

DELEGATED DECISION REPORT

SMD/2025/0063
Valid 26/03/2025

99 WOODHOUSE LANE
BIDDULPH

**PROPOSED CHANGE OF USE
OF PART OF AN
AGRICULTURAL FIELD TO A
20M X 40M ALL WEATHER
TURNOUT/EXERCISE AREA
OF PERSONAL EQUESTRIAN
USE AND TO UTILIZE IT AS
TEMPORARY HANDLING
AREA FOR A FLOCK OF
PEDIGREE SHEEP TO
ADMINISTER VET MEDS AND
FOR HANDLING/TRAINING
THE SHEEP PRIOR TOO
ATTENDING LOCAL AND
NATIONAL SHOWS**

(FULL - MINOR)

MAIN ISSUES

- Whether the proposal comprises an exception to inappropriate development in the Green Belt
- Landscape Character Impact
- Neighbour Amenity
- Highway Safety
- Biodiversity Net Gain

DESCRIPTION OF SITE

The application site consists of an area of agricultural field owned by the owners of No. 99 Woodhouse Lane, located in the Biddulph Moor ward. Furthermore, the site is situated on green belt, countryside land, where development is more restricted. The field sits within the immediate context of No. 99 Woodhouse Lane, as well as its two direct neighbours No. 95 and No. 97 Woodhouse Lane, running along their rear curtilages. The field gradient drops away from Woodhouse Lane and it is largely shielded from view by a series of agricultural buildings and the row of terraces consisting of No. 95, No. 97 and No. 99 Woodhouse Lane. Nettlebeds House is situated to the West of the site, at the bottom of the sloping field. No. 1 and No. 2 Nettlebeds Cottages sit to the South of the site, separated from its boundary by an access road off Woodhouse Lane.

The site is currently used for grazing. The applicants can move the livestock and it will become vacant very easily.

PROPOSAL

The proposed development comprises a change of use of part of an agricultural field to a 20m x 40m all-weather turnout/exercise area of personal equestrian use. Additionally, to utilize it as a temporary handling area for a flock of pedigree sheep to administer vet meds and for handling/training the sheep prior too attending local and national shows. 100mm twin wall perforated drains will be utilized, covered with a filter sock, Non-Woven geo textile membrane and pressure treated clean stone sand and fibre blend. Timber post and rail and sheep netting will also be used.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS2 Settlement Hierarchy
SS9 Smaller Villages Area Strategy
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
DC3 Landscape and Settlement Setting
NE1 Biodiversity and Geological Resources
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

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2011/0378 – Two storey side and rear extension.

SMD/2011/0405 – Construction of a new steel framed metal clad farm building.
Refused.

SMD/2011/0542 – Demolition of lean-to agricultural building, and construction of a new stand alone agricultural building, new stable block and new access (partially retrospective). Approved.

SMD/2012/0591 – Demolition of a former WC outhouse / coal bunker and replacement with rear extension. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 26/04/2025

Neighbour consultation period ends: 25/04/2025

Press Advert: N/A

Public Comments

Two comments of objection have been received from the direct neighbours at No. 95 and No. 97 Woodhouse Lane. The following points have been made:

- *They have always understood that land is Agricultural or Equestrian, not both, therefore if the application is for change of use to Equestrian (horses) it shouldn't be used for Agricultural purposes (Sheep).*
- *The drawings provided by the applicants architect are incorrect and misleading as follows:*
 - 1) *Location plan - when printed off and checked with a scale rule the shorter arena length (20m) measures at 19m, however the longer arena length (40m) measures at 32 metres. This is clearly misleading giving an under representation of some 20 %. Using the same references points the Site plan shows the same obvious error.*
 - 2) *Proposed Ground section - there are no dimensions or datums given as to the " existing ground level" no FFL / cover levels to reference the ground reduction from. I understand the proposal was to reduce the ground level by 1.5 metres however the planning officers comments are that as little ground as possible is to be removed.*
 - 3) *None of the drawings show the house number of No. 97 / location on the plan - when drawn to the correct scale the proposed arena would completely run along their rear boundary which extends behind number 99 Woodhouse Lane.*
- *No. 97 Woodhouse Lane, is not shown on the submitted plans, nor is the boundary that would be most directly affected. This omission makes it difficult for officers and consultees to properly assess the true impact of the scheme. The application should not have been validated without a complete and accurate site context.*
- *The design & access statement is very misleading. It describes the property as a farm. The property is an end terraced cottage with run down outbuildings & land of approximately 2 acres. They may rent land elsewhere but it is not in the vicinity of the property therefore this is taking a large portion of the grazing land at the property where a horse & 2 ponies are always kept. Sheep are moved on & off the land therefore the number of sheep at the property varies.*
- *The proposed exercise area would be located behind their stables but due to the size would also be directly behind number 95 & the neighbouring property number 97. The location of the manege would be intrusive and overbearing, not fitting within the context of the landscape.*

- *The proposed position may conceal the view from Woodhouse Lane but is in direct view of the kitchen window & fully visible from the upstairs windows of No. 95. The arena will be approximately 6 metres from their kitchen window & if a hedge is planted as planned this will restrict the open view as it grows.*
- *The proposed manege would be positioned just one metre from the garden boundary of No. 97, on land that rises above the level of their home. This means that riders on horseback would be at or above the level of their lounge windows (their principal living space) with a direct line of sight into their house and garden. There is no existing screening between No. 97 and the proposed development, and no buffer zone has been proposed. This overlooking would significantly reduce their privacy and enjoyment of their home.*
- *The proposed site is Green belt & the proposed work will have a huge impact on the openness of the area. The manege would compromise the openness of the landscape, replacing natural ground with surfacing and earthworks. It would lead to encroachment into undeveloped land, precisely the kind of incremental harm the Green Belt is intended to prevent.*
- *Ecology - there is a lot of wildlife in the area including bats that are often seen at night.*
- *Concerned regarding how appropriate drainage will be achieved, it needs to be done properly. At the moment there is a road water storm drain that runs across the back of the properties, the storm water drain has been cut off by Mr Johnston when it got blocked & has been diverted with a land drain into the ditch at the bottom of the field which runs into their ditch. The water has surface oil from the road & other contamination which should be going into the main drain which runs across Mr Johnston's field. Since the land drain has been put in there has been a stench & effluent in Mr Johnston's field which may suggest the sewerage drain has been damaged.*
- *Due to the gradient, they would anticipate more earth may be needed to level the site more than is already there. Will the planning stipulate what can be used for this to avoid contamination of the land? It is also a concern that part of the land will have to be substantially raised to get a level area, as we understand it can't be dropped due to the storm water drain & the main sewer pipe.*
- *The images on the application only show the impact on the Johnston's property not how close it will be to our property.*
- *Concerned about noise if the arena is used frequently for schooling horses. Mrs Johnston is very vocally loud when giving instructions to the horses & riders. She has had people previously at the property being schooled on horses. Also, the likely regular use of a quad bike or similar machinery to maintain the surface, would disrupt the peace of garden and living areas.*
- *The applicants claim the manege is for private use, but given the scale and cost of such a facility, I am concerned it may be used commercially in future for training, lessons, or hire. They have suggested there are no nearby equestrian facilities, which is untrue. There are several in close proximity, including: Butterlands Equestrian Centre, Biddulph*

Moor and Somerford Park Farm, approximately 8 miles away. The suggestion of need is therefore misleading, and they are worried about increased traffic, activity and further planning creep if this application is approved.

- *If planning is passed please could the arena be restricted to use by household family only & not to be used by anyone else stopping the risk of it being used as a riding school. There are already horse jumps etc. in the field now which shouldn't be there as it is agricultural land & they should be removed.*
- *Light pollution: Although no lighting is included in this application, the applicants have indicated that lighting may be added separately. This would have a major impact on visual amenity and would further disrupt the character of the area, particularly in winter months.*

An additional comment from the neighbours at Nettlebeds House has been received stating the following:

I have no objections in principle to the siting of the proposed manege, but would object if the manege was placed at the bottom of the site along the west boundary, this would cause an intrusion on the green belt, my privacy and cause flooding to my land to the south west corner of the field

Town / Parish Comments

No comments have been received from Biddulph Town Council.

Staffordshire County Council Highways

The proposal of the creation of all weather turnout/exercise area of personal equestrian use. This will not add any additional traffic and therefore will not impact the local highway.

I have no objection subject to the following being secured via conditions: The proposed development shall be for personal use only.

Staffordshire Wildlife Trust

No comments have been received.

The Coal Authority

I have reviewed the site location plan, the proposals and supporting information submitted and available to view on the LPA website and can confirm that the application site falls partly within the defined Development High Risk Area.

The Coal Authority's information indicates that a coal seam outcrops in the north western part of the site, dipping in a north westerly direction above the site, which

may have been worked in the past. Voids and broken ground associated with such workings may pose a risk to ground stability and public safety.

As you will be aware, the Coal Authority's general approach in cases where development is proposed within the Development High Risk Area is to recommend that the applicant obtains coal mining information for the application site and submits a Coal Mining Risk Assessment to support their planning application.

We note that the application is accompanied by a CON29M Coal Mining Report. We must point out that this is a factual report only and this information does not provide any assessment of the potential risks posed by past coal mining activity to development proposals.

*However, we note that the application is a change of use to an all-weather exercise area and whilst external alterations and additions are proposed, these would not appear to require substantial groundworks or earthworks. The Coal Authority's Planning & Development Team therefore does not consider that a Coal Mining Risk Assessment is required to support the proposal in this particular case and we **DO NOT OBJECT** to this planning application.*

However, we do recommend that, should planning permission be granted for this proposal, the following wording is included as an Informative Note on any planning permission granted:

Staffordshire County Council Minerals and Waste

Recommendation Summary: No Comment

Details and Reasoning:

The proposed site is in a Mineral and Safeguarding Area (MSA) for Silica Sand. However, as stated by our standing advice above, Staffordshire County Council as the Mineral Planning Authority have no comments to make.

OFFICER COMMENTS

Principle of Development / Green belt

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 Moor. 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."*

Paragraph 153 of the NPPF (2024) states that 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'. Such exceptions include *ii. engineering operations and v. material changes in the use of land (such as changes of use for outdoor sport or recreation, or for cemeteries and burial grounds)* provided that they do not impact on openness or conflict with the other purposes of including land within the Green Belt. .

The principle of the development is therefore considered acceptable. However, it must be determined if the proposal will harm the openness of the Green Belt and that it would not conflict with the purposes of including land within it. Notably, two neighbour objections have been received by the Council, stating that the proposed development would cause significant harm to the openness of the green belt land, encroaching into undeveloped land and replacing natural ground with surfacing and earthworks.

The proposed 20m x 40m all-weather turnout/exercise area would sit in the immediate context of existing development .Therefore there would be limited harm caused to the openness of the green belt land in spatial terms. Although the surface of the land would be changed to artificial material compared to the existing grass surface at the site, this would not be considered to impact the openness of the green belt land. Excavation works are to take place to accommodate for the proposed development, meaning only lowering of the land would occur. There would be no raising of any land. Therefore, it is not considered that any harm would occur to the openness of the green belt as a result of the proposed development.

It is now necessary to assess whether any other means of harm would occur as a result of the proposed development.

Landscape Character Impact

Policy DC3 of the Local Plan seeks to protect and where possible, enhance local landscape and the setting of settlements in the Staffordshire Moorlands.

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.

I note that some of the neighbours have objected to the application, based on the point that they believe that the proposed development would not fit within the context of the surrounding landscape.

It has been established from the completion of a site visit that the proposed 20m x 40m all-weather turnout/exercise area would not have a detrimental visual impact on the landscape character. The proposed 20m x 40m all-weather turnout/exercise area would be seen within the context of the adjacent developed landscape; incorporating a number of agricultural buildings, stables and the row of terraced dwellings. The plot of land sits against the backdrop of the access road. Thus, the 20m x 40m all-weather turnout/exercise area would sit appropriately amongst the context of the surrounding built upon landscape.

The plot of land on which the 20m x 40m all-weather turnout/exercise area would be located naturally slopes downwards from the public highway on a grassed, sloping site. Notably, excavation works would be required in order to accommodate for the development to create a flat surface, creating an artificial landform at the top of the site. The greatest level change would be adjacent to existing built development, sitting within the context of the developed landscape. Therefore, the excavation work is not considered to be as prominent as it would be in the middle of a field away from any developed landscape. For this reason, the proposed 20m x 40m all-weather turnout/exercise area and associated excavation works are not considered to cause a detrimental level of harm to the landscape character.

The design of the proposed 20m x 40m all-weather turnout/exercise area is typical of a manege. 100mm twin wall perforated drains would be utilised, covered with a filter sock, Non-Woven geo textile membrane and a pressure treated clean stone, sand and fibre blend to create the hard surfacing. It would be surrounded by 1.2 metre high timber post and rail fencing and sheep netting. Thus, the design of the proposed development is considered acceptable.

It is therefore considered that the proposal would not harm the existing character of the surrounding landscape and would maintain the character of the area. The proposal would therefore accord with the provisions of local plan policies DC1, DC3 and section 12 of the NPPF in this regard.

Neighbour 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 field sits within the immediate context of No. 99 Woodhouse Lane, as well as its two direct neighbours No. 95 and No. 97 Woodhouse Lane, running along their rear curtilages. Nettlebeds House is situated to the West of the site, at the bottom of the sloping field. No. 1 and No. 2 Nettlebeds Cottages sit to the South of the site, separated from its boundary by an access road off Woodhouse Lane.

Notably, the neighbours have expressed concern regarding how the images on the application only show the impact on the property which owns the land, and not how close it will be to their property. The neighbours at No. 97 Woodhouse Lane have made a comment stating that No. 97 is not shown on the submitted plans, nor is the boundary that would be most directly affected. They worry that this makes it difficult for officers and consultees to properly assess the true impact of the scheme. No. 97 can be seen on the submitted site plans, only the house number is missing from the submitted details. However, a site visit was completed in the earlier stages of the application process, allowing a fully informed neighbour amenity impact assessment to occur.

The neighbours at No. 95 and No. 97 Woodhouse Lane have objected to the application based on the proximity of the proposed 20m x 40m all-weather turnout/exercise area to their dwellings and rear curtilages. Due to the large size of the proposed turnout/exercise area, it would run directly behind their properties, which they believe to be intrusive and overbearing.

The neighbours at No. 95 have stated that the turnout/exercise area would be in direct view of their kitchen window (approximately 6 metres away) & fully visible from the upstairs windows. They worry that if a hedge is planted as planned, it will grow to a point that it would restrict the open view. The neighbours at No. 97 have stated that the proposed manege would be positioned just one metre from their garden boundary, on land that rises above the level of their home. Therefore riders on horseback would be at or above the level of their lounge windows (their principal living space) with a direct line of sight into their house and garden. There is no existing screening between No. 97 and the proposed development, and no buffer zone has been proposed. This overlooking would significantly reduce their privacy and enjoyment of their home.

Based on the completion of a site visit and assessment of the submitted plans, officers have taken the stance that the proposed development would be un-neighbourly, in line with the comments submitted by the neighbours. Due to the very close proximity and siting of the 20m x 40m all-weather turnout/exercise area to No. 95 and No. 97 Woodhouse Lane, the Council have concern regarding neighbour amenity in terms of outlook and overlooking. Whilst the ground level adjacent to the

row of dwellings would be reduced to accommodate for the turnout/exercise area, the outlook of the neighbours at No. 95 and No. 97 would still be impacted significantly due to its size. Furthermore, it is clear that some overlooking could occur into rear windows of both neighbours, particularly whilst riders are on horseback. On the basis of the points raised above, it is considered that residential visual and privacy amenity impact would be detrimental on the neighbours at No. 95 and No. 97 as a consequence of the proposed development, in terms of outlook and overlooking.

Two neighbours have expressed concern regarding noise pollution resulting from the proposed development, if the arena is used frequently for schooling horses. Noise is generated from people being vocally loud when giving instructions to the horses & riders. The neighbours claim that the applicants have had people previously at the property being schooled on horses. Also, they are concerned regarding likely regular use of a quad bike or similar machinery to maintain the surface, which would disrupt the peace of garden and living areas. The development would be located as close as 1 metre to neighbours rear garden boundaries and 10-12 metres from the rear walls of the neighbouring dwellings at No. 95 and No. 97. Due to the very close proximity of the 20m x 40m all-weather turnout/exercise area to these neighbours, it is highly likely that they would experience a level of noise pollution when the proposed development is in use. The neighbours would be aware whenever the land is being used through noise associated with the general activity at the turnout/exercise area, therefore the proposed development is considered to be unneighbourly.

One neighbour has raised concern regarding light pollution. Although no lighting is included in this application, the applicants have indicated that lighting may be added separately. The neighbours believe that would resultingly have a major impact on visual amenity and would further disrupt the character of the area, particularly in winter months. As no lighting has been included under the application presented to the Council, the Council are not able to make assessment regarding lighting. If a future application were to be submitted regarding lighting at the site, the Council would determine whether it is acceptable at this stage.

Whilst the neighbours at Nettlebeds House, Woodhouse Lane do not object to the proposed development, they have stated that they would object if the manege was placed at the bottom of the site along the west boundary. They believe that this would cause an intrusion on the green belt, their privacy and would cause flooding to their land to the South West corner of the field. As the proposed turnout/exercise area would not be located at the bottom of the site along the West boundary, officers cannot make comment on this under this application.

Notably, the applicants suggested an amendment to the scheme in aim of better protecting neighbour amenity, by moving the 20m x 40m all-weather turnout/exercise area 7.5 metres South, meaning that it would no longer run parallel with their garden boundaries. Regardless of this amendment, it does not overcome the concerns of officers relating to the detrimental residential amenity impact which would occur. The turnout/exercise area would remain in very close proximity to the neighbouring dwellings, meaning that outlook, privacy and noise impact would continue to occur.

Highway Safety

Paragraph 109 of the NPPF states that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and should 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 do not object to the proposed development, as it would not increase the traffic levels in the area and would therefore not impact the local highway. This is based on the fact that the proposed development would be for personal equestrian use only.

Two neighbours have demonstrated concern regarding the potential future use of the 20m x 40m all-weather turnout/exercise area commercially, for training, lessons, or hire, as the applicants have suggested the need for this type of facility. They worry that increased traffic activity and further planning creep would be a consequence if this were to be allowed. The details submitted in relation to the application confirm that the proposed development would be for private use only. Regardless, if permission were to be granted, a condition would be imposed on the decision notice to restrict the development to being for private equestrian use only. If the applicants wanted to change the use to commercial, a further planning application would be required.

Thus, the proposed development is compliant with Policy T1.

Biodiversity Net Gain

Policy NE1 of the Local Plan aims to ensure that the biodiversity and geological resources of the District and neighbouring areas will be conserved and enhanced by positive management and strict control of development.

One of the direct neighbours has expressed concern in relation to biodiversity impact which the proposed development would have, stating that there is a lot of wildlife in the area including bats that are often seen at night.

No comments have been received from Staffordshire Wildlife Trust regarding the biodiversity net gain metric submitted under the application. Notwithstanding this, receipt of their comments would not change the outcome of the application, due to the fact that the proposed development would have a detrimental impact on neighbour amenity.

Other Matters

Land Use

The neighbours have commented that they have always understood that land is agricultural or equestrian, not both. Therefore if the application is for change of use

to equestrian (horses) it shouldn't be used for agricultural purposes (sheep). The use of land for grazing of horse only does not require planning permission. As the use of the land for sheep is only occasional, and use of land for agriculture does not require planning permission the land can be used for both purposes.

The neighbours believe that the design & access statement is very misleading. They state that it describes the property as a farm. However the property is an end terraced cottage with run down outbuildings & land of approximately 2 acres. They may rent land elsewhere but it is not in the vicinity of the property therefore this is taking a large portion of the grazing land at the property where a horse & 2 ponies are always kept. Sheep are moved on & off the land therefore the number of sheep at the property varies. From the design and access statement, it appears that the application site is not a farm used for the purposes of trade and business, despite the fact that they rear sheep for meat and wool. From the description of the site, it is clear that the site is more akin to hobby farming. Regardless, this is a non-issue when it comes to assessment of the application in front of the Council; the application would be assessed against the relevant planning policies.

Incorrect and Misleading Plans / Planning Statement

The neighbours have stated that both the location and site plans do not measure up to a 20m x 40m arena, instead it measures up to approximately 19m x 32m. This gives a misleading representation of the size of the arena, appearing approximately 20% smaller on the plans than it would actually be. Measurement of both plans has been checked and officers are of the view that the scaling of the plans is correct.

The neighbours have also stated that the proposed ground section plan includes no dimensions or datums given as to the "existing ground level" and no FFL / cover levels to reference the ground reduction from. They are aware that the proposal was to reduce the ground level by 1.5 metres. However, the planning officers comments are that as little ground as possible is to be removed. The proposed ground section plan can be measured up to provide sufficient details regarding the ground level change. Officers do not require any further details from the applicants at this time.

The neighbours have made the comment that none of the drawings show the house number of No. 97 / location on the plan. They mention that when drawn to the correct scale, the proposed arena would completely run along their rear boundary which extends behind number 99 Woodhouse Lane. Whilst the house number of No 97 is not stated on the plans, No. 97 can be seen on the plans submitted. Furthermore the submitted plans correctly demonstrate that the proposed arena would run along the rear boundary of No. 97.

Drainage

Neighbours have expressed concern regarding how appropriate drainage will be achieved at the site. At the moment there is a road water storm drain that runs across the back of the properties, which has been cut off by the applicant when it got blocked & has been diverted with a land drain into the ditch at the bottom of the field which runs into their ditch. The water has surface oil from the road and other contamination which should be going into the main drain which runs across the

applicants' field. Since the land drain has been put in there has been a stench & effluent in the applicants' field which may suggest the sewerage drain has been damaged.

The drainage issue raised by the neighbours is not an issue relating to the proposed development in front of the Council. As this is a pre-existing issue, it cannot be addressed by this application.

Contamination

Due to the gradient, the neighbours anticipate that more earth may be needed to level the site than what is already there. They worry that importing new soil onto the land could lead to contamination of the land, if it doesn't come from the correct place. They are also concerned that part of the land will have to be substantially raised to get a level area, as they understand it can't be dropped due to the storm water drain and the main sewer pipe.

The land levels would be lowered as part of the proposed development as opposed to being risen, which can be seen on the submitted site section plans. Thus, the applicants would not be importing any earth to the site and contamination from importation of materials would not be an issue.

CONCLUSION / PLANNING BALANCE

In conclusion, the application is recommended for refusal. Whilst the proposed development is not considered to have a detrimental impact on the green belt, landscape character or highway safety, it is considered to have an adverse impact on neighbour amenity. Due to the very close proximity of the proposed 20m x 40m all-weather turnout/exercise area to the rear curtilages and windows belonging to the neighbouring dwellings at No. 95 and No. 97 Woodhouse Lane, they would experience outlook, overlooking and noise issues resultingly.

Whilst ground levels would be reduced adjacent to the neighbours boundaries to accommodate for the turnout/exercise area, the development would still be highly visible from the rear curtilages and rear windows of the neighbouring properties due to its large size and scale. The change of an existing large area of grass field to an area of hardstanding would have a large impact on neighbour outlook. Additionally, as the proposed development would run as close as 1 metre to neighbours' rear garden boundaries and approximately 10-12 metres from the rear windows of the neighbouring dwellings at No. 95 and No. 97, privacy amenity impact would occur. Furthermore, due to the proximity of the turnout/exercise area to the neighbouring dwellings, noise pollution would be generated from the proposed development when in use.

On the basis of the neighbour amenity issues raised, the proposed development would not comply with Policy DC1 of the Local Plan 2020 and Section 12 of the NPPF. It is therefore recommended for refusal.

OFFICER RECOMMENDATION: REFUSE

Case Officer: Hannah Varley
Recommendation Date: 20/05/2025

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council