

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

30 May 2019

Application No:	SMD/2019/0144	
Location	Barn at Round Meadows Farm, Rownall Road, Wetley Rocks, ST9 0BP	
Proposal	Material change of use at part of a portal frame building to a children's soft play area (D2 of the Use Classes Order) to include some incidental external works.	
Applicant	Mrs Smith	
Agent	Salmons Architectural Ltd	
Parish/Ward	Cheddleton	Date registered 11/03/2019
If you have a question about this report please contact: Mr B Hurst tel: 01538 395400 ex 4127 benjamin.hurst@staffsmoorlands.gov.uk		

REFERRAL

The application is brought before Planning Committee at the request of Ward Councillor Worthington to consider in the balance of considerations any merits that might be associated with the proposed enterprise.

1. SUMMARY OF RECOMMENDATION

REFUSE

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The application relates to a portal frame building that is attached to and built behind a large farm shed at Round Meadows which is in the Green Belt approximately 600metres to the north of Werrington and 2 kilometres to the south east of Wetley Rocks. The application building and the large farm shed appear at the southern edge to a complex of farm buildings and stables. Round Meadows is surrounded by open farmland countryside with irregular field patterns where traditional hedgerow, trees and livestock fencing form boundaries and enclosure. The narrow rural roads that provide access from the nearest settlements do not provide for pedestrians or public transport.

2.2 The application building has been erected without planning permission, and there is no planning history relating to this structure. The large farm shed it is attached to, and has been built behind, was originally provided to rear cattle but now benefits from a Certificate of Lawfulness as an indoor riding arena. The application building was not covered by the terms of that certificate.

2.3 From Rownall Road the application building is largely hidden behind the indoor riding arena and an area of tree planting on the exposed southern side and other farm buildings on the northern side, it would otherwise read as being part of that larger farm shed providing the riding arena. The shed is higher than road level and on approach from the south, the side of the large farm shed and its wide front gable is exposed and visible from some distance, the driveway and hard surface to the front are similarly exposed. On approach from the north the buildings are screened by roadside hedgerow, dwellings and farm buildings and they are not apparent until there is immediate proximity.

3. DESCRIPTION OF THE PROPOSAL

3.1 The proposal is to use the application building as a 'farm themed' children's indoor soft play area and family entertainment centre for children up to 10 years old. The application is a 'second attempt' that follows a previous proposal for the same development that was refused planning permission earlier this year. The only difference with this application is that the car parking would be provided to the front of the building rather than the rear.

3.2 The 460 square metres of open floor plan lends itself to a flexible layout and cafeteria refreshments would be provided as part of the use. External alterations would include the addition of a reception porch and 22 car parking spaces would be provided on an area of hard surface to the front. The applicant explains that the 'former agricultural building' has become redundant and that the proposal would make good use of that space providing community, health, well being and employment benefits.

3.3 The applicant hopes to employ a minimum of three full time staff and a further 5 or more part time roles. Beyond Wetley Rocks and Werrington, which the applicant does hope to provide for, the business is planned on a 10 mile catchment area. To this end the applicant has applied to Staffordshire County Council for funding and is line for some grant funding from the European Union.

3.4 The application, the details attached to it, including the plans, any comments made by residents and the responses of consultees can be found on the Council's website at:-

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=127556>

4. RELEVANT PLANNING HISTORY

SM13038 Planning permission for the large shed as a beef rearing unit. Approved 7th Aug 1984 subject to a condition requiring the building to be removed when it ceased to be used for those purposes.

03/00219/FUL Use of Shed as a Warehouse for temporary 12 month period. Withdrawn.

04/00662/FUL Use of shed to store protein meal for temporary period. Approved October 2004.

08/01227/FUL Use of shed to exercise horses. Withdrawn 3rd Oct 2008.

SMD/2016/0819 Certificate of Lawfulness for use of shed to exercise horses. Approved March 2017.

SMD/2018/0740 Change of Use to Children's Indoor Play Area. Refused 30th January 2019.

4.1 The application building has no planning history, it has been erected post 2006 hidden behind the large adjoining shed which was apparently built with planning permission in 1984 as a beef rearing unit. The building has been described as a redundant agricultural building; however, it is not obvious that the building has ever been used for those purposes it appears to have been quite under used with some very light general storage. The building does not benefit from the grant of a Lawful Development Certificate. However, aerial photographs appear to show that the application building has been complete and in situ for more than 4 years and on that basis the Council would be out of time to take action. The Council is not asked to make a legal determination in respect of the building's status, but in light of the available evidence the Council can, for the purposes of this application, proceed on a basis that assumes the building to be lawful.

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The Development Plan comprises:-

- Saved Staffordshire Moorlands Local Plan Proposals Map/Settlement Boundaries (Adopted 1998);
- The Staffordshire Moorlands Core Strategy Development Plan Document (Adopted 26th March 2014)

Staffordshire Moorlands Core Strategy Development Plan Document (Adopted March 2014)

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

- S01 Spatial Objectives
- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SS6 Rural Village Hierarchy
- SS6c Other Rural Areas Strategy
- SO8 Spatial Strategy

DC1 Design Considerations
DC3 Character and Appearance of the Landscape
T1 Development and Sustainable Transport

Emerging Staffordshire Moorlands Local Plan

Local Plan Process

5.3 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.

5.4 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 will now be held this Autumn 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.

5.5 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 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

5.6 The following policies of the emerging local plan are referred to below because they would introduce changes or differences that are specifically relevant to this application:

- SS10 Other Rural Area Strategy
- DC3 With consideration of Landscape and Settlement Setting the wording clarifies that development to be resisted should lead to

prominent intrusion/ significant adverse impact rather than just being 'harmful' or 'detrimental' (Can be attributed significant weight, there has been limited representation)

National Planning Policy Framework (NPPF February 2019)

5.7 The following NPPF sections are relevant;

- 2: Achieving sustainable development
- 4: Decision Making
- 6: Building a strong, competitive economy (supporting rural economy)
- 8: Promoting Healthy and Safe Communities
- 12: Achieving well-designed places.
- 13: Protecting Green Belt Land
- 15: Conserving and enhancing the natural environment

6. CONSULTATIONS CARRIED OUT

Site notice published	Expiry date for comments: 19/05/2019
Press Notice	N/A
Neighbour Notification	Expiry date for comments: 11/04/2019

Public Comments: 1 Objection received from a nearby resident who is concerned that they are proposing to use an existing parking area which is often already full; there is no pedestrian access to the building; hedgerow planting would not benefit residents; and there would be no longer any buildings available for agricultural livestock.

2 letters of support have been received from nearby residents who think that the facility would be a community asset.

Cheddleton Parish Council: Object. Overdevelopment and inappropriate access on greenbelt land.

7. OFFICER COMMENT AND PLANNING BALANCE

Green Belt and the impact on its openness

7.1 The site is situated in the Green Belt where development plan Core Strategy policies, relating to 'other rural areas' and farm diversification, essentially defer to national policy in the NPPF. In the Green Belt development is inappropriate, and by definition harmful, unless it is provided for by one of the exceptions on the closed list at paragraph 145 and 146 of the NPPF. The development that would be carried out would make use of the existing building and, relevant to that, one of the exceptions at paragraph 146(d) provides for "the re use of buildings that are of permanent and substantial construction where the openness of the Green Belt would be

preserved and it would not conflict with the purposes of including land within it”.

7.2 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. If a use is dependent on customers using their cars to visit in numbers, those cars, while they are parked on land that is otherwise free of structures and buildings, will adversely affect the openness of the Green Belt. In this case, the premises are some distance from the nearest settlements, 600metres from Werrington and 2 km from Wetley Rocks, and the narrow rural roads have no provision for pedestrians. All of the visitors will arrive by cars that will be parked for the duration of their stay. The applicant hopes to attract pre school children during term time and school age pupils in the holidays. If the facility is well used with a turnover of visitors the car park will be full for long periods on most days.

7.3 The application plans show a car park with 22 spaces marked out on the existing hard surface between the front of the existing equestrian building and Rownall Road. For a facility of this type and size, the Council’s parking guidance suggest that this would be the least that would be required. There is presumably already some parking associated with the indoor riding arena, and play area parking will presumably be in addition to that. The parking that will be associated with the application will introduce a considerable number of cars on an area of land that is normally and otherwise free from structures and buildings. The associated parking both in its own right and in addition to that which is already connected to the riding arena will, rather than preserve, be harmful to the openness of the Green Belt. The development is not therefore provided for by the exception at paragraph 146 d) of the National Planning Policy Framework (NPPF) and it would be inappropriate harmful development in the Green Belt.

7.4 Any harm to the Green Belt should be given substantial weight and inappropriate development shall only be approved in ‘very special circumstances’ where there are other considerations which clearly outweigh the harm to the Green Belt, and any other harm resulting from the proposal.

Impact on the character and appearance of the countryside and any other harm

7.5 In addition to the Green Belt harm identified above, there would indeed be other harm resulting from the proposal because, relative to the road, the carpark would be provided to the front of the farm buildings on exposed land that is raised above road level. Car parks are generally provided and associated with urban environments and can be incongruous within countryside landscapes. In this case the car park will, when it is in use, be quite prominent and visible from Rownall Road obtrusively located to the front of the existing farm buildings and incongruous within the farmland setting, on approach from the south visible from quite some distance. There is a proposal to enclose the car park with a post and rail fence and hedgerow planting might to some small degree help to soften the car park edges. However, the County

Highway Officer notes that actually parking supply would be a little substandard for this size and type of facility and boundaries should be free from enclosure to allow for flexibility and overspill. There would be significant harm to the character and appearance of the countryside area and landscape, contrary to policy DC3 of both the Core Strategy and the emerging Local Plan and paragraph 170 of the NPPF.

7.6 There would also be some environmental harm because outside of, and some distance from, the nearest settlements, there would no opportunity to visit the facility on foot or by public transport, and therefore the development would be entirely dependent upon and generate a substantial number of regular car journeys that could not be naturally or easily combined with visits to other services. As such, the proposed development would be contrary to paragraphs 7,8, 10 and 11 of the NPPF and 'first principles' policies SS1 and SS1a and 'other rural areas' strategy SS6c of the Staffordshire Moorlands Core Strategy and emerging policy SS10 of the yet to be adopted Staffordshire Moorlands Local Plan.

The benefits of the proposal and factors which might weigh in favour of the proposal

7.7 Section 13 of the NPPF says that any harm to the Green Belt must be given substantial weight in the balance of considerations and that the inappropriate development can only be approved where other considerations amount to 'Very Special Circumstances' and clearly outweigh the totality of harm identified above, both to the Green Belt and the character and appearance of the countryside.

7.8 It is acknowledged that the development would provide a facility that could be popular with children and young families providing opportunity for community and social interaction, health and fitness, leisure and recreation. It would also provide some employment opportunity and contribution to the economy. To this end the applicant has applied to Staffordshire County Council and is in line for some grant funding from the European Union.

7.9 However, these merits are common to most business ventures, they do not specifically justify a Green Belt or isolated location, and actually this venture as a business and facility would perform more effectively if it were located with closer relationship to existing communities and settlements where visitors might have the opportunity to walk, visit other nearby businesses and facility in the same outing, and do not have to make a special car dependent journey from out lying settlements. The site sits between Werrington in the south and Wetley Rocks in the north-west but is divorced and separate from both, in an area of countryside between the two where it is not relatable or obviously part of any community or settlement grouping.

7.10 Of course the policies of the Development Plan do provide for and encourage development that delivers these community and economic merits in strategically appropriate locations. 'Other Rural Areas' strategy SS6c of the Core Strategy acknowledges that ideally this type of development should be

provided in settlements within the hierarchy and where that is not possible, the development should be in a sustainable location close to a serviced settlement, limiting uses which generate a substantial number of regular trips in areas that are not well served by public transport. The location of this development would be at odds with SS6c of the Core Strategy.

7.11 Only limited weight can be attributed to those merits therefore, and they are not considerations that clearly outweigh the 'substantial weight' that must be attributed to the Green Belt harm and the additional weight that must be attributed to those other harms identified above.

Conclusion and Planning Balance

7.21 The substantial weight that must be attributed to the Green Belt harm and the additional weight given to the harm that would occur to the character and appearance of the area and the environment would not be outweighed by other considerations.

8. RECOMMENDATION - REFUSE

A. It is recommended that planning permission is refused for the following reason(s):-

1. The development would be inappropriate and therefore harmful to the Green Belt because the reuse of the building would not preserve the openness of the Green Belt and would instead, introduce, and very much depend on, a large car park on an area of open land that is currently free from buildings and structures to the east and front of the building. This would exacerbate the physical and urbanising presence of existing buildings and development between settlements. The development would not therefore be provided for by the exception at paragraph 146 d) of the National Planning Policy Framework (NPPF).

2. In addition to the Green Belt harm there would be harm to the character and appearance of the countryside landscape because the car park, when in use, would have an urban appearance that would be exposed and visible as an area of land that is urban in character because, relative to Rownall Road, the carpark would be provided to the front of the farm buildings on exposed land that is raised above road level, in these respects the development would contravene policy DC3 of both the Staffordshire Moorlands Core Strategy and the emerging Local Plan and paragraph 170 of the NPPF.

3. There would also be some environmental harm because outside of, and some distance from, the nearest settlements, there would no opportunity to visit the facility on foot or by public transport, and therefore the development would be dependent upon and generate a substantial number of regular car journeys that could not be naturally combined with visits to other services. As such, the proposed development would be contrary to paragraphs 7,8, 10 and 11 of the

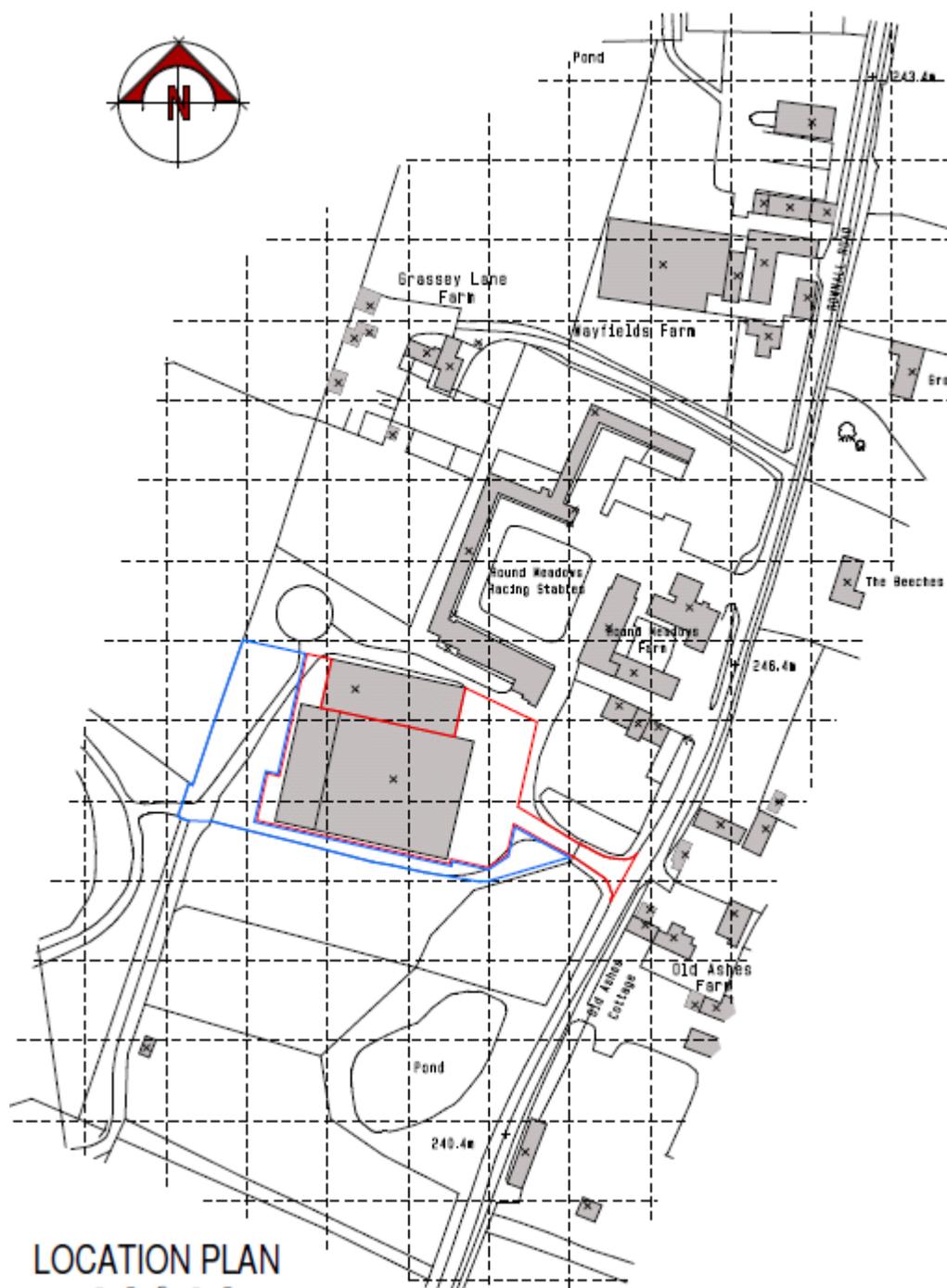
NPPF and 'first principles' policies SS1 and SS1a and 'other rural areas' strategy SS6c of the Staffordshire Moorlands Core Strategy and emerging policy SS10 of the yet to be adopted Staffordshire Moorlands Local Plan.

4. The inappropriate development in the Green Belt can not be approved because those merits associated with a modest contribution to local economy and community facility do not amount to 'very special circumstances' and considerations that clearly outweigh the substantial weight given to the harm to the Green Belt, and the additional weight given to the harm that would occur to the character and appearance of the area and to the environment by generated car journeys. As such, the proposed development would be contrary to the NPPF and 'other rural areas' strategy SS6c in the Staffordshire Moorlands Core Strategy and yet to be adopted Policy SS10 of the emerging Staffordshire Moorlands Local Plan.

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 'Head of 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.

Informatives

- i) The LPA has worked with the applicant to secure a sustainable form of development. Para 38 pf the NPPF has been adhered to.**



LOCATION PLAN

