

**OBJECTIONS TO**



**PROPOSED RESIDENTIAL DEVELOPMENT; ENDON RIDING SCHOOL (ERS) AND  
LAND ADJOINING (Application Reference SMD/2014/0838)**

**From**

**The adjoining Property**

**The Dales,**

**Stanley Moss Road,**

**Stockton Brook,**

**Stoke on Trent,**

**Staffordshire ST9 9LR**

**Raised by Mr Frank and Mrs Marion Armstrong**

**Dated 23rd February 2015**

Dear Sir/Madam,

**Ref:PROPOSED RESIDENTIAL DEVELOPMENT;  
ENDON RIDING SCHOOL AND LAND ADJOINING  
(Application Reference SMD/2014/0838)**

I write in relation to the above, after receiving advice from a Chartered Town and County Planning Consultant, I make the following objections to this application.

It is important to appreciate that there is no objection in principle to the redevelopment of **the existing area of authorised built development** of the stables site subject to green belt openness not being harmed. This would be consistent with para 89 (final bullet point) of the National Planning Policy Framework (NPPF).

The application cannot be supported for a number of reasons. The objections can be summarised under the general headings of planning policy and impacts but before turning to these matters, it is necessary to comment of the application's evidence base. Specifically, a number of observations need to be made regarding the scope and accuracy of the information provided in support of the application.

**a) Pre-application engagement**

The applicant Mr Asplin advised us prior to the consultation meeting of his intention to apply for planning permission. He stated there would be no houses built on the green field site in the paddock area to the rear of our property. All proposed development would on the existing brownfield site area. On this basis we had no objection to the application in principle subject to conditions.

The following day we received the consultation documents and these showed the development extended in the green field site of the paddock area and two 5 bedroom properties were to be built there.

At the consultation meeting arranged by the developers approx. 80 local residents attended the meeting and there was a strong feeling against the proposal because of the use of greenfield land; transport/highway issues, and

also the possibility of further development on the remaining land owned by ERS. The consultation plan showed the track which leads to the north of the site on a lower level with the description "**Potential access to additional land**". The application plan submitted to SMDC has been amended to read "**Access strictly for pedestrians and agricultural vehicles**"

The planning consultant and the architect for the applicant attended the local Bagnall Parish Council Meeting and were asked "if agricultural vehicles, tractors, additional agricultural machines, horse boxes were going to use the road in the field?" The planning consultant declined to answer the question.

This suggests that the current proposal is part of a larger development intention and this should be borne in mind in considering the application.

#### **b) Transport/Traffic Evidence**

The description of the road in which Endon Riding School stands has been misrepresented in various plans and reports in this application. The road is named Stanley Moss Road, which leads to a small cul-de-sac named Stanley Moss Lane.

The technical note written by SCP indicates the benefits that the new planning application will give to the area, we challenge the detail in this report because part of the case advanced is based on the opinions of the applicant rather than factual evidence.

It is stated that the site has 25 DIY liveries who manage their horses by visiting 2-3 times each day. This is incorrect. There are 25 stables used by livery but many owners have more than one horse; there are horses on full livery, and members of staff have horses stabled in this number. During the summer months horses are left out to graze and some owners visit only very infrequently.

It is agreed that classes do take place both at the weekend and during week days. These can be private one to one lessons, whilst other classes are limited due to the horses being available. Activity levels are very modest.

Of the activities at the riding school, the pony club has not been running for a number of years. The 'own a pony day' is usually just one or two per school

holiday. Summer camp holidays are on a weekly basis during the school summer holidays. Corporate events and Bed and Breakfast are few and far between.

It is also stated there would be a significant reduction in HGV traffic in the form of Horse Boxes. These boxes are used infrequently, mainly in the summer when gymkhanas and shows are organised and these are mainly at weekends. Only 2 -3 of these leave the yard early in the morning and return later that day. The only time there is significant horse box movement is when shows are organised at ERS but, again, the boxes arrive early morning and evening, these shows are limited to 6 per year (planning conditions). None have taken place in the last three years.

Overall, existing activity levels and associated traffic generation characteristics have been significantly overstated.

The application proposes parking spaces for the houses and these are similar in number to the stables that are in use at the site. Against the background of existing actual, rather than claimed, activity levels, future traffic movements generated future residents visitors/deliveries/refuse vehicles etc is extremely unlikely to reduce the traffic inflow by 50% as stated in the report.

Note 8 states, with supporting photographic evidence, that there is poor visibility when leaving the carpark because of an "obstruction due to the property adjoining notably our property "The Dales". In fact, the obstruction is caused by greenery planted in the riding school grounds. Visibility can be improved by pruning.

It is also stated in this report that the speed in Stanley Moss Road is slow; this is not accepted. When turning into the road from the junction of Stanley Road, traffic speeds are not slow as evidenced by incidents having been reported to the police. There are no footpaths on the road and in places the verge is Inaccessible.

The junction of Stanley Road and Stanley Moss Road is situated on a blind bend and a narrowing of Stanley Road, and is well known locally for the number of cars colliding. There are tall stone walls on either side of the road, which have had to be repaired many times following vehicle collision damage. Although there have thankfully been few personal injury accidents, this does not mean

that the area in the vicinity of the application site is safe in terms of highway safety.

A report written in 2011 for SMDC describes this junction in the same way.

### **c) Ecology and Habitats**

#### ERS Ecology and Habitats

The reports produced by the applicants are lengthy and technical but as a long-time resident I feel that they do not give an overall perspective of the local ecology. I feel that proper account needs to be taken by the Council of the following information.

**-The Bat Survey** suggests there are no bat roosts on site. During the summer there is a proliferation of bats, and these enter the main riding area; riders tell me that bats consistently enter the stables during the summertime.

**-The reptile report** says there are no signs of any reptiles on site, but we have personally seen lizards, grass snakes, and adders. The lizards have been seen as recently as last summer when basking during the day, and the name of the road, (\* Stanley Moss Road") should suggest to ecologists that there would be an abundance of snakes. Grass snakes are seen frequently, also adders, and the lizards are producing young on the site. Historically we have had sand lizards on our property.

**-Water Vole and Otter Report** Historically water vole were common in the feeder that runs from Stanley Pool to the Caldon Canal. This is along the edge of the building plan, and contained numerous types of fish including crayfish and eelers. Roach, perch, bream and pike were caught. Kingfishers build there nests in the bank side and the herons in the area are frequently seen.

**-Birds** are mentioned in the reports and we have many types that use the hedge surrounding the site, these include Sparrow (Hedge, House and Tree) Blackbird, Robin, Wren, Nuthatch, Tits (Blue, Coal, and Long Tailed) Jay. Woodpecker nests in the Ash tree on site and can be heard hammering his beak on the oak tree. Although the report states that there are no barn owls on site, we can confirm sight and sound of both tawny and barn owls.

-Pedestrians walking to access services at Endon need to climb a steep hill either way, which for the elderly, sick and mums with pushchairs and young children is a challenge. There are no footpaths until you reach approx. 100 yards of the railway crossing in Station Road. Again the road crosses the Caldon Canal a single lane hump backed bridge known as Post Bridge which has a weight restriction.

- Walking to the A53 through the footpath network is not a realistic option as part of the network is within the flood plain. Water-logging is a frequent occurrence and in the winter paths can be blocked by snow. There is no lighting, and nor should there be on rural footpath network, but this inhibits use other than for recreational purposes. They cannot realistically be used to reach services and facilities.

### **e) The site's planning history and the status of its existing developed areas**

The applicant and developers have described the site as having three residences in situ. These comprise of the main house and two further residences in the annexe. I understand these extra units were approved as staff accommodation and as such, form part of the business of ERS and not separate residences.

The application states that the ground on the lower level of Endon Riding School land to the north of the feeder from Stanley Pool containing the ménage, horse walker and hard standing for vehicles will be returned to the green belt. As the site is within the green belt in its entirety, there is nothing to be returned. This is not a benefit of the application.

SMDC planning application records do not indicate an application being received or approve for the erection of ménage, horse walker and car park, or tracks around the lower ground site. If these are not lawful, they cannot be viewed as 'existing' for the purposes of considering the extent of built development at the site.

The clear inadequacies and deficiencies of the submitted material undermines the credibility of the evidence base upon which the Council is being invited to support the application. The evidence base needs to be revised and rectified so as to take account of the above information, and that provided by other local residents, before any decision is made.

In relation to specific objections, the following comments are made.

## **1. Planning Policy Conflict**

The NPPF is a significant material consideration in this case. At para.14, it sets out the presumption in favour of sustainable development and goes on to indicate that, where the development plan is absent, silent or relevant policies are out of date, planning permission should be granted except in 2 instances. These are where any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole or where specific policies in the Framework indicate development should be restricted. Development in the green belt is one such restricted area.

The application site encompasses a significant area of land which is not previously developed (and other areas which might not have been lawfully developed) and cannot derive support from para 89 of the NPPF. The applicant recognises that this proposal involves inappropriate development by virtue of submitting a very special circumstances case. The case advanced is inadequate as the following, inexhaustive, comments illustrate;

1.1 A number of the points advanced (aesthetics; visual appearance; landscape mitigation measures; contribution to meeting housing needs) would be applicable, and would be expected to be delivered, from any housing development and are not unique to this proposal. They are not exceptional.

1.2. The viability, or otherwise, of an existing business which constitutes the application site is of no relevance to what is proposed. There is no basis for not following this principle in this case. Viability is relevant only in relation to a proposed scheme's inability to deliver specific obligations (affordable housing; education; highways or similar) based upon a comparison of the existing use value and gross development value of the proposal. In this case, the provision of an affordable housing contribution confirms that the proposal is not unviable. To accept that the viability of the existing business constitutes a vsc component, as is claimed in this case, will invite applications for a variety of uses from any business owner, including farming enterprises, who can demonstrate that their business is unviable. In short, the viability of an existing business is not a very special circumstance by which to seek the approval of an application for inappropriate development.

1.3. The absence of a 5-year supply of deliverable housing sites is not, of itself, a justification for inappropriate development. Guidance published in Oct 2014 (Planning Practice Guidance) makes clear that *'Unmet housing need is unlikely to outweigh the harm to the green belt and other harm to constitute "very special circumstances" justifying inappropriate development within the green belt'*. This advice alone justifies the refusal of the application and it certainly fatally damages the credibility of the very special circumstances case which has been advanced.

1.4. The claim that the application site is sustainably located does not stand up to scrutiny taking into account the information provided above in relation to access to services and facilities and the quality of local infrastructure (eg absence of footpaths on local roads). The site is no better in sustainability terms than many or even most rural sites and its infrastructure credentials are certainly not so impressive as to constitute a valuable contribution to the very exceptional circumstances case which has been advanced.

Overall, the application proposal cannot be considered to be policy compliant. This derives primarily from that component of the proposal which involves the development of land which is not previously developed and lies outside of the existing riding school site. The status of some of the existing development may further accentuate the degree of policy conflict. In any event, there is a compelling policy case for the refusal of the application on NPPF grounds alone.

The redevelopment of the previously developed land would not give rise to the same degree of policy conflict and could, subject to the status of existing development being clarified and thereafter confirmation of openness not being harmed, derive policy support from para 89 of the NPPF. If conditions of openness arising from the redevelopment of **authorised** existing development at the site are made worse than existing and openness is therefore harmed, then even this lesser scale of development would be unacceptable.

## **Impacts**

Although the application is made in outline, the range and comprehensiveness of the scheme's submitted layout and design material leaves little doubt as to the precise nature of what is envisaged in this proposal.

As regards layout, it seems clear that the submitted scheme has been developed with a view to ensuring that highway access can be gained to adjoining land in the applicant's ownership. This is shown to be for agricultural purposes. The possibility that this might not always be the case is not directly relevant to this application but it is a matter worthy of note.

The design of the proposed new dwellings are suburban in character and do not relate well to neighbouring properties or the local landscape more generally. Significantly, the roof heights of the proposed dwellings will be higher than the existing structures at the site. This will have a detrimental impact on the openness of the green belt at this location which means that no support can be derived from para 89, final bullet point, of the NPPF. Harm will be caused to the openness of the green belt.

By definition, the introduction of new buildings on land adjoining the riding school which has not been previously developed will have an adverse impact on both the openness of the green belt at this location and the character and setting of the existing Dales and Mossleigh residential properties. This harm, particularly in relation to the green belt, must carry very significant weight in the determination of the application particularly as very special circumstances have not been demonstrated. The harm will be permanent and cannot be mitigated. Indeed, mitigation measures such as planting and screening will negatively change the character and appearance of the landscape, and the green belt, at this location.

Other impacts include those relating to the use and suitability of the local highway network. The supporting material's claim that there will be no adverse impacts owing to the removal of use of the network by horse boxes and trailers is not accepted as the level of existing activity is considered to have been significantly over-estimated in the supporting material, including the very special circumstances case.

This objection has shown, without addressing in any detail all of the material submitted in support of the proposal, that the application is fundamentally flawed. Whilst the scope and accuracy of the supporting material is open to question, and the absence of relevant planning history is a serious shortcoming, it is the failure to demonstrate policy compliance which fatally damages this proposal. The application does not derive support from local planning policy but probably more importantly it is clear that the attempt to

confirm compliance with the NPPF has failed. The status and imperatives of green belt policy has not materially changed following the introduction of the NPPF; inappropriate development must still demonstrate very special circumstances and in this case, even a cursory review of the case which has been advanced demonstrates that it is wholly inadequate.

The concerns and objections set out above are relevant to the overall planning assessment of this application. They are not fully specific to our property and immediately local environment. We are therefore attaching, as an appendix, a note which is specific to the impacts on our property and its outlook. Notwithstanding its specific nature, it raises issues which are material considerations which need to be taken into account.

In summary, the proposal is promoted on an inadequate and unacceptable evidence base. It is clearly contrary to established policy and very special circumstances have not been demonstrated. Even though the application is submitted in outline it is clear that the impacts will be adverse. For the reasons set out, the application should be refused.

Signed

Mr Frank Armstrong and Mrs Marion Armstrong

## **Appendix 1.**

### **Impact on the adjoining property known as "The Dales" and Openness of the Local Area**

Endon Riding School is set within the parish of Bagnall a rural area at the edge of the Staffordshire Moorlands and is the last buffer between Stoke on Trent and Leek, there is only a small distance to the City boundary to the west of the site.

The proposed development for twelve houses, suburban in nature will be a totally enclosed managed estate. The developers have said the occupants on the site will pay an annual fee to have the grounds tended under a management agreement.

This type of development is alien in the Parish and could set a precedent for further applications of this type.

The dense landscaping will change the appearance of the local area completely, far from adding to the openness, it will in fact add to its density.

The Dales has been our family home since 1949 and we know the area extremely well. In this appendix we hope to explain the impact and loss of amenity this proposal will have on us, and also to the local area.

**Our property "The Dales" has boundaries on two sides of the proposed site, both to the north and to the east, it is a small two bedroomed semi detached stone cottage built in 1769, and is one of the oldest residences in the Parish, part of our building is single storey approx. 15ft high and is closest to the proposed site.**

#### **The impact on our property will be overwhelming**

The submitted application Para 4.1.1 states: - "The scale of the development reflects that of neighbouring properties".

The development is far from " **blending in with neighbouring property**" as stated in the planning submission

Of the development of twelve houses, there will be three **executive 5 bedroomed houses bordering our property, on the east Plot no 12. and on the**

**north, on greenfield site Plots no 8 and 9** These will be built on higher ground and will tower over us, blocking out sunlight and light within our home, The Dales being built from stone has deep set windows and light is of the essence in such a property.

In the plans submitted (see Picea Design illustration 610-SS-01 Proposed Street scene along Stanley Moss Road) shows the outline of the Indoor School set against new housing. It shows these houses will be at **approx. 4' higher** than the present building.

We realise we are not entitled to a view but the Appraisal report 1.4.22 states that **"The Dales" has no views except from the rear upstairs windows**, we totally reject this statement, We have no rear facing upstairs windows, but from our downstairs rear view windows we can clearly see Victoria House and the housing in Stanley Moss Lane (which is at the base of the valley), Endon Bank and down to the A53 level, and the Caldron canal in the base of the valley, with far reaching clear views of the Roaches.

To the east we have an open aspect over the car park with a clear view of Stanley Moss Road to the "Homestead" Should permission be granted, the view we will have on these two sides to the east and the north will be of *overpowering sight of gable ends of the 5 bedroomed houses on Plots 8 and 12.*

Photographs in the submission No. SP 4.5.6.7 support our statement.

The plan submitted shows a garden to the north of **"Mossleigh"** the adjoining semi – detached cottage. This is not **a garden** but part of field no 5426. Ref: Ordnance Survey Map.

The denseness of the landscaping, the reason for the building on the greenfield area is clearly stated in a letter sent to us by the developers it says

"There is still, regrettably, a very minor "intrusion" into the existing paddock area to the rear of your own property, which I regret cannot be reduced any further without seriously prejudicing the viability of the proposal. It is our intention, however, to also heavily landscape the boundary between the gable of our proposed Plot 9 on the plan and the northern boundary of the Dales, in order to protect the privacy and amenity of both properties as much as

possible. You will also note that we have treated the garden of both Plots 9 and 8 as strictly "no build zones", so that most of your views and those of Mossleigh will not be prejudiced by the proposals. You will see that we have also introduced a significant amount of additional landscaping to other sensitive boundaries, as well as undertaking a number of measures to improve the general landscape and ecological value of the present habitat of the site, especially for badgers, bats and birds".

Our property is on lower ground than the proposed development and with the dense landscaping, the intrusion into the green field area the impact and loss of amenity as already stated:- **Is Overwhelming.**

### **The local Area**

The applicant's report states the site now has a "Very prominent with high density/cramped layout"

The prominent view now is the existing house and the Indoor riding school, almost all the other buildings are single storey stabling which do not detract from the openness of the area to the west of the site and only slightly to the north.

The Indoor riding school (height approx. 25 foot) is by its nature typical of any farm building seen throughout the Staffordshire Moorlands and has been painted to blend in with the local countryside. The riding school is a recreational establishment which is allowed under Green belt ruling and is one fitting within the rural area of the Staffordshire Moorlands.

The proposed development which will cover the whole of the brown field site and extending into the green field paddock area will be more prominent throughout the local area.

The development according to the plans shown will be all **two storey** buildings with heights of up to 29ft. The planners say they will landscape and screen, this may well deflect from the building but this does not offset the harm to the openness of the area.

The landscape and visual appraisal which is over 50 pages long and repetitive takes in all aspects covering a wide area, but we do not accept all the statements made in the report.

In paragraph 1.4.22 and VP10 the report and photo shown is totally misleading as a representative view, the photo is looking east, not north which the rear of our house faces, it shows the site of the houses on Plot 8 and 9, but it does confirm that the view will that will of a tall gable end.

In Para 1.4.7 it states the plots 8 and 9 are **partly** located on the green field paddock area, we would question this as the buildings are both on greenfield land and will generate a visual impact to the local area as these will be built on rising ground See photos VP10 and SP4 and as such will detract from the openness of the immediate vicinity.

The site landscaping will give a dense appearance far from one of openness as it is now with far reaching views.

In Para 1.3.6 and 7 it states:-

Landscape treatments will include tree planting throughout the development incorporating larger stock, ornamental species trees to front and rear garden areas (such as 10-12 cm selected standard) and native species tree and shrub planting to the west boundary, on the wooded slope and to the lower , reinstated paddock area.

“Areas of native species planting to the west boundary paddock area and on the slope behind the proposed mews properties is proposed to provide improved visual **and physical containment of the site**, where existing tree cover is absent or needs strengthening. These areas of planting will be implemented at a density of **1 plant per m<sup>2</sup>**, as a mixture of bare root transplants and larger feathered and selected standard trees. This will ensure that these areas of planting have a visual prominence from the day they are planted”

These submissions clearly show this to be a fully suburban enclosed proposal.

Ecology,

The wildlife in this location is wonderful, we have many species of mammal, reptiles, birds, bats and fish. See the main objection statement, the submitted reports appear to understate this issue.

## **Drainage**

The development is on rising ground and we are concerned about the surface and discharge drainage which follows the natural landfall onto our property.

We hope all of the above points will be considered and taken into account and the application should be refused.

Signed

Mr Frank Armstrong and Mrs Marion Armstrong