

DELEGATED DECISION REPORT

SMD/2024/0477
Valid 21/11/2024

LAND OFF LEEK ROAD
KINGSLEY MOOR

**PROPOSED ALTERATIONS TO THE
EXISTING ACCESS AND NEW
HARDSTANDING**

(FULL - MINOR)

MAIN ISSUES

- Principle of development
- Design and visual impact
- Highways
- Biodiversity Net Gain
- Coal (low-risk) area.
- Environmental Health.
- Neighbour amenity

DESCRIPTION OF SITE

The application site is an existing vehicular access off the A52 Leek Road which leads to land on the northern side of the highway. The site is located to the east of a dwelling known as Two Acres and across the road (and to the north) from the former Waggon and Horses. At the time of the site visit, the application area was laid to hardcore and an agricultural-style gate formed part of the roadside boundary. Other boundaries were marked by (cut back) hedgerow and timber, post, and wire fencing. There are no significant land level variations within the access and hardcore areas. Further agricultural style gates within the site allow access to fields to the north and east.

For the purposes of planning policy consideration, the application site is located within the Green Belt and the Churnet Valley Masterplan area. The landscape character type is Dissected Sandstone Uplands (as identified within the Landscape and Settlement Character Assessment of the Staffordshire Moorlands).

The site is not within any Conservation Area and there are no listed buildings/structures or protected trees which need to be considered. The site is within a low-risk, coal development area.

PROPOSAL

Planning permission is sought for alterations to the existing access and a new area of hardstanding. In addition to the application plans, the application is accompanied by a statement entitled 'Land off Leek Road – Alterations to existing access,' and an Arboricultural Impact Assessment & Method Statement.

The accompanying statement provides the following information regarding the proposal.

A small area of new hardstanding (c.18sqm) is also proposed, which will link up to the track proposed under the concurrent prior approval forestry building application, as shown by the red arrow below.

It is also proposed that a small section of grass verge outside of the existing access gate will be tarmacked, once planning is obtained the works will be secured under the appropriate Highways Act. The existing 7-bar access gate adjacent to Leek Road will be removed to ensure vehicles can enter the site without impacting traffic on the road (i.e. no stopping to open the gate will be required). Additionally a reduction in the height of the hedgerows on either side of the entrance gate along Leek Lane and also along the western boundary of the site to ensure clear visibility of sight lines when exiting the site. A planning condition can ensure that the hedge height and removal of the access gate remain in place for perpetuity

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan

- SS1 Development Principles
- SS10 Other Rural Areas Strategy
- SS11 Churnet Valley 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

National Planning Policy Framework

Including;

Section 2:	Achieving sustainable development
Section 4:	Decision making
Section 6:	Building a strong, competitive economy
Section 9:	Promoting sustainable transport
Section 12:	Achieving well-designed places
Section 13:	Protecting Green Belt land
Section 15:	Conserving and Enhancing the Natural Environment

National Planning Policy Guidance

Supplementary Planning Guidance

1. Design Principles for Development in the Staffordshire Moorlands

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide

Churnet Valley Masterplan

Landscape and Settlement Character Assessment of the Staffordshire Moorlands.

Dissected sandstone uplands
Farmland
Landscape enhancement

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

DET/2024/0044	Application to determine if prior approval is required for - a new forestry building. Length 55m, Height to Eaves 5.5m, Breadth 18m, Height to ridge 8m. Prior approval required. Details have now been submitted in order to consider the siting, design and external appearance of the proposed development. Prior approval required. Details have been submitted and are currently being considered alongside this application.
DET/2024/0018	Application to determine if prior approval is required for - the erection of a forestry building with a track. Prior approval required and refused.

CONSULTATIONS

Publicity

Site Notice. Expired.

Neighbour consultation period. Expired.

Public

No representations received during the statutory consultation period.

Cheadle Town Council

No representations received during the statutory consultation period.

Environmental Health

No objections in principle. Request conditions relating to Noise, Construction/demolition, importation of soil/material, lighting, and delivery and access timings.

Noise impact: As a stand-alone hard standing parking/vehicle waiting area and access track to a commercial or industrial site we would recommend timings and lighting are restricted to protect residential amenity. Conditions are recommended below. It is worth noting this application appears to relate to DET/2024/0044 which Environmental Health has raised noise and air quality concerns about.

Construction material: Access track and hard standing: Any material imported onto site to use as hard standing or for the access path should not compromise local environmental quality or risk soil contamination. Condition advised. Any fill material sourced from construction waste should be authorised by the Environment Agency.

Access Timings: The proposed access should be restricted to specific timings to protect residential amenity if permission is granted.

Trees (SMDC)

No representations received during the statutory consultation period in relation to the proposed access. It is noted that the Arboricultural officer has provided in depth comments relating to application DET/2024/0044 (forestry building which would be accessed via the vehicular access proposed within this (SMD/2024/0477 file)).

Highways (Staffordshire County Council): Conditional.

1. The development hereby permitted shall not be brought into use until the visibility splays shown on plan 1536/J240145/003.1 and 004.1 have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 900 mm above the adjacent carriageway level.

2. The development hereby permitted shall not be brought into use until the access improvements shown on plan 1536/J240145/002.6 broadly comprising relocation of existing gate currently adjacent highway boundary; hard surfacing; bound surfacing of verge; have been provided. The access improvements shall thereafter be retained and maintained for the life of the development.

Reasons:

ALL: To comply with NPPF (December 2024) Paragraph 114; to comply with SMDC Local Plan policy DC1; in the interests of highway safety.

Important informative to be included on decision notice.

The surfacing works within the highway shall require a permit to dig prior to any works taking place. The developer is advised to contact Staffordshire County Council Network Management at trafficandnetwork@staffordshire.gov.uk in advance of surfacing works commencing. See Temporary excavations (permit to dig) - Staffordshire County Council for details.

Notes to Planning Officer

Application is for improvements to an existing access. Application has previously been recommended for refusal by highways due to inadequate access to the site. Proposal addresses previous reasons for refusal. Access is to be improved and visibility splays provided. The former proposal to import quantities of timber from off site has now been abandoned.

Swept path drawings have been provided by Eddisons demonstrating that tractor and trailer can access the site without issue. As the dropped crossing is existing and not proposed to be widened, access can be surfaced under a permit to dig. S278 or S184 are not required. Access is existing. Visibility splays proposed are maximum achievable, are an improvement over the existing and are acceptable. Transport Note refers to a personal injury collision (PIC) from 2018. Although all PICs are regrettable, the overall volume of collisions does not suggest there are any existing safety problems that would be exacerbated by the proposed development.

Severn Trent Water

No representations received during the statutory consultation period in relation to the proposed access.

OFFICER COMMENTS

Principle of Development

The Local Planning Authority is required to determine applications in accordance with the Development Plan, unless there are material circumstances which indicate otherwise and, in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations.

Chapter 2 of The National Planning Policy Framework (NPPF), outlines the Government's aims of achieving sustainable development within the planning system via economic, social and environmental objectives. For the purposes of planning policy consideration, the application site is located within the Green Belt therefore requiring consideration of section 13 of the NPPF and the relevant Green Belt/open countryside policies of the council's adopted Local Plan.

Paragraph number 154 of the NPPF states that Local Planning Authorities should regard development within the Green Belt as being inappropriate unless one of the following exceptions applies.

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use), including buildings, 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;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and

g) limited infilling or the partial or complete redevelopment of previously developed land (including a material change of use to residential or mixed use including residential), whether redundant or in continuing use (excluding temporary buildings), which would not cause substantial harm to the openness of the Green Belt.

h) other forms of development provided they preserve its openness and do not conflict with the purposes of including land within it. These are:

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

Policy SS1 of The Staffordshire Moorlands Local Plan states that the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands. Local Plan policy SS10 echoes the NPPF Green Belt restrictions by stating 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 is for alterations to an existing access and new hardstanding. The works are required to provide access to the proposed forestry building which is currently being considered under Prior Notification application reference DET/2024/0044. The existing area of hardstanding has been scraped back and refreshed. Drawing number 1536/J240145/002.5 confirms the extent of hardstanding and provides an image of the works. An additional (approximately) 18 square metres of hardstanding is proposed which would link the existing access area to a proposed new driveway / path which, in turn, would connect to the forestry building. The works would also involve removal of the existing gate and reducing the boundary hedge height from 1.8m to 0.6m high.

The proposed scheme could be considered as falling within the realms of paragraph number 154, section h(ii) due to the addition of the new hardstanding and the upgrading of the existing, therefore not inappropriate providing the development preserves openness and does not conflict with the purpose of including land within the Green Belt. The purposes of Green Belt designations are confirmed within NPPF paragraph number 143 as follows;

- 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.

The access works do not involve significant alterations to this part of the site. There is an existing access / gateway (which already has a dropped kerb crossing) allowing access to the fields beyond. Google Street view shows historically there has been a collection of timber buildings on the site (possibly associated with agriculture). The earliest Street view image available is 2009 where the buildings can clearly be seen. It is evident (over the course of the photos), that there has been a well-established hardstanding area (overgrown at times). Clearance of the buildings has improved openness of the site. The gate would be removed, and the hedgerow height reduced, neither of which require planning consent. There are no further changes apart from the small increase in hardstanding area (approximately 18 square metres) at the rear of the site. This is the most logical access to serve the proposed forestry building.

This application relates solely to the access details; however, it is important to consider what the access will be used for. In terms of openness, the comings and goings of vehicles, as well as hardstanding areas, can have an impact upon the Green Belt. The Planning Statement, accompanying the Prior notification application explains that the proposed building would be used for the purposes of forestry

by Broad Oak Properties (forestry management and biomass producing company), within the blue edged area identified on the submitted plans. In summary, the building is required for forestry purposes which include (but are not necessarily limited to) the following;

- Secure storage of machinery, implements and equipment (listed within paragraph number 3.9 – 3.10 of the Planning Statement) to prevent weather damage and reduce the threat of theft. Machinery is required for selective thinning of the woodland, removal of dead and dying trees, removal of invasive species such as brambles.
- Increasing the companies Biomass production and afforestation.
- Storage of wet and dry logs, dead/dying/diseased trees, machinery, nursery trees, protective equipment, hand tools, fuel and a biomass section.

The Planning Statement also informs the following;

- Use would operate between the hours of 8am – 5pm – Monday to Friday,
- There would be three worker's with their primary focus being on forestry management.
- Woodchip produced by the biomass unit removed from site one a fortnight by a tractor and trailer.
- Likely vehicular trips including two 2-way large vehicle movements 2-3 times a week (tractor and trailer entering and exiting the site).
- Biomass production has been scaled down as timber will now only be sourced from the land upon which it is sited.

Design and visual impact

No objection to the removal of the access gate or the hedgerow height reduction to improve visibility. There is an established principle of hardstanding within the site which is evidenced by the aforementioned Street view images. The new hardstanding area would be surfaced using MOT hardcore, (similar to that within the larger area of the site), and it would not be excessively large. In any case the new surfacing would be set well back from the highway and not have any adverse visual impact upon the area at this point. No design and/or visual impact objections.

Highways

The Staffordshire County Council Highways officer originally recommended refusing the use of the access for the forestry building proposal. The objection was received during consideration of a Part 6 (GPDO) Prior Notification application (reference number DET/2024/0018) where the officer expressed concerns over the lack of information and the fact that no access alterations were proposed to accommodate the forestry development. The current submission relates solely to the use of the existing access, providing information concerning visibility splays, swept path drawings, hardstanding and the use of a small area of land outside of the applicant's ownership which would have to be crossed to allow access to and from the site. The submitted plans detail that the 'unowned' land would be tarmacked under S278. The Highways officer confirms that the access can be surfaced under a permit to dig and that neither a S278 nor a S184 is required.

The application is accompanied by a Transport Note produced by Eddisons Commercial Ltd who state that *'The proposals are for a change of use to provide a Forestry building. Information provided by the client indicates that the proposed land-use will result in two 2-way vehicle movements 2-3 times a week. These movements will consist of a tractor and trailer entering the site and then exiting the site, given this level of traffic generation, the instances where two vehicles will meet at the site access junction will be extremely rare, if not non-existent.'*

and

'Based on the above the levels of traffic generated by the proposed change of use would be similar, if not lower, than what could be generated by the lawful agricultural land-use and would not give rise to any highway safety concerns at the Leek Road junction.'

The comments of the County Highways officer can be read in full within the 'Consultations' section of this report, however in summary, the officer raises no objections.

Biodiversity Net Gain

The proposal is exempt from the Biodiversity Net Gain requirements as the new area of hardstanding at the rear of the site is less than the 25 square metres threshold. The hedgerows are to be reduced in height, not fully removed.

Coal (low-risk) 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. It is recommended that in the event of planning permission being approved, that informative notes are added to the decision to remind/inform the applicant/developer of their responsibilities.

Environmental Health

The Council's Environmental Health officer does not object to the proposal. Detailed comments can be read within the 'Consultations' section of this report and cover matters such as noise, lighting and importation of soils/materials. The Environmental Health officer references potential noise and recommends a condition to restrict the times in which the access can be used. It must be noted that this application is for a stand alone access, it does not include the construction of a new building or involve a change of use, and the established use is for agricultural purposes. The access could currently be used at any time of the day. It is not considered reasonable and/or necessary to restrict the access use timings.

A condition restricting the times in which construction can take place is reasonable, in the interests of neighbour amenity impact.

There is currently no lighting within the access area, therefore a lighting condition is considered reasonable to ensure the character of the area is not harmed and that there are no adverse neighbour amenity impacts.

A condition relating to the importation of soils/materials is considered reasonable. The application proposes the addition of approximately 18 square metres of hardstanding on the northern edge of the application (red edge) site. The Environmental Health officer states that *'Any material imported onto site to use as hard standing or for the access path should not compromise local environmental quality or risk soil contamination.'*

Neighbour amenity

There are some residential dwellings within the surrounding area, the nearest of which (to the access) is Two Acres. The alterations to the access are fairly minor and as there are no buildings/large structures to be erected, there are no issues in terms of overbearing/overshadowing development. Noise, in terms of the use of the access has already been discussed within this report.

CONCLUSION / PLANNING BALANCE

For the reasons set out within the report, it is concluded that the application is acceptable in terms of the principle of development. There are no design, visual impact, highways, neighbour or Environmental Health objections, therefore conditional approval is recommended.

OFFICER RECOMMENDATION : Conditional approval.

Case Officer: Lisa Jackson

Recommendation Date: 28.11.2025.

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council