

# **A.E. Planning Consultants**

## **PLANNING POLICY, DESIGN AND ACCESS STATEMENT**

### **LAND TO THE NORTH EAST OF LIGHT OAKS AVENUE, LIGHT OAKS, ST2 7NF**

#### **FULL PLANNING APPLICATION FOR THE:-**

- (i) Change of use of land from a forestry use to a mixed use which would allow for the importing and storage of timber not produced at the site. The imported timber would be cut, split and mixed with timber grown at the site and sold as part of a firewood and log sales business.
- (ii) Proposed erection of a building (retention of the existing) and the erection of 2 enclosures to be used in connection with firewood and log sales business.

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## **1 INTRODUCTION**

- 1.1 This statement is submitted on behalf of Mr. R. Cotterill in connection with the use of land to the north east of Light Oaks Avenue, Bagnall. The site has been the subject of a complaint to the Council and this application is submitted to regularise the use of the land in connection with a firewood and log sales business. The site is owned by Mr John Woolley of 15 Light Oaks Avenue. The statement should be read in conjunction with the letter dated the 30.10.14 from Mr R. Cotterill and the letter dated the 20.07.14 from Mr. J Woolley.
- 1.2 The Applicant has been using the site for the making of logs from imported timber for approximately 18 months. The business originally developed when windfalls and maintenance within the adjoining wood provided a small supply of timber from which logs were cut. Following the success of this operation Mr R. Cotterill registered himself with the Forestry Commission and has subsequently imported timber to the site from various sources. The Forestry Commission has recently granted a felling licence to the owner of the wood and this will now form part of the business. To date investments in the business total around £20,000.
- 1.3 The application seeks full planning permission for the following:-
- (i) The change of use of land from a forestry use to a mixed use which would allow for the importing and storage of timber not produced at the site. The imported timber would be cut, split and mixed with timber grown at the site and sold as part of a firewood and log sales business.
  - (ii) The proposed erection of a building (retention of the existing) and the erection of 2 enclosures which would be used in connection with the firewood and log sales business.
- 1.4 This statement assesses the application proposals against the relevant policy tests set out in the Development Plan and National Policy guidance.

## **2. SITE LOCATION**

- 2.1 The application site is shown edged red on the location plan attached as plan reference AE01 and covers an area of approximately 4 ha. The site is located to the north east of Light Oaks Avenue and essentially stretches between Bagnall Cricket Club to the north west and Thursfields Nurseries to the south east. The Staffordshire Moorlands Core Strategy (CS) shows the site as lying within the Green Belt. The residential area to the west falls within the administrative boundary of Stoke-on-Trent City Council.
- 2.2 The front of the site, closest to Light Oaks Avenue and next to the cricket club, is an open field covering an area of approximately 1ha. The woodland covers an area of some 2.25ha. Thursfield Nurseries to the south east has a site area of some 0.75ha and is used solely by vehicles delivering timber to the rear of the wood. Photographs of the site are attached as Appendix 1.

### 3. RELEVANT PLANNING HISTORY

- 3.1 Staffordshire Moorlands District Council has confirmed that the site has no relevant planning history: -

### 4. THE APPLICATION

- 4.1 This section explains the design principles of the proposal under the following headings: Drawing List; Use; Amount; Scale; Layout; Access; Landscaping and Appearance. The application is a full application.

#### Drawing / Document List

- 4.2 The drawings / documents which accompany this application include: -
- ✓ Application Forms.
  - ✓ Appendix 1 – Photographs.
  - ✓ Appendix 2 – Photographs.
  - ✓ AE01 – Land Registry Title Plan showing the land owned by Mr. J Woolley – 1:2500@A4.
  - ✓ AE02 - Block plan of storage/splitting/mixing area – 1:1250@A4.
  - ✓ AE03 – Location plan showing the timber drop off area - 1:1250@A4.
  - ✓ Plans and Elevations of existing storage building – 1:50@A2.
  - ✓ Plans and elevations of existing enclosure – 1:50@A2.
  - ✓ Plans and elevations of proposed enclosure 1 – 1:50@A1.
  - ✓ Plans and elevations of proposed enclosure 2 – 1:50@A1.
  - ✓ Forestry Licence and Plan.
  - ✓ Letters of support from customers and local residents (Ref: 001-008).
  - ✓ Open letter from Mr R. Cotterill.
  - ✓ Letter from Mr J. Woolley dated 20.07.14.

#### Use

- 4.3 The Forestry Commission has recently granted a Felling Licence which gives permission to fell trees within the wood over a 5 year period. The site can, therefore, lawfully be used for forestry purposes which would include the conversion of the cut trees into logs.
- 4.4 The application site is currently used in connection with a firewood and log sales business. Planning permission is required for this use due to the fact that the business utilises imported timber. Whilst, originally, the business relied primarily on imported timber this will now change following the acquisition of the Felling Licence. Timber will still be imported to the site but it will now be cut, split and mixed with wood grown at the site. These logs would then be stored and seasoned on site before being bagged and transported to customers. There are no retail sales from the site

Amount

- 4.5 The site is currently occupied by one open sided storage building and one “L” shaped enclosure. These are located adjacent to the woodland edge. The open sided building has been present at the site for in excess of 3 years. It was originally erected to store timber removed from the wood by Western Power when they were carrying out maintenance to the overhead electricity lines. This building would be retained.
- 4.6 The existing L shaped enclosure (Photo 2 in Appendix 1) would be replaced by the two enclosures shown on the proposed site plan. These enclosed areas would be used for the mixing and storage of the split timber. The enclosures would be covered with a matt black PVC sheeting to ensure that the logs are kept dry and allowed to season. The logs would be stored within the enclosures at a height which would not exceed 2.7m.

Scale

- 4.7 The open sided storage building measures 7.230m in length by 3.550m in width and has a maximum height of 3.450m. The proposed enclosures are rectangular in shape and have dimensions of 17.1m in length by 5.4m in width. They would have a height between 2.2m - 2.7m.

Layout

- 4.8 The building and the two enclosures would be located in the eastern corner of the field which lies adjacent to the woodland edge (see location plan ref AE02). The area is fenced off from the remainder of the field by a post and wire fence. This is the part of the site which is used to split, mix and store the logs. The wood which is imported to the site through Thursfields Nursery is cut at the opposite end of the woodland next to Thursfields Nursery. The manageable sections of timber, measuring some 0.2m, are then transported through the wood by pickup truck and trailer and split at the top end of the field. The drop off point via the Nursery and the route through the wood are shown on plan ref AE03.

Access

- 4.9 Vehicular access into the site is through the field access off Light Oaks Avenue. This is the route by which the Applicant’s pickup truck and trailer access the site. It is also the route by which the seasoned logs leave the site for distribution to customers. The imported timber is mainly delivered to the site via Thursfields Nursery. An example of such a delivery is shown in Photo 10 in Appendix 1. Deliveries of this nature take place a maximum of 6 times a year. There are also occasions when cut timber is brought to the site in the pickup truck and trailer from tree surgery work.

Landscaping

- 4.10 No landscaping is proposed as part of this application. If necessary the Applicant would be willing to landscape the boundaries of the top section of the field to assist in screening the views of the building and storage enclosures from Light Oaks Avenue. It is important,

however, that any future landscaping at the site does not interfere with the air flow needed to dry and season the timber.

#### Appearance and Context of the Development

- 4.11 The existing open sided building and the proposed enclosures would be constructed from timber and are viewed against the woodland area beyond. The area of the site which is used for the splitting, mixing, and storage of the logs is sufficiently distant from residential properties so as not to cause any significant noise nuisance.

## **5. PLANNING POLICY**

### **National Planning Policy Framework**

- 5.1 The NPPF sets out the Government's commitment to a planning system that does everything it can do to support sustainable economic and housing growth. LPA's are expected to plan positively for new development.
- 5.2 The NPPF builds upon the Government's 'Plan for Growth' which was published in March 2011. The overall theme of this document is to support long term sustainable economic growth and job creation.
- 5.3 The NPPF states that where policies are out-of-date, permission should be granted unless *"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework."*
- 5.4 The NPPF at paragraph 17 sets down a number of over-arching roles that the planning system ought to play; it provides a set of core land-use planning principles that should underpin both plan-making and decision-taking. In relation to the consideration of this planning application, the key roles are:-
- to proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.
  - always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
  - contribute to conserving and enhancing the natural environment and reducing pollution.
- 5.5 In relation to the Green Belt the Framework says that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. Once Green Belts have been defined, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to retain and enhance landscapes and visual amenity. As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

- 5.6 The NPPF says that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.
- 5.7 Paragraph 89 states that buildings for agriculture and forestry are not inappropriate development.

#### **Development Plan**

- 5.8 The Staffordshire Moorlands Core Spatial Strategy provides the overall planning framework which is used to assess development proposals. Relevant policies within the Core Strategy (CS) include:-

Policy SS6c indicates that the open countryside and Green Belt will only provide for development which meets an essential local need, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside. The Council will seek to retain the rural economy by enabling the limited expansion or redevelopment of an existing authorised business for employment uses and seek to support the diversification of existing farm enterprises (in accordance with policy R1). Policy SS6c seeks to protect the character of the countryside. Strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government policy.

Policy R1 requires that all development in the rural areas outside the development boundaries of the towns and villages will be assessed according to the extent to which it enhances the character, appearance and biodiversity of the countryside, promotes the sustainable diversification of the rural economy, facilitates economic activity, meets a rural community need and sustains the historic environment. Appropriate development should not harm the rural character and environmental quality of the area or any sites designated for their nature conservation, or historical interest by virtue of the scale, nature and level of activity involved and the type and amount of traffic generated or by other effects such as noise and pollution. Within the Green Belt, inappropriate development which is otherwise acceptable within the terms of this policy will still need to be justified by very special circumstances.

Policy DC1 seeks to ensure that all development compliments the character and heritage of an area. In particular, new development should protect existing amenity and, where appropriate, promote the maintenance, enhancement, restoration and re-creation of the biodiversity of the site. All development should provide a safe access.

## 6. PLANNING CONSIDERATIONS

### **The Need for the Forestry Buildings and the Management of the Woodland.**

- 6.1 Section 55 of the Town and Country Planning Act 1990 confirms the fact that the use of land for the purposes of forestry does not constitute development and does not, therefore, require planning permission. This means that, subject to the prior approval process, a range of forest buildings can be erected at the site without the need for planning permission. This includes the erection, extension or alteration of a forestry building, such as a tool shed, store, office or shelter, or putting in a “private way” (access track). These Permitted Development rights are contained in Part 7 (Forestry Buildings and Operations) of the General Permitted Development Order 1995 (GPDO). Unlike agricultural PD rights (Part 6), there are no restrictions on the size of the forestry building, no requirement that the forestry must be run as a trade or business and no stipulation that it must relate to forestry operations only on that unit. It is, therefore, important to recognise that trees cut at the site can be made into logs without the need for planning permission.
- 6.2 The Forestry Commission has recently granted a Felling Licence which gives permission to fell trees within the wood over a 5 year period. This activity will generate the need for buildings to store and season the cut timber. The retention of the existing building and the two new enclosures would be used as part of the forestry use at the site as well as in connection with the processing of the imported timber.
- 6.3 The timber to be cut from the land consists of predominately Beech, which is a dense hardwood. This would be mixed with the imported wood comprising of less dense hardwoods e.g. Willow and Birch. This not only makes for better firewood but also ensures the longevity of the woodland. New trees would continue to be planted within the cleared areas of the wood as it is thinned out over the forthcoming years. With appropriate woodland management the number of trees within the wood will increase.
- 6.4 The proposed management of the woodland would also improve the wildlife habitat within the area. Many habitat areas have already been set-aside for wildlife within the wood e.g. stacked branches from fallen trees. Tawny Owls are present within the wood and a new nesting box has already been erected in an area of dense cover to encourage their presence further.

### **Green Belt Policy and Visual Amenity.**

- 6.5 The NPPF indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. The construction of new buildings in Green Belt should be regarded as inappropriate unless they fall within the exceptions identified at paragraph 89 of the Framework. One of the exceptions includes the construction of buildings for agriculture and forestry. Since the building and enclosures are required in connection with the forestry use of the site the proposal does not represent

inappropriate development and it is my view that there is no need to demonstrate very special circumstances. The open sided storage building and the proposed enclosures are sited next to the edge of the woodland and are of a scale and appearance which would not have any adverse impact on the visual amenity of the Green Belt. Landscaping to the boundaries of the storage area would also assist in screening views of the building and enclosures from Light Oaks Avenue. It is important, however, that any future landscaping at the site does not interfere with the air flow needed to dry and season the timber. The proposal satisfies the requirements of CS Policies SS6c and R1.

- 6.6 Notwithstanding the above, it is however recognised that the Council may take the view that the processing of imported timber represents inappropriate development within the Green Belt. If this is the case then there are a number of very special circumstances which can justify the proposal. Mr R. Cotterill has built his business up over the last 18 months to 2 years and now has a sound client base. Approximately £20,000 has already been invested in the business. The core planning principles within the NPPF seek to encourage economic development, support the use of renewable resources and to contribute towards conserving and enhancing the natural environment. The proposed development would ensure continued employment for Mr R. Cotterill and provide employment for his partner. The proposal would also ensure the appropriate future management for the woodland. The production of timber for wood fuel is sustainable and is a renewable energy resource which is regarded as carbon neutral. Such considerations would clearly outweigh any harm by reason of inappropriateness. In addition, CS Policy R1 seeks to encourage biodiversity and to promote a sustainable rural economy.

#### **Noise and Amenity**

- 6.7 The imported timber is cut with a chainsaw to sections (0.2m) at the rear of the wood next to the boundary with Thursfields Nursery. Cutting takes place as and when necessary but only ever between the hours of 0900 – 1700 hours Monday to Friday. The cut timber is then transported through the wood where it is split using a petrol engine log splitter. This machine creates a similar level of noise to that of a domestic lawnmower. The split logs are then mixed by hand and stored for a period of around 12 months. When seasoned and ready for sale the logs are bagged and loaded by hand into a pickup truck for delivery to customers. There are no retail sales from the site. This level of activity would not lead to any significant noise nuisance or disturbance for nearby residents. The proposal satisfies the requirements of CS Policy DC1.

#### **Highway Safety**

- 6.8 The Applicant's pickup truck and trailer can only access the site from the narrow unmade road which leads towards Bagnall Cricket Club (Photo 5 – Appendix 1). Logs are delivered to customers at weekends with autumn and winter being the busiest periods. The maximum number of deliveries made to customers from the site, over one weekend, would not exceed 4 in total. The imported timber is mainly delivered through Thursfields Nurseries and this would take place a maximum of 6 times a year. Cut timber, deriving from Mr R. Cotterill's



off site tree surgery work, is transported to the site via the pickup truck and trailer. The nature and level of traffic movements to and from the site would not cause any significant highway safety or amenity problems. The proposal, therefore, satisfies the requirements of CS Policy DC1.

## **7. SUMMARY AND CONCLUSIONS**

7.1 The National Planning Policy Framework indicates that there are three dimensions to sustainable development; environmental, social and economic. The proposal satisfies the relevant core planning principles within the Framework and the requirements of the Core Strategy for the following reasons: -

- In environmental terms the proposed development would result in an acceptable impact on the visual amenity of the Green Belt. It would also result in the management of the woodland and the production of a sustainable fuel.
- In social terms the proposal would not adversely affect the amenities of local residents.
- In economic terms the proposal would support and improve the efficiency and operation of an established business. The development would thereby contribute to the local economy.

7.2 In accordance with the National Planning Policy Framework significant weight should be given to the need to secure economic growth and planning permission granted for the proposed development.

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