

DELEGATED DECISION REPORT

SMD/2025/0411
Valid 11/09/2025

OLD STAR FARM
BEELOW LANE
COTTON

CHANGE OF USE OF
AGRICULTURAL BUILDING TO
EQUESTRIAN USE,
COMPRISING OF 4NO.
STABLES, WASH ROOM,
TACK ROOM, FEED STORE,
AND BOX TRAILER PARKING

(FULL - MINOR)

MAIN ISSUES

- Character and appearance
- Sustainability
- Planning History

DESCRIPTION OF SITE

Rural detached portal framed agricultural building set back 50m from the public road and screened by deliberate planting. One near neighbour, Star Green Farm, 100m to SW. Public footpath right of way passes along the access track to Star Green Farm running parallel with the access to Old Star Farm and heavily screened by evergreen hedging. Overall limited public visibility of the building.

From the planning statement:

The existing building occupies a footprint of approximately 254 square metres, a floor area of 240 square metres, and stands to a ridge height of 5.34 metres. It is constructed from a steel portal frame, with concrete blockwork to its lower elevations, and dark brown cladding to its upper elevations.

The field referred to in the application as a paddock was being grazed by sheep at the time of the LPA's site visit (Autumn 2025).

PROPOSAL

From the planning statement:

The application proposes the change of use of the building to provide 4no. stables, a wash room, tack room, feed store and a box trailer parking area. The equestrian facility is to be used solely for private domestic purposes, and does not propose any form of livery operation. The application does not propose, nor entail any changes to the external appearance of the building, which will remain unaltered.

Vehicular access to the site already exists via the existing driveway serving Old Star Farm off Beelow Lane, which serves an area of block paved hardstanding that flanks the southern and western flanks of the building. To the north and east of the building lies a belt of mature planting which is proposed to be retained.

As first submitted the application also proposed the associated change of use of the surrounding agricultural fields to the north of the building to equestrian paddock. The LPA has discussed with the agent whether in effect any change in the use of the adjoining field will amount to development. It is understood that the proposed change was made simply to reflect that horses would graze the land rather than the sheep as currently. From this it is concluded that the paddock does not need to be included in the application and the plan has been amended to remove it from the red edge.

Amendment to the description has also been agreed to omit reference to the field / paddock.

The submitted statement noted:

The site area extends to approximately 4.2 acres and consequently provides a suitable amount of grazing land to meet the British Horse Society recommendations of 1 - 1.5 acres per horse (a total of four stables being proposed).

The application claims exemption from Biodiversity Net Gain requirements on grounds it will not result in the loss of, or impact upon, more than 25 square metres of habitat.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS2 Settlement Hierarchy
SS10 Other Rural Areas Area 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

National Planning Policy Framework (Dec 2024)

Paragraph(s) 1 – 14;
Section(s) 4 – Decision making; 5 – Delivering a sufficient supply of homes; 6 – Building a strong and competitive economy; 7 – Ensuring the vitality of town centres; 8 – Promoting healthy and safe communities; 9 – Promoting sustainable transport; 11 – Making effective use of land; 12 – Achieving well designed places; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

Local Plan Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SM92-0613 – Retention of agricultural building including legal agreement – **approved**

99/01193/FUL – Removal of condition restricting use of building to land holding of not less than 19 acres – **refused**

00/00984/FUL – Removal of condition 3 restricting use of building to land holding not less than 19 acres (Revised submission) – **refused**

These applications relate specifically to the building subject of the current proposal.

The report under 00/00984/FUL noted:

This application refers to a clause in a legal agreement which requires a minimum land holding of not less than 19 acres (7.7 hectares) to be maintained to retain the farm building. This came about because the Council was concerned that the 18m x 13m building, which had been built without planning permission, was too large for the current farm holding. The applicant's holding is some 5 acres with additional rented land of 13 acres.

CONSULTATIONS

Publicity

Site Notice expiry date: 28.10.2025

Neighbour consultation period ends: 09.10.2025

Press Advert: N/A

Public Comments

None

Town / Parish Comments

Oakamoor Parish Council – unanimously supported the application

Severn Trent Water

Severn Trent requests that any approval be conditioned as follows:

- The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and

- The scheme shall be implemented in accordance with the approved details before the development is first brought into use.
- Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse available as an alternative, other sustainable methods should also be explored. If these are found unsuitable satisfactory evidence will need to be submitted before a discharge to the public sewerage system is considered. No surface water to enter the foul or combined water systems by any means.

Reason

To ensure that the development is provided with a satisfactory means of drainage as well as reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

IMPORTANT NOTE: With regard to network capacity, this response only relates to the public waste water network and does not include representation from other areas of Severn Trent Water, such as the provision of water supply or the protection of drinking water quality.

Suggested Informative – affected sewers and water mains

Before undertaking any work on site, all applicants must determine if Severn Trent has any assets in the vicinity of the proposed works. This can be done by accessing our records at www.digdat.co.uk

Severn Trent Water advise that even if our statutory records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under The Transfer of Sewer Regulations 2011.

Public sewers and Water mains have statutory protection and may not be built close to, or diverted without consent, consequently you must contact Severn Trent to discuss your proposals. Severn Trent will seek to assist you obtaining a solution which protects both the public sewer and the proposed building.

Additional information

If the development site includes a Vehicle Wash / Petrol Station / Swimming Pool / Industrial Processes, or anything else that may discharge waste other than foul sewage or surface water into the public network, we would strongly recommend the applicant speaks to the Trade Effluent Support Team before requesting a discharge of any drainage related condition. The team can be contacted by email: trade.effluent@severntrent.co.uk

Please note for the use or reuse of sewer connections either direct or indirect to the public sewerage system the applicant will be required to make a formal application to the Company under Section 106 of the Water Industry Act 1991. They may obtain copies of our current guidance notes and application form from either our website

(www.stwater.co.uk) or by contacting our Developer Services Team (Tel: 0800 707 6600).

[The agent has confirmed agreement to this as a pre-commencement condition.]

OFFICER COMMENTS

Principle of Development

The site lies within the 'other rural areas' of the Local Plan covered under Policy SS10. Whilst it can be noted that Policy SS9 lists Cotton as a smaller village there is no defined boundary to Cotton. Star Farm is set somewhat apart from the very limited gathering of development which runs along Cotton Lane from the Star Inn northwards as far as the existing primary school. The agent has assessed the proposal by reference to SS10 and the LPA finds no reason to differ.

The keeping of horses is most usually a rural land use activity and normally a countryside location is to be expected. The proposal involves a long pre-existing building and no external changes are involved. The Planning History records that the building was previously judged over-large for the size of the holding. The detail of the agreement reported to have been made to address this have not been looked into for the purposes of this application. It is noted that at the time, as now, the c.4 acres represented the total ownership. Additional land referred to historically (some 13 acres) was rented. It is understood the current applicant has been at the property since 2017. It is not known for how long any commitment to maintain a 19 acres holding was kept up with but it seems likely not to have been in place for in excess of 10 years – particularly noting the attempts in 1999 and 2000 to remove the condition. Even if it were considered expedient it appears unlikely that any enforcement action could be taken now.

The proposal shows a proportionate use of the building, for the number of horses (4) now proposed to be kept, relative to the grazing available.

Importantly, the scheme specifically states that it is to be used solely for private domestic purposes, and does not propose any form of livery operation. Questions with regard to travel sustainability of the location do not therefore arise. It would though be recommended that a condition be attached to secure this if approval is granted.

The scheme can be considered exempt from BNG requirements due to not involving development affecting habitat.

It is concluded therefore that in principle the change of use of the building as proposed would be supported under policy SS10.

Design

With no exterior changes to the building there are no design implications to consider. It is noted that the agent says the applicant would accept a planning condition to

require the existing planting 'buffer' be retained in perpetuity and this would be desirable.

Amenity

Given the existing farm use and given the separation to any neighbours it is not envisaged that any adverse impacts on living conditions for neighbours would arise.

Highway Safety

As a personal and private equine use no highways or travel location sustainability issues would arise but a condition to limit the use to private should be attached as this is not a sustainable location.

Other matters

It is considered that if this permission is granted it would supersede the original 1992 consent and the agreement that was linked to that permission would fall away. On this basis there is not seen to be any specific need to take additional action to discontinue the 1992 agreement.

The use of land as grazing land comes within the definition of agriculture as given at s.336(1) of the TCPA(1990). For this reason it was determined that planning permission is not required to use the fields for grazing the horses.

CONCLUSION / PLANNING BALANCE

In consideration of all of the above the application is recommended for approval subject to the conditions noted.

OFFICER RECOMMENDATION: **approve**

Case Officer: Arne Swithenbank

Recommendation Date: 11.02.2026

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council