

DELEGATED DECISION REPORT

SMD/2026/0297
Valid 18/06/2026

**LAND NORTH OF FAIR
VIEW BALL LANE
BROWN EDGE**

**RETROSPECTIVE
APPLICATION FOR ERECTION
OF SHEPHERD'S HUT TO
PROVIDE HOLIDAY
ACCOMMODATION**

(FULL - MINOR)

MAIN ISSUES

- Impact on the Green Belt
- Impact on the Character and Appearance of the Area
- Other considerations

DESCRIPTION OF SITE

The application site is located within the rural area and is designated as part of the North Staffordshire Green Belt.

The existing use of the site is stated to be agricultural, and it provides 0.3ha of land that includes a slim linear roadside field parcel, a driveway access, an enclosed hardstanding, and an agricultural shed to the northeastern end of the land.

The land's northern boundary is tree lined – the subject of Tree preservation Order SM004A002.

There is a pre-existing access and driveway that serves the agricultural building. The access is taken from Ball Lane which is a narrow hedge lined rural lane.

Planning permission was granted in 2010 (SMD/2010/0932) for an open fronted tractor store that was to be provided to the corner of the field and take access from the field gate to the far northeast of the field. The shed has been provided as a lockup unit with a roller shutter door. The driveway and the surrounding hardstanding have been provided more recently, apparently, without planning permission. The driveway is edged by a close boarded fence. The shed and the hardstanding have been enclosed separately from the field with a stone wall and laurel hedge.

PROPOSAL

The development is described on the application form as: Erection of shepherd's hut to provide holiday accommodation (retrospective).

The hut/pod has already been provided on the site and appears to already be in use.

The hut/pod has a curved tile effect roof comprises a simple domed-type structure, and timber cladding it is provided with a timber deck. The structure has a gross internal

floor area of 14.9m² with its frontage decking occupying a further 10.5m². The building stands to 2.6m in height.

The accommodation comprises of an open plan living area / bedroom with kitchenette and separate shower room.

The pod is provided to the head or northeastern end of the slim roadside field parcel and takes its access from a pre-existing access and driveway that serves an existing agricultural building. The building is orientated with its principal elevation and decking area facing to the southwest.

Parking for one vehicle is to be accommodated on the existing area of hardstanding to the northeast/east of the building.

The application form describes the development in operational terms – the *erection* of a shepherd hut. However, the application statement considers the development to amount to a material change of use and, in those regards, the red edged application site includes all of the remaining field, the driveway, the enclosed hardstanding and the agricultural shed.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS2 Settlement Hierarchy
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
DC3 Landscape and Settlement Setting
E1 New Employment Development
NE1 Biodiversity and Geological Resources
NE2 Trees, Woodland and Hedgerows
T1 Development and Sustainable Transport

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

10/00994/FUL Agricultural building to house tractor and implements. APPROVED.
SMD/2015/0076 Internal alterations to form change of use from agricultural building to accommodate two stables. REFUSED.

CONSULTATIONS

Publicity

Site Notice expiry date: 13th July 2026
Neighbour consultation period ends: 13th July 2026
Press Advert: N/A

Public Comments

2 Objections received:

- The shepherd's hut is a glamping pod. The whole aspect of the land has changed and what was a small field has become nothing more than a camp site.
- The hut is provided as part of the B & B business operated by the applicant. The holiday accommodation is not needed and not wanted in this quiet rural Green Belt area.

Town / Parish Comments

Endon with Stanley PC: The Council was unable to review the documents at the time of the meeting due to an issue with the availability of the documents on the District Council's planning website. It was agreed that the application would be reviewed once the documents became available, with any comments to be provided separately.

Staffordshire County Council Highways

Acceptance

Site Visit Carried Out on 07/07/2026

Background:

The application site is located on Ball Lane. Ball Lane is a D classified road (road number D1053), which is subject to a 60mph speed limit, there is streetlighting but no footways.

Description of Proposal:

Retrospective application for erection of shepherds hut to provide holiday accommodation.

Comments on Information Submitted:

The proposal is retrospective for the erection of a shepherds hut for holiday accommodation. The shepherds hut provides a double bed, kitchenette, shower and living area and would accommodate 2 people. It is sited within land north of Fair View as per submitted Drawing Ref: 1959-AL01A.

Parking;

Parking has not been shown on the submitted plans however within the Planning Statement under (1.6) it states; Parking for one vehicle is to be accommodated on the existing area of hardstanding to the northeast/east of the building where there is also turning space so that vehicles may exit the site in a forward gear.

Access;

Access to the hut is via the existing vehicular access off Ball Lane which also serves an adjacent agricultural storage building.

It is considered the proposal will not cause a significant increase in trip generation.

I have no objection to the proposal

SMDC Tree Officer

The Shepherds hut generates significant concern regarding the trees on site which are protected by SM004 within area 002. Because the area is accessible by vehicle and the proposed use of the hut will inherently generate increased footfall within the root protection areas of protected, retained trees. It is therefore likely that the hut will be accessed by vehicles which are likely to be parked in proximity to the hut, thereby aiding in compacting the soils within the root protection areas of these trees. The

compaction of these soils will result in the asphyxiation of significant tree roots, it will also alter and reduce the hydraulic capacity of the soil thereby impacting and reducing the trees access to available water.

It is not clear from the information provided where the users of the shepherd's hut would park, nor has sufficient detail been provided to properly assess the damage caused to the trees on site.

Furthermore, there is concern that should this development be approved, that a precedent will be set and therefore more huts will be developed on the land, creating yet more pressure and negative impacts to the protected trees.

An arboricultural impact assessment should be provided to support this application, along with an arboricultural method statement to detail how the ground will be properly protected to ensure the long-term vitality of the protected trees on site.

OFFICER COMMENTS

Impact on the Green Belt

The site is located within the Green Belt wherein Policy SS10 of the Local Plan confirms that strict control will continue to be exercised over inappropriate development, allowing only for exceptions as defined by government policy.

Paragraph 154 of the NPPF confirms that development is to be considered inappropriate and, by definition, harmful to the Green Belt unless it is provided for by one of a limited number of exceptions that appear on the closed lists at Chapter 13 of the NPPF. Any harm to the Green Belt shall be attributed substantial weight, planning permission shall not be granted unless there are other considerations, amounting to very special circumstances, that clearly outweigh the harm to the Green Belt and any other harm that would result from the development.

None of the exceptions provide for the erection of buildings for holiday accommodation on agricultural land.

The applicant's agent points to the exception that is made for material change of use that preserves the openness of the Green Belt and does not conflict with the purposes of including land within it.

Although the application describes the development as 'the *erection* of a shepherd hut', the statement says that the 'siting' of the hut amounts to a material change of use – the hut is not affixed to the ground, it is freestanding like a caravan.

The statement describes the hut as being of diminutive size set within an enclosed site, it concludes that there has been no material impact on the openness of the Green Belt.

The hut, however, appears within the site context of increasing encroachment from unauthorised development and infrastructure (close boarded fence, laurel hedge, driveways, and hardstanding) on which it relies upon to provide screening, access and parking. The hut adds to and compounds that encroachment and impact on the openness of the land. Contrary to the applicant's suggestion that the site benefits from a sense of natural enclosure, site enclosure is actually contrived and manufactured which, on its own, adversely impacts openness and causes encroachment.

The hut first provided on the land as a standalone unit, has more recently been added to with a timber deck extension, almost doubling the structures footprint. Within the red edged application site, that includes the whole of the field, there is an inevitability of further encroachment and harm to openness with the introduction of the visitor's car and other residential and recreational impedimenta. Comparatively, the size of the hut relative to the ever-diminishing area of the field is considerable and, in this context, the structural intrusion is much more than diminutive. At the lower level of the lands sloping gradient, toward the gated access, the hut appears as a structure of considerable size and height within its setting. There has already been harm to both the spatial and visual aspects of Green Belt openness and, with a grant of a planning permission, that harm is likely to increase. In all these regards, the development fails to preserve openness and there is conflict with a purpose of including land in the Green Belt through countryside encroachment. The development is not provided for by that exception.

The applicant's agent makes a second claim and points to the 'grey belt' exception at para 155 of the NPPF that is reserved for development where there is a demonstrable unmet need for the type of development proposed. The statement points to the Council's Tourism Strategy, which sets increased overnight stays as a strategic objective and a means of supporting economic growth, as evidence of an unmet need for visitor accommodation.

However, a strategy or policy objective does not, in itself, demonstrate unmet need for the type of development proposed. The objective establishes that additional tourism activity is considered beneficial to the local economy and desirable in those respects. There is an important distinction to be made between the two positions. The strategy does not provide evidence that existing provision of accommodation is insufficient to meet identified demand. In those regards, there is no substantive evidence demonstrating a quantitative or qualitative shortfall in visitor accommodation, or specifically in glamping pod accommodation, within the area.

Accordingly, whilst the proposal would make a small contribution to the Council's wider objective of supporting tourism and increasing overnight stays, these benefits do not amount to a demonstrable unmet need for the type of development proposed for the purposes of paragraph 155(b) of the NPPF. The development is not provided for by that exception.

The development is inappropriate development in the Green Belt and harmful to the Green Belt.

Design and Impact on the Character and Appearance of the Area

Local Plan Policy DC1 requires that all development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council's Design Guide SPD.

In particular, new development should incorporate creativity, detailing and materials appropriate to the character of the area; and, be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, height, density, layout, siting, landscaping, character and appearance.

Local Plan policy DC3 states that development which leads to a prominent intrusion into the countryside should be resisted.

The introduction of the hut, itself, and the prospect of the residential and recreational use of the agricultural land, further compounds the creeping domestication of the land and its change in character from a small roadside field, available for grazing or a small amount of haylage, to something more akin to a suburban or residential garden. The introduction of a sweeping driveway, close boarded fencing, and laurel planting - a precursor to, and facilitating, the proposed development has had adverse effects on the rural agrarian character and appearance of the land. The field itself is now, apparently, mowed and maintained as lawn.

Within the field parcel and the agricultural setting, the hut appears as a prominent intrusion in the countryside. The hut is not agrarian in character or appearance, it is more akin to that of a large garden building, its position on the higher ground toward the top of the gradient exacerbating its size and height dimension when viewed from the lower ground of the access position.

The Tree Officer has also expressed concern about the lack of any assessment of the potential impact from the development on nearby trees protected within TPO no SM004A002.

Overall, the development is harmful to the rural character and appearance of the area and the amenity of the countryside. The development forms a prominent intrusion in the countryside that is at odds with its agricultural setting. There is conflict with policies SS10, DC1 and DC3 of the SMDC Local Plan.

Other Considerations

The Local Plan other rural areas strategy at SS10 supports development that promotes sustainable tourism, however, in the Green Belt, the policy is clear that strict control shall be exercised over inappropriate development within the green Belt allowing only for exceptions as defined in Government policy. The Local Plan specifically identifies the area of the Churnet Valley as an area for sustainable tourism and rural regeneration. The application site is not within this area, the Churnet Valley area is largely to the east of the band of Green Belt to the western edge of the district and extends toward the Peak District.

Policy E4 of the Local Plan does, however, make some provision for tourist and visitor accommodation in locations other than those in the Churnet Valley area where they have good connectivity to other tourist destinations and amenities, or are close to settlements. The policy, however, does not seek to override Government Green Belt policy and requires that all development shall be of an appropriate quality, scale and character compatible with the local area, protect the residential amenity of the area, enhance the heritage, landscape and biodiversity of the area and shall not harm interests of acknowledged importance.

In general terms, the Local Plan policy together with the Council's Tourism Strategy clearly acknowledges and supports additional tourism activity as an objective that is considered beneficial to the local economy and desirable in those respects – providing support for tourist accommodation where it is appropriate to site location and setting.

The proposed development would make only a very small contribution to that objective and benefits to local economy would be limited. However, as discussed above, it is not appropriate to its Green Belt location and its setting and there are harms in those regards.

Apart from a generally rural location and some connectivity to public footpaths and areas of countryside, the development does not have special or unique connectivity to any identified attraction or destination and it would not support the Churnet Valley strategy.

Overall, any contribution that the development would make to tourist activity and local economy would be small, and would not be a benefit or consideration that clearly outweighs the harm to the Green Belt and the other harm that results from the development.

CONCLUSION / PLANNING BALANCE

The proposal is to retain and consolidate inappropriate development in the Green Belt that fails to preserve openness and conflicts with the purposes of including land in the Green Belt. There is harm to the Green Belt for these reasons and substantial weight is attributed to that harm. There are no considerations that amount to 'very special circumstances' and clearly outweigh that harm.

The proposed development that has been carried out and would be consolidated is harmful to the rural character and appearance of the area and the amenity of the countryside. The development forms a prominent intrusion in the countryside that is at odds with its agricultural setting. There is conflict with policies SS10, DC1 and DC3 of the SMDC Local Plan.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Ben Hurst

Recommendation Date:

X *J Curley*

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council