amount of land in order to be able to comply with this condition and keep the manure heap at least 50 metres in from residential properties in order to protect their amenities. This would also ensure that if any problems did arise from

odour, insects or vermin that the location of manure heap would be away from neighbours. It is noted that there is also other regimes e.g. environmental health which can deal with vermin problems. Moreover, with good management of the manure heap, there is no reason to conclude that these matters would cause harm to the neighbours.

Environmental Health have commented on the details submitted, confirming that they have no general objection to the development of the site to incorporate the additional stabling and block, subject to condition. Private use of the stables, the number of horses allowed in the stables, manure storage arrangements, drainage and lighting will all be appropriately and satisfactorily dealt with through the implementation of conditions.

With respect to lighting, the applicant has provided a plan which shows the location of three lights on the underside of the roof overhang of the stables and two light at either end of the building. The lights would all face towards the existing building within the applicants control, and towards the applicants property, where there is already a level of lighting associated with the residential properties along the road, including street lights. The level of lighting is considered to be proportionate to the needs of the development, and would not spill out onto the open countryside. As such it is considered that bats would not be adversely affected by the presence and positioning of the development, given this context.

Overall, with the imposition of suitably worded conditions, it is considered that the development would not have an adverse impact on the amenities of surrounding neighbours.

Highway Safety

Paragraph 108 of the NPPF states that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places. Policy T1 seeks to provide safe and sustainable access and ensure that development does not lead to an increase in on street parking.

Staffordshire County Council Highways department do not believe that the proposal would have a detrimental impact on the highway. As the stables will be used privately by the applicants and the applicant can walk to and have direct access to their horses, vehicular access will be limited, and trips will be low. Thus, impact on highway safety would be minimal, in compliance with Policy T1.

CONCLUSION / PLANNING BALANCE

In consideration of all of the above, the application is recommended for approval. Although there were initial concerns regarding heritage impact on the adjacent Listed building (Squirrel Hayes Lodge), the design of the stables and amenity impact on surrounding neighbours, these concerns have been addressed through the submission of a revised scheme. The proposed stables have been substantially

reduced in size, relocated a further distance from Squirrel Hayes Lodge and will be screened by proposed mixed hedging, addressing initial concern relating to heritage impact and design. Furthermore, Environmental Health are content that the revised details submitted relating to amenity impact are satisfactory, subject to conditions. Therefore, the proposed development is recommended for approval.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Varley

Recommendation Date: 15/08/2024

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council