

DBD Architectural Consultancy Ltd
Appeal against the refusal of Full Planning Permission
for
Replacement of existing stable buildings with single detached dwelling,
landscaping features and a ground-mounted solar array
at
Greenacres Stables Farm, Akesmoor Lane, Biddulph, Staffordshire, ST8 6RT
Appellant: Mr Shaw
Local Planning Authority Reference: SMD/2024/0117

Appeal Ref: APP/B3438/W/24/3357062

Response to Staffordshire Moorlands District Council
February 2025

1.0 Introduction

1.1 In response to the LPA comments received, regarding the appeal, DBD would like to provide additional comments which accurately reflect the current situation on site and present all available information for assessment.

2.0 Reason(s) for Refusal

2.1 The submitted Noise Assessment conclusively shows that the mitigation methods, both inside and outside the dwelling meet adequate sound levels. This is detailed in both the original and supplementary document.

2.2 Please note, the use of the adjacent skip yard has ceased after the passing of its previous owner, the brother of the appellant. Its ownership is being transferred to the appellant who will ensure no commercial activities restart on the site, which would be to the detriment of his proposed residential development. The adjacent site can be viewed and confirmed as being vacant during the inspectorate's site visit.

2.3 The nature of the adjacent skip yard would not be supported by policy in this rural location if it did not already have an established use. It would be deemed to have a harmful effect on the greenbelt, both in its openness and the amenity of the local area. It is unknown why there are concerns about its use being compromised by possible future complaints from a resident next door. It would be beneficial to the greenbelt if its operation did cease, as it has done, and could not restart because of the effect on a nearby residential dwelling.

2.4 The use of the site as a skip yard would not be viable as a new start up business. Originally, it grew from an informal collection of scrap materials from local sites by the applicants' brother, before it became a fully fledged skip hire company. For such a small site, bringing waste from urban town areas out into the countryside to sort, then needing to transport it back into urban areas where scrap merchants or recycling plants are located makes the location unsuitable. The site would never attract people seeking an opportunity to commence this nature of business, due to the isolated location.

2.5 It has been proved, by providing legal documents, the ownership of the land is transferred into the ownership of the applicant. Regardless of the current ownership status, the use as a skip yard has ceased, the site is vacant and the use as a commercial yard shall not be reinstated.

3.0 Details of the Proposal and Consideration of the Case

3.1 The appellant has submitted numerous applications for the site, the most recent of which, we believe, have been refused on unreasonable grounds.

3.2 If a new Noise Assessment were to be completed on the site, now that the use of the skip yard has ceased, it would reflect the peaceful and tranquil setting in the open countryside, and no high level of noise would be recorded.

3.3 Therefore, if a subsequent application is submitted to reflect the changes at the skip yard, there will be no tangible data to prove that noise arising from the yard will harm the amenity of a residential development on the stables site.

3.4 If officers conducted a new site visit, they would see no evidence of a commercial use on the adjacent site, and any justification for refusal would be limited to the historic use of the adjacent site, based only on speculation of whether its previous use were reinstated or not.

3.5 The appellant would be willing to give any form of confirmation to surrender the use of the adjacent site as a waste handling/skip yard.

3.6 We kindly request that the facts of the present situation are assessed, taking into consideration the change of ownership and use of the adjacent yard, and the appeal is upheld to avoid the repeated infliction of needing to submit further applications to overcome matters of contention.