

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

24 January 2019

Application No:	SMD/2018/0705	
Location	Blakehall Fisheries, New Close Fields, Adderley, Cheadle	
Proposal	Proposed alterations and extension to the existing club house	
Applicant	Mr J Heath	
Agent	Byatt Oliver Associates	
Parish/ward	Cheadle	Date registered 08/11/18
If you have a question about this report please contact: Jane Curley tel: 01538 395400 ex 4124 Jane.curley@staffsmoorlands.gov.uk		

REFERRAL

Recent and similar applications were considered by the Planning Applications Committee in 2018.

1. SUMMARY OF RECOMMENDATION

APPROVE with conditions

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The application site forms part of the Blakehall Fishery site which lies in open countryside which is also designated as Green Belt. It comprises the single-storey “clubhouse” and café building and a small areas of land surrounding the building . Access is via the long fishery access driveway which connects onto Trimpos/Brookhouse Road (a classified public highway). The main fishery pools lie to the north and east of the clubhouse. New Close and New Close Fields Farm lie further to the north.

3. DESCRIPTION OF THE PROPOSAL

3.1 This is a full planning application for alterations and an extension to the existing clubhouse. The application form indicates that the existing gross internal floor space amounts to 110 sq m. The proposal adds 52 sq m (gross internal) to this. The floorplans initially submitted indicated that the extension would provide an extension to the kitchen, a store/maintenance area and a store/shop. However during the processing of the application this was changed; see Amended plans section below.

According to the application forms five jobs would be created by the proposal, two of which would be full time.

3.2 The Design and Access Statement provides some background to the Fishery. It refers to the Blake Hall Fishery being established in the 1990's. It says that as one of Cheadle's leading visitor attractions, keen coarse anglers and novice anglers' are all welcome with visitors traveling from far and wide to try their hand at the sport. The Fishery has 5 main fishing pools, which can accommodate over 180 anglers at any one time. There is a clubhouse which provides hot and cold food for the anglers and visitors who want to enjoy the peace and tranquillity of Blake Hall. As a keen environmentalist and local land owner the applicant it says has invested heavily in the area and has planted new trees, formed woodland areas, reed beds and other types of habitats for all types of wildlife. The applicant it says has greatly improved the area over the last 2 decades and is eager to continue for future generations to enjoy.

3.3 This application is similar in part to two recent applications which have been refused (see history section). However both previous applications also included proposals for a camping and caravan site which do not form part of the current application and in this respect it is a materially different application.

Amended Plans

3.4 During the processing of the application the proposed floor plans were amended to show a kitchen extension, showers/toilets for ladies and gents and a disabled toilet with external doors enabling direct access. The extension no longer proposes a store and therefore the area shown as 'kitchen extension' is larger than that proposed in SMD/2018/0212. In all other respects however the proposed extension is identical to the previous application. The applicant confirms that the showers are to be used in connection with a campsite for which planning permission is also sought. This application is also on today's Agenda under ref SMD/2018/0677.

4. RELEVANT PLANNING HISTORY

SMD/2017/0539 Change of use to campsite and caravan park and alterations and extensions to existing clubhouse. Refused

SMD/2018/0212 Proposed change of use and development comprising of camp site and touring caravan park with associated alterations and extension to the existing club house. Resubmission of SMD/2017/0539. Refused

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The Development Plan comprises of:

- Saved Local Plan Proposals Map / Settlement Boundaries (adopted 1998).
- Core Strategy Development Plan Document (adopted March 2014)

Staffordshire Moorlands Local Plan (1998)

5.2 Development boundaries within the 1998 Adopted Local Plan are still in force until such time as they are reviewed and adopted through the site allocations process. Following consultation last year a Preferred Options Site Allocation DPD is currently out for consultation.

Adopted Staffordshire Moorlands Core Strategy DPD (26th March 2014)

5.3 The following Core Strategy policies are relevant to the application:-

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SD1 Sustainable Use of Resources
- SD3 Carbon-saving Measures in Development
- SD4 Pollution and Flood Risk
- SS6C Rural area strategy
- DC1 Design Considerations
- E3 Tourism and Cultural development
- C1 Creating Sustainable Communities
- NE1 Biodiversity and Geological Resources
- T1 Development and Sustainable Transport
- T2 Other Sustainable Transport Measures

National Planning Policy NPPF

National Planning Policy Guidance

Emerging Staffordshire Moorlands Local Plan

5.4 Paragraph 48 of the NPPF states that:

“...decision-takers may also give weight to relevant policies in emerging plans according to:

- *the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

Local Plan process

5.5 The Council agreed to publish the Local Plan Submission Version for representations in February 2018. At this point, the Council agreed that the Local Plan was “sound”. Formal representations were then invited from residents, businesses and other stakeholders to provide them with the opportunity to support or challenge the soundness or legal compliance of the Local Plan. This stage in the

process followed three previous public consultations since 2015 which had informed the preparation of the Local Plan alongside a comprehensive evidence base.

5.6 In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public was held in the Autumn of 2018 in order to determine whether the Local Plan is sound and legally compliant. Subject to the findings of the appointed inspector, the Local Plan is expected to be adopted in the Spring of 2019. At this point, it will supersede the adopted Core Strategy and become part of the statutory development plan for the District.

5.7 In this context, the Council's position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is as follows:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the Council has submitted it to the SoS for examination
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question. The Officer Comments section of this report identifies the level of outstanding objections to each policy and recommends the amount of weight to be given to them at this stage in the process
- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

Emerging Policies

The following policies are considered to be relevant to this application:

- Policy SS1 Development Principles
- Policy 1a Presumption in favour of sustainable development
- SS2 Settlement Hierarchy
- SS10 Other Rural Areas Strategy
- Policy E4 Tourism and Cultural Development
- Policy SD4 Pollution and Water quality
- Policy SD5 Flood Risk
- Policy DC1 Design Considerations
- Policy DC3 Landscape and Settlement Setting
- Policy NE1 Biodiversity and Geological Resources
- Policy NE2 Trees Woodland and Hedgerows
- Policy T1 Sustainable Transport

6. CONSULTATIONS CARRIED OUT

Site Notice expiry date: 19th December 2018

No letters of representation received.

Dilhorne Parish Council

Object. The previous reasons for refusal have not fundamentally changed from the previously refused application, these reasons are as follows:-

1. The proposal represents inappropriate development in the Green Belt. It is harmful by definition. It is not considered that the considerations put forward by the applicant clearly outweigh this harm such that very special circumstances exist. The NPPF requires decision makers to give substantial weight to any harm to the Green Belt. The proposal is therefore contrary to policies SS6c, E3 and R1 of the Staffordshire Moorlands Core Strategy and the National Planning Policy Framework (NPPF).
2. The site is not considered to be well connected to existing tourist attractions and facilities, by modes of transport other than the car and the provision of a caravan park of the size proposed, together with a campsite, would lead to a significant increase in vehicle movements in the area for visitors to reach attractions and services, resulting in an increase in emissions. Furthermore, no evidence of need or demand has been provided for this type of tourist accommodation on this site. The proposal is therefore not considered to amount to sustainable tourism development and would therefore not comply with policies SS6c, E3 or R1 of the Staffordshire Moorlands Core Strategy and conflict with the NPPF.

We also wish to make the following comments:-

1. The proposed extension to the clubhouse is over development of the site.
2. We appreciated that you have to consider each application independently from any other however the proposed alterations to the Clubhouse do not in our opinion allow for the land at the Fisheries being used for other purposes, i.e. camp site. An application for a camp site has also been submitted by the applicant (SMD/2018/0677) and therefore we would have expected the applicant to include additional toilets or any additional washing facilities (showers) for the use of the campers, which is not the case.
3. Should you grant permission for this application then we would ask that you include a condition to include specified opening times.
4. We would also request that should you grant permission construction work would be limited to specific times.

Environmental Health Officer

No objection subject to conditions

Local Highway Authority

No objections

Coal Authority

No objections

Severn Trent Water

No objection

7. OFFICER COMMENT AND PLANNING BALANCE

7.1 As with all applications, the LPA is required to determine this application 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.

7.2 Core Strategy Policy SS1a establishes a 'Presumption in Favour of Sustainable Development' in line with the National Planning Policy (herein referred to as the NPPF) where: (1) planning applications that accord with policies within the Core Strategy will be approved without delay and (2) where there are no relevant policies or they are out of date, the Council will grant planning permission unless material considerations indicate otherwise considering:-

- I. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or,
- II. Specific policies in within the NPPF indicate that development should be restricted.

Principle of development

7.3 This site lies within the Green Belt. Policy SS6C says that development in the Green Belt should be in line with national policy. In this respect Paragraph 145 of the NPPF confirms that the extension or alteration of a building can be regarded as appropriate development in the Green Belt provided that it does not result in disproportionate additions over and above the size of the original building.

7.4 The Council accepted in the previous two applications (see history section) that the extension/alteration to the club house was appropriate development because it would not result in disproportionate additions to the original building. In terms of size and scale the current application is identical to these previous applications. As such there is no reason to now take a different view. The proposal is appropriate development in the Green Belt. There is compliance with Polices SS6C and the NPPF. The proposal is acceptable in principle.

7.5 Of course if the application for a camp site which is also on this Agenda were to be refused, then the necessity for the showers in this application falls away. However this is not considered to be fatal to this application. The principle of development is acceptable.

Design of the club house extension

7.6 The proposed extension is flat roofed and to be finished in timber to match the existing club house. It is unchanged from the previous two applications. No objection

was raised to the design previously and there is no reason to take a different stance this time. The proposal is considered to be compliant with relevant parts of Policy DC1 and the NPPF

Residential Amenity

7.7 The nearest dwelling is between 400-500 metres to the north of the site. The previous application concluded that the proposal would not harm the amenities of residents by way of privacy loss, noise or disturbance with the safeguard of appropriate/relevant conditions recommended by the Environmental Health Officer. There is no reason to take a different line this time as the proposal is identical. Subject to the imposition of relevant conditions there is compliance with the applicable parts of Policies DC1, SD 4 and the NPPF.

Other issues

7.8 No issues are raised by the proposal in terms of biodiversity, ground stability or landscape/visual impact. Given coal mining in the area an unexpected contamination condition is recommended as a precautionary measure.

Conclusion & Planning Balance

7.9 This application is materially different from the recently refused applications because it relates only to the alterations/extensions to the clubhouse, which alone were found to be acceptable. It does not include a camping and caravan site. For the reasons outlined above the application is in accordance with the Development Plan. There is no reason to withhold permission and a recommendation of approval is therefore made.

8. RECOMMENDATION

A. That planning permission be granted subject to the following conditions:-

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

Reason:- To comply with the provisions of Section 51 of the Town & Country Planning, Planning and Compulsory Purchase Act, 2004.

- 2. The development hereby approved shall be carried out in accordance with the following Approved Plans: 5433-001A, 533-002 and 5433-003**

Reason:- For the avoidance of doubt and in the interests of proper planning

- 3. The external facing and roofing materials used in the extension hereby approved shall match those on the existing building.**

Reason:- To ensure an acceptable external finish

Noise/Residential amenity

4. The machinery, plant or equipment including air condition and ventilation systems ("machinery") installed or operated in connection with the carrying out of this permission shall be so enclosed and/or attenuated that the noise generated by the operation of the machinery shall not increase the background noise levels during day time expressed as LA90 [1hour] (day time 07:00-23:00 hours) and/or (b) LA90 [15 mins] during night time (night time 23:00-07:00 hours) at any adjoining noise sensitive locations or premises in separate occupation above that prevailing when the machinery is not operating. Noise measurements for the purpose of this condition shall be pursuant to BS 4142:2014.

Reason:- To safeguard the amenity of local residents and that of the surrounding area from noise disturbance.

5. No music and/or any amplified sound played on this site hereby permitted under this permission shall be audible at the boundary of any (noise sensitive) (occupied) premises either attached to or in the vicinity of the premises to which this application refers.

Reason: To ensure that the reasonable residential amenities of adjoining properties are adequately protected from noise pollution.

Unexpected Contamination

6. In the event that contamination, including surface coal measures, is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exists to any identified receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment has been prepared, and is subject to the approval in writing of the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors

Drainage

7. Before the use hereby permitted commences, the foul drainage from the development shall be discharged to a septic tank and soakaway system which meets the requirements of British Standard BS 6297:1983 and which complies with the following requirements:

- **There is no connection to any watercourse or land drainage system and no part of the soakaway system is situated within ten metres of any ditch or watercourse**
- **Porosity tests are carried out to the satisfaction of the local planning authority to demonstrate that suitable subsoil and adequate land area is available.**

Reason: To prevent pollution of the water environment.

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Operations Manager – Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's Decision.