

DELEGATED DECISION REPORT

SMD/2024/0165
Valid 08/04/2024

**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)**

(FULL - MINOR)

MAIN ISSUES

- Policy context and the principle of development
- Design and Visual Impact (Character and Appearance)
- Highways/Access
- Environmental Health
- Ecology/Biodiversity and Trees
- Coal (Low-risk development) area.

DESCRIPTION OF SITE

The application site is a parcel of land fronting Caverswall Road, Caverswall. The planning drawing is incorrect in that it labels the road as School Lane. The site is a parcel of grassland, it has boundary hedgerows/trees and an existing vehicular access gate. Timber and wire fencing has been erected. The application site lies to the west of Caverswall and for the purposes of planning policy consideration, it is within the Green Belt. Next door to the site is a Scout Group meeting hall and further to the east/south-east/south are residential dwellings, mainly those of Mill Close. However there are others within the vicinity.

PROPOSAL

The proposal is to change the use of the application site to a dog walking exercise area and provide an area of hardstanding for customer off-road parking (permeable surface). Fencing has already been erected. The intention is to provide a facility where dogs can be exercised safely and securely off their leads. The submitted Planning Statement informs that an online booking system would be used to secure a 1 hour slot. The dog owner/walker would be issued with a pin code to unlock the gate to use the facility. Opening hours are stated within the Planning Statement as being Spring, Summer Autumn - 8am - 8pm and Winter-8am - 6pm. However the application form states that opening hours would be 8am until 8pm every day, including Sundays and Bank Holidays.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan

- SS1 Development Principles
- SS9 Smaller Villages Area Strategy
- SS10 Other Rural Areas Strategy

- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Woodland and Hedgerows
- T1 Development and Sustainable Transport
- Appendix 2 Parking Guidance

Supplementary Planning Guidance

1. Design Principles for Development in the Staffordshire Moorlands

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide

National Planning Policy Framework

Including sections:

Section 2:	Achieving sustainable development
Section 4:	Decision making
Section 6:	Building a strong, competitive economy
Section 8:	Promoting Healthy and Safe Communities
Section 9:	Promoting sustainable transport
Section 11:	Making effective use of land
Section 12:	Achieving well-designed and beautiful places
Section 13:	Protecting Green Belt land
Section 15:	Conserving and Enhancing the Natural Environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2023/0179	Change of use to part of the land for use as enclosed secure dog walking field. Refused by Planning Committee members.
08/00862/OUT_MJ	38 dwellings including 50% affordable dwellings. Refused.

CONSULTATIONS

Publicity

Site Notice. Expired
Neighbour consultation period. Expired.

Public Comments:

Support

One representation received saying the writer supports the application however no reasons are given for the support.

Objection: 26 representations objecting to the application and one petition containing 111 signatures.

Comments can be summarised as follows;

- Site should be left for nature;
- Green spaces should be preserved;
- Green Belt land, providing openness and should be protected;
- Revised application has not changed;
- Horses in the adjacent paddock will be terrified of the barking dogs;
- Cattle near to the site;
- Parking will have impact upon landscape;
- Parking will cause accidents;
- Junction at Caverswall Road and The Green is very busy, this will add additional traffic;
- Limited parking (2 spaces) risks people parking on the road and/or footpath making it dangerous for road users and pedestrians;
- Traffic in the area will increase;
- Grass verges already parked on;
- There are no existing parking spaces in the field;
- Noise impact from barking dogs and owners shouting/whistling;
- No way to mitigate dog barking noise;
- Dogs in the field barking would set off other dogs in the area;
- Noise impact upon surrounding residents;
- 7 days a week opening hours means the residents will have no rest from the noise;
- Traffic and light pollution;
- No economic or social benefit, it is just for the owners;
- Why have bee boxes, hedgehog boxes been put up in the field or trees/flowers planted during the last 18 months? Don't need a dog facility to do that;
- Dogs could be stung by bees and hedgehogs chased by dogs;
- Housing or commercial developments could then be approved;
- Lack of toilet facilities for those visiting the site;
- Other dog walking fields within the vicinity;
- Will pin code be changed every week? Otherwise once people have the code the person(s) can come back as and when they wish and possibly leave dogs there, unsupervised;
- If the field is self-managed what happens if there is an incident?
- Owners let the field out to four people and two dogs in February, adults were aggressive when asked why they were using the enclosure and parked on the opposite side of the road;
- Planning statement refers to other successful applications within Staffordshire but these are not Green Belt sites;
- Risk of dog mess not being picked up creating smells;
- Decrease the value of Mill Close properties;
- Not safe for children in the village if there are unattended dogs;
- School bus stop is next to the entrance gate; Children close to the dogs, vehicles coming and going from the site and strangers in the area;
- No control over how many dogs are brought onto the site;
- Poor recall/nervous dogs should not be next to a Scout hut which is used most days of the week;
- Fencing is not adequate to keep the dogs inside;
- What will happen to existing wildlife on the field?;
- More beneficial for dog owners to spend money on proper training classes so the dogs don't need to be locked in an enclosure;
- Applicant(s) has not worked with people in the village;

- Potential for dog attacks upon people and other animals;
- Negative ecological impact and no biodiversity gain;
- Enclosure is not fit for purpose. Fencing and gates inadequate. Huge holes in fencing which dogs could get through and small gates which dogs could get through;
- Banned dog breeds could be using the site

Caverswall Parish Council: Object to the application 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.

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 6 inches wide which allows for any small dog or puppy to get through so it is 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 on 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 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 pin code 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 changed. Even if this was to be 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 applicant's 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 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.

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.

Staffordshire Wildlife Trust: Following the receipt and review of the documents relating to ecology and Biodiversity Net Gain, we have no further comments.

Environmental Health: No representations received. *(Planning Officer note: this is a resubmission or a previously refused application. One of the reasons for refusal was noise based ie dog barking. No noise related information has been submitted).*

Highways (Staffordshire County Council): Recommend conditions.

Site Visit Conducted on: 07-May-2024

Personal Injury Collisions:

Current records show that there were not any Personal Injury Collisions on Caverswall Road within 50 metres either side of the site access from 01/01/2019 to 31/12/2021.

Background

Caverswall Road is a C classified road (Road No. C0068) with a 30mph speed limit, there are streetlights and footways. The site is accessed via an existing access off Caverswall Road (shown as School Lane on submitted plans).

Previous Application

SMD/2023/0179 - Change of use to part of the land for use as enclosed secure dog walking field including placement of 2no structures – Conditioned by the Highways Authority

Description of Proposal

Change of use to part of the land for use as enclosed secure dog walking field (resubmission of SMD/2023/0179).

Comment on Information Submitted

The proposal is for a change of use of land to provide a secure dog walking field. Previously the site has been used for horses and housed a storage unit. Access to the site will be via an existing vehicular access which currently serves the site. The access off Caverswall Road benefits from good visibility in both directions. Drawing titled Site Layout Plan 001 Revision D shows 2 parking spaces. Parking for the proposed use would allow vehicles to park and turn, enabling them to leave the site in a forward gear. However, I noted on my site visit that the proposed parking area is grass/compacted soil it would be beneficial to surface the site in a bound or hard material that is suitably drained and marked out. It is noted within the Planning Statement that an online booking system is to be implemented. The opening hours will be 8am – 8pm (spring, autumn and summer) and 8am – 6pm (winter). It is also noted that the application makes no reference to the number of customers to the site at any one time. Given the number of parking spaces (2) the number of customers should be limited so as to ensure sufficient parking is available, hence condition below.

Based on the information submitted there will be an increase in the level of traffic to the site however, the increase is not considered to have a severe impact on the adopted highway.

I have no objection subject to the following being secured via conditions;

The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in a bound material or suitably hard material with sustainable drainage and marked out in accordance with drawing titled Site Layout Plan 001 Revision D which shall thereafter be retained for the life of the development.

Only 1 customer shall be permitted to utilise the facility at any given time. No groups or training classes should be allowed to ensure that there is enough parking space available.

Reasons: To comply with NPPF; to comply with SMDC Core Strategy Policy DC1 and T1; in the interests of highway safety.

Site visits on 07/05/2024 and 24/04/2024.

OFFICER COMMENTS

Policy context and the principle of development

The application site is located on the outskirts of Caverswall. Caverswall is classed as a smaller village. The application site is not within a particularly isolated location but it lies within the Green Belt for the purposes of planning policy consideration. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.

National Planning Policy Framework (NPPF) paragraph number 155 states that certain forms of development are not inappropriate in the Green Belt provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

- a) mineral extraction;
- b) engineering operations;
- c) local transport infrastructure which can demonstrate a requirement for a Green Belt location;
- d) the re-use of buildings provided that the buildings are of permanent and substantial construction;
- e) material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds); and
- f) development, including buildings, brought forward under a Community Right to Build Order or Neighbourhood Development Order.

Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The NPPF goes on to state that 'When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

Policy SS1 of The Staffordshire Moorlands Core Strategy identifies that development should contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands. SS10 includes specific reference to Green Belt developments in that 'strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government policy.'

The application proposes a change of use of part of the field to a dog walking exercise area (measuring approximately 70m x 48m), which is enclosed by timber post and wire fencing (currently in situ) and associated hard surfaced parking area (approximately 13.8m x 10.7m). The parking area has been reduced in area from the previously refused scheme where it measured approximately 23.5m x 14.5m). Other differences from the previously refused scheme include a hedgerow running the length of the north-western boundary (shown on planning drawing number 001 Revision D) and the inclusion of a bee box, hedgehog box, 3 recommended trees and area for wildflower planting. The bee box, hedgehog box, trees and wildflower planting areas are shown on a Habitat Map which accompanies a Biodiversity Net Gain report and a Preliminary Ecological Appraisal.

No planning condition could adequately control whether or not a customer brings dog agility equipment in to the site and therefore having Green Belt openness harm. The comings and goings of vehicles also has a degree of openness harm in addition to the laying of hardstanding materials. Although it is acknowledged that the parking area has been reduced in size, the fact remains that it would be there and would contribute to openness harm.

The applicant's Planning statement informs that an online booking system would allow a 1 hour slot and that the two proposed parking spaces are required to allow for the cross over of customers. The area is still large and could accommodate more than two vehicles. Whilst the

current Planning Statement offers no information about the cross over of arriving and departing customers, the applicant previously advised that the booking slots would be 50 minutes to allow a 10 minute window in which to leave and the next customer to arrive. Whether the slots are 50 minutes or 1 hour there will still be an impact (more discussion of which can be found within the Environmental Health section of this report). The number of people on the site (and therefore vehicles) cannot be readily controlled by conditions, the result being harm to the openness of the Green Belt at this point. It is noted that the application drawing reference 001 Rev D, contains no information concerning the fencing. Whilst assumed likely, it is not completely clear if the fencing currently on the site is that to be used for the dog walking facility boundary. During consideration of the previously refused application, the Local Planning Authority was informed that details of the fencing had not been supplied as it could be erected using Permitted Development Rights. There is no evidence to suggest that the fencing of the type and design currently in situ would be erected without the intention of the land being used for dog exercise purposes. There is no other obvious reason(s) for the fencing to be in this location without the dog walking use proposal.

Opening hours are stated within the Planning Statement as being Spring, Summer Autumn - 8am - 8pm and Winter-8am - 6pm. However the application form states that opening hours would be 8am until 8pm every day, including Sundays and Bank Holidays. Operation of the walking area during the winter months will undoubtedly require lighting in the evenings. This would have further impacts on openness.

This change of use and its associated built development (car park and fencing) would be inappropriate development in the Green Belt and have harm to openness at this point by virtue of its physical and visual presence. The cumulative effects of the proposal would be encroachment into the countryside and visual harm. Inappropriate development that would, by definition, be harmful to the Green Belt. Substantial weight should be attributed to any harm to the Green Belt and permission should only be granted if there are other considerations or circumstances that clearly outweigh that harm and any other harms. In this case it is not considered to be the case that there are any very special circumstances to support the scheme.

Design and Visual Impact (Character and Appearance)

Local Plan policy DC1 requires that all developments shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the character and heritage of an area. Development should be of a high quality, adding to the value of a local area, incorporating creativity, be designed to respect the site and its surroundings and promote a positive sense of place and identity. Policy DC3 concerns itself with Landscape and Settlement Setting and is clear that development should be resisted where it would lead to a prominent intrusion into the countryside.

It is acknowledged that the application site has hedgerow screening along the site frontage (Caverswall Road) and that not all of the site is visually prominent. There is some screening along other boundaries but it is important to note that none of the vegetation boundaries have any protected status. Much of the fencing, the proposed parking area and vehicular comings and goings would be visible from outside of the site, namely Caverswall Road. Any necessary lighting to allow for the proposed winter opening hours would also have an adverse visual impact on the landscape. The development would have a harmful visual impact upon the countryside at this point and does not comply with the provisions of Local Plan policies DC1 and DC3.

Highways/Access

The NPPF and Local Plan policies DC1 and T1 require that all development proposals secure safe and suitable access to a site whilst making a contribution towards meeting parking requirements and ensuring that all new development can be satisfactorily accommodated

within the highway network. The application proposes the continued use of the existing vehicular access and the plans do not indicate any alterations to its location or dimensions.

It is noted that a number of representations to the application have referenced highways impact as a concern. The County Highways officer has assessed the application and comments that the access benefits from good visibility in both directions and recommends a condition to secure bound material surfacing that is suitably drained and marked out. The Highways officer also comments that *'based on the information submitted there will be an increase in the level of traffic to the site however, the increase is not considered to have a severe impact on the adopted highway.'*

In the absence of any objection from the Highway Officer, whilst resident comments are noted, it is not considered that a refusal on highway grounds could be sustained.

Environmental Health

The application site is located on the outskirts of Caverswall. Whilst the site itself lies within the Green Belt, the main settlement of Caverswall does not. Caverswall has an identified settlement boundary which runs along the rear boundaries of the Mill Close dwellings. The application site is also adjacent to the Caverswall Scout Group building and grounds. Due to the nature of the development, it is considered that the development would have negligible impact in terms of loss of light, privacy and outlook. However the proposed development has the potential to have a detrimental impact on neighbour amenity due to noise pollution caused by barking dogs.

Many objections have been received from members of the public regarding noise impacts. Local Plan policy DC1 requires that all developments shall be well designed, stating that new development should *'protect the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution.'*

The previous application included the following reason for refusal.

'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.'

No additional information has been submitted to address the noise related reason for refusal. It is not considered that a condition requiring a site specific noise mitigation measures would be effective, reasonable or enforceable given the nature of the use and the unpredictability of animal behaviour. It is not therefore considered that loud barking incidents could be effectively managed. There is no control over the number of dogs a customer may arrive with and any reports over the breach of numbers would ultimately be too late as the session will have ended and the noise impact occurred. There does not appear to be any control over the departure time of a customer, access may well be restricted due to the use of an entry gate code but there is nothing to prevent a customer still being at the site when the next person arrives. This cross over has openness impact due to more than one vehicle being parked at the site but also has the potential to increase noise levels by unfamiliar dogs meeting each other. Signs asking for consideration of noise impact upon neighbours within the site cannot control barking dogs, barking cannot be controlled by any noise management plan. Even contact details for the owner/operator of the site would not address the noise problem as it will already have occurred at the time it is reported.

The proposed change of use is not appropriate for this location. It is also questionable whether strict control over waste collection could be imposed.

Winter operating hours will not all be in the daylight. It would not be possible to use this facility without some sort of artificial lighting provision. No information has been submitted regarding lighting but there would likely be concerns given the proximity to residential dwellings. On the basis of the above it is not considered that the details provided by the applicant could be satisfactorily conditioned in such a manner as to be enforceable and satisfactorily prevent noise pollution. A short term/temporary consent would not be a suitable solution as it has already been demonstrated that the scheme could not be controlled sufficiently to ensure acceptable noise levels either on a long-term or temporary basis. The proposal is therefore contrary to policy DC1 of the Staffordshire Moorlands Local Plan and the National Planning Policy Framework.

Ecology/Biodiversity and Trees

Policy NE1 in the Staffordshire Moorlands Local Plan Adopted September 2020, expects that 'all development where possible seeks to deliver a net gain in biodiversity proportionate to the size and scale of the development.' An area of grassland would be lost to a hardstanding area however it is noted that the applicant proposes a number of ecological measures (bee, hedgehog boxes, trees, wildflower planting etc). The application is accompanied by a Biodiversity Net Gain report and a Preliminary Ecological Appraisal which have been reviewed by Staffordshire Wildlife Trust (SWT). SWT have responded, stating that 'following the receipt and review of the documents relating to ecology and Biodiversity Net Gain, we have no further comments.' Due to the Wildlife Trust's response, there are no objections to this application on the basis of ecological impact.

Coal (Low-risk development) area.

The application site lies within an area designated as a low-risk coal development area and as such this may be an area which contains unrecorded coal mining related hazards. If the application was to be approved, informative notes could be added to the decision notice to remind/inform the applicant/developer of their responsibilities.

CONCLUSION / PLANNING BALANCE

The application involves the change of use of a parcel of land and the laying of hardstanding for a parking area. National Planning Policy Framework paragraph number 155 is one of the relevant sections to consider as the scheme does not include the erection of any new buildings which are controlled under paragraph number 154. Paragraph number 155 is clear in that other forms of development are not necessarily inappropriate development provided they preserve openness and do not conflict with the purposes of including land within the Green Belt which are:-

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

As demonstrated within the report it is clear that the development is harmful to openness and conflicts with part c (purposes of including land within the Green Belt). The scheme clearly proposes development that encroaches into the Green Belt and will have harmful visual impact. The current scheme does not demonstrate amendments sufficient to revert the previous refusal to an approval this time round. It is concluded that the proposal constitutes

inappropriate Green Belt development and therefore consideration moves on to whether the scheme should be approved due to the existence of very special circumstances. No very special circumstances have been advanced. The report identifies noise impacts upon surrounding residents and the fact that no guaranteed mitigation can be imposed by means of conditions.

OFFICER RECOMMENDATION : Refuse.

Case Officer: Lisa Jackson

Recommendation Date: 16.8.2024

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council