

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

27 June 2019

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| Application No: | SMD/2018/0775 | |
| Location | Former Camp 3, Anzio Camp Thornccliffe Lane Blackshaw Moor Leek | |
| Proposal | Co Housing development comprising the Erection of 5 new low impact dwellings, conversion and extension of existing buildings to provide further 2 low impact dwellings, conversion of 2 existing buildings to provide cohousing facilities, erection of new site services building, shared car parking area, productive organic gardens and sustainable drainage system set in ecologically enriched landscape. | |
| Applicant | Mr Michael Downs | |
| Agent | CTD Architect | |
| Parish/ward | Tittesworth | Date registered 19/12/18 |
| If you have a question about this report please contact: Jane Curley tel: 01538 395400 ex 4124 Jane.curley@staffsmoorlands.gov.uk | | |

REFERRAL

This is a major application which is locally contentious

1. SUMMARY OF RECOMMENDATION

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| REFUSE |
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2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

The site is formerly part of the Blackshaw Moor Army Camp which covered an extensive area on the east side of Buxton Road and consisted of four separate camps. The application site represents just part of the original Camp 3 and a very small part of the overall former Army camp. The buildings are however considered to be the best collection of surviving buildings and in February 2019 were added to the Local Heritage List.

There are four existing single storey buildings. They now stand in isolation in the middle of the field clearly visible from Thornccliffe Lane. A well-established dense woodland abuts the full length of the north-west boundary of the application site, and a line of mature trees (but with no worthwhile hedge structure below) marks the majority of the south-west boundary. The south eastern boundary of the application site is physically undefined being part of a larger field to the east. White Gables lies beyond the field to the east. The north-east boundary to Thornccliffe Lane is formed by a traditional drystone field wall with no trees or hedge, allowing uninterrupted views into the site from the highway. The landscape beyond at this point is open with expansive views to the Peak District National Park. There is also some evidence on site of hardstanding's associated with former buildings and caravan pitches. An existing track runs through the site. The applicant says that the buildings and site are in use for storage of materials and various farming equipment.

A structural survey accompanying the application confirms that three buildings (A, B and C) are solid brick elevations under pitched roof covered in corrugated asbestos sheeting. The fourth Building D is a reinforced concrete portal framed building with a roof covering of corrugated asbestos sheeting.

The Report confirms that foundations to all building are suitable for the proposed conversion provided loads are not significantly increased. It also advises that increasing the height of the eaves and providing a new roof would be acceptable provided the building remains single storey. In addition to completely new roof structures it recommends the replacement of lintels, the rebuilding of brickwork above lintels and raking out and repointing of all cracks. Building D however is noted to have significantly cracked brickwork at the north end of the west elevation and should, the Report says be rebuilt. The Report also points to the concrete portal columns and says that these will continue to corrode unless they are encapsulated in a permanently dry environment. It provides three options to deal with this – encase in a new leaf, cut out the columns and replace with brick or demolish the whole structure. Although the applicant proposes to undertake the former two options, he accepts that 'more radical structural repairs will be needed'. The likelihood is that this will be tantamount to a new structure.

3. DESCRIPTION OF THE PROPOSAL

Building A (converted to House Plot 7) – This building is to be converted to residential with two lean-to extensions proposed on each elevation, centrally positioned to provide a utility and plant room/entrance lobby, both timber clad with sedum roofs. Roof to be replaced with black sinusoidal, black corrugated metal sheets or Marley fibre cement profile sheeting. Eaves height raised and roof pitch increased. 17 Photovoltaic panels and 3 roof lights inserted on each roof slope. Most door and window openings are altered.

Building B and C - these two buildings are shown to be converted to a common house and workshop, food co op store respectively linked by a new linear extension which the DAS says is intended to give weather proof access to the different shared facilities. Building C lies at a higher level to Building B. Eaves height of both buildings is raised and the roof replaced with a steeper pitched roof.

The following communal uses are shown in the buildings – Laundry room, Meeting room, Common Lounge, Kitchen, Office with work stations, Reception office hub, two Guest bedrooms each with ensuite facilities, two disabled w/c's, site workshop and site pantry/bulk food store. The central existing chimney feature is adapted and given an asymmetric roof.

Building C2 is a new building. The DAS describes it as the Site services building– cycle store, education training/workshop, w/c, eco electric battery storage room. 76 m2 check levels

Building D (converted to House plot 1) – converted to a 3 bedroom dwelling. Extension to the east and west elevation, the latter incorporating a flat roof linked element. New roof, increased pitch, increased eaves, banks of PV panels and roof lights, most doors and windows altered.

Plot 2 – new build. Two storey 3 bed with 3 bathrooms. Incorporates a linked flat roof sun lounge leading to a studio. 185 m2

Plot 3 – new build. Single storey 2 bed, 2 bathroom and studio/workshop unit, 146 m2

Plot 4 – new build. Two storey 2 bed unit, 2 bathroom 117 m2.

Plot 5 – new build. Two storey 2 bed unit. 2 bathroom. 116 m2

Plot 6 – new build. Two storey 2 bed unit, 140 m2

Within the site and amongst the buildings is a recycling and service area, communal organic vegetable gardens, raised planting beds, cold frames and composting area, numerous pathways, access tracks, communal courtyard with fire pit, seating and BBQ area, network of ponds and drainage ditches, decking around the ponds.

The applicant considers a key consideration to be the fact that the historical development of Blackshaw moor is based on developing land formerly occupied by military establishments. He goes on to say that the proposal reflects the historical development and evolution of the surrounding area (para 2 Planning Statement).

The application is promoted by Leek Cohousing. The DAS confirms that all 7 dwellings will be privately owned and will be self build or custom built. Leek Co housing it says will own the common house, the shared workshop, the site services buildings, the access and the car park, the productive organic gardens and the open landscape excluding small private gardens. It says that following completion of the development Leek Cohousing will continue to operate as the site management company. It says the community facilities will be available to the local community (para 6.12 of the DAS).

The application is accompanied by a very extensive suite of documents, plans, visuals including a Planning Statement, Design and Access Statement, Heritage Statement, Structural Report, Landscape Strategy, Phase I habitat and protected species report and Noise Assessment. As usual Members are encouraged to read these prior to the meeting.

AMENDMENTS TO THE APPLICATION

On the 7th February 2019 during the processing of the application an Amended application form was received which clarified that the existing use of the buildings was domestic storage and not B8 Commercial storage. The applicant advised that this had been an error on the form.

4. RELEVANT PLANNING HISTORY

SMD/2004/0081 Erection of dwelling with associated employment facility Withdrawn

SMD/2004/1298 Conversion of buildings to five buildings. 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
- DC2 Heritage
- 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

6. CONSULTATIONS CARRIED OUT

The application has been advertised in the local press and a Site Notice displayed.

15 letters of representation have been received raising the following issues:-

- Although 'eco homes' there is no eco infrastructure in place. Residents will have to drive to access services and facilities
- Overdevelopment of the site
- Houses not in keeping with the area and will look incongruous
- The proposal will hamper the ability of the existing and established Shooting club to operate. It will potentially lead to noise complaints from the new residents which the Club will then have to counter. It is not suitable for housing. It could result in restrictions on the times and days that the Club can operate. The club have operated from the site since 1969, have 260 members and there is a Lawful development certificate in place which confirmed the lawfulness of both the Shooting Centre's facilities and activities. The Shooting Centre participates very successfully in most national UK target shooting competitions – and boasts international competitors amongst its ranks.
- Adverse impact on wildlife
- Cluster of residential properties here will look incongruous and out of character
- The lanes are narrow. They are much used by cyclist. The proposal will add to traffic and increase danger to cyclists
- Harmful impact on the character and appearance of the area
- This is an isolated location
- Will lead to drainage problems

Parish Council

Support the application. Aspects of the application that found favour with the council include use of a brownfield site and the ecological credentials. The application has been widely publicised and no adverse comments or objections have been received from our parishioners.

Policy Officer

The Council has a legal duty to keep a register of those interested in self/custom-build in its area and “have regard” to this in its planning function. However the Council is not obligated as such to provide plots in locations specified by entries, rather more generally to provide for District-wide demand. The SMDC register currently has 54 entries since 2016. No entries specify Blackshaw Moor as a location, however significant numbers specify Leek and surroundings, or ‘rural areas’ etc.

Questions to what extent a *converted building* can be considered ‘self-build’

Policy SS6c Core Strategy limits most forms of new housing in the open countryside, however Part (4) provides for redevelopment of major developed areas in the countryside for the uses specified. Whilst Anzio Camp is not mapped para 8.1.71 refers to the 15.4ha site area, which would seem to encompass this site – a view needs to be reached whether this site is covered by part 4. In any event the residential uses proposed are *not* included in the specified uses.

Policies SS10/H1 in the Submission Version of the Local Plan limit most forms of new housing in the open countryside (however can only be ascribed limited weight at present).

The site is over 3.6km from the eastern edge of Leek and there are only limited facilities in Blackshaw Moor (and Meerbrook). Bus services between Leek and Buxton are relatively infrequent. Also there is not continuous pavement between the site and Leek with no street lighting beyond Blackshaw Moor. A view needs to be reached over the sustainability of the site as per paras 78-79 NPPF. (Regarding para 77 the scheme does not appear to be for affordable or local needs housing). The applicant refers to the heritage and building conversion aspects of the scheme regarding para 79b/c – a view needs to be reached whether this applies to any of the existing buildings.

The scheme would appear to conflict with CS Pol SS6C generally (and specifically Part 4 which reserves Anzio Camp for the uses specified only), and related policies. However the existing buildings on site should also be assessed against para 79 NPPF. I would also question the sustainability of the site.

As the Council does not currently have a 5YHS the scheme should be assessed against para 11d NPPF.

Ecology Officer

Comments awaited

Trees and Woodland Officer

Advises that the proposed development would have relatively little adverse impact on landscape structure, with arguably some beneficial landscape effects, but would bring a notable change in landscape character of the site arising from more extensive and dense development and domestic/residential use.

Adverse visual impact would be very localised, mainly limited to passing views available to moderate sensitivity receptors whilst immediately adjacent to and travelling past the application site.

Environmental Health Officer

Initially objected to the application on grounds of lack of a Noise Assessment. Subsequently moved to a position of No objection subject to conditions relating to noise mitigation, further contamination risk assessment and lighting.

Local Highway Authority

No objection subject to conditions

Local Lead Flood Authority

No objection subject to condition to secure measures set out in the Flood Risk Assessment and Drainage strategy

Conservation Officer

Object – harm to significance

Advises that the four buildings on the site were added to the Staffordshire Moorlands Local Heritage Register in February 2019. The buildings formed part of the former Camp 3 at Blackshaw Moor and highlight the importance of the site to the local community and confirm its connection with military history and the Polish community.

The Staffordshire Moorlands Conservation Liaison Panel considered the nomination by Mick Downs on behalf of Leek Co-housing and concluded that the buildings met several of the Local Heritage criteria, assessed by reference to the SPD (section 3.2) and the Historic England Good Practice Guide:

- **Age and Rarity:** The buildings are the best preserved examples of the former army camp at Blackshaw Moor Camp, subsequently Blackshaw Moor Polish Re-settlement Camp, which was occupied by US army forces in 1943-44 and by Polish allied military personnel and their families from 1946 to 1964.
- **Group Value:** The buildings have a collective group value and formed part of a larger camp infrastructure.
- **Association:** It was concluded that the buildings have local heritage value for the contribution to the war effort and their role in establishing the local Polish community in the area.

The advice of CLP was then ratified by Cabinet in February 2019.

Advises that the proposed alterations are extensive and the buildings will be substantially. The buildings will be largely unrecognisable once converted and extended. The simple utilitarian form, massing and detailing will be lost and very little of the original fabric will remain. Once converted they will no longer look like functional, military structures. The buildings were added to the Register because of being well preserved examples but they will no longer retain their essential characteristics. Development would harm their special character, it will not respect or enhance their heritage value. Does not understand how this heritage led scheme is preserving the significance of the buildings and the wider essence of the military campsite as the buildings will be fundamentally changed and the redevelopment of the rest of the site shows little regard to its origins other than retaining the two main road axis on the site and the general north-south orientation of buildings. If the heritage is intended to promote development on this site then we should be looking for a much more faithful conversion of the buildings and regard to their setting. Alternative uses such as camping barns, simple holiday accommodation or a small-holding would involve less alteration and need for development affecting their setting.

Conservation Liaison Panel

Object. The proposed scheme looks to completely change the character and appearance of the historic buildings and historic character of the site. The buildings should retain more of their essential character and might be better retained as more functional, ancillary buildings. The scheme looks like a pocket village in the open countryside.

Education Authority SCC

Blackshaw Moor CE (VC) First School and Leek High School are projected to have sufficient space to accommodate the likely demand from pupils generated by the development.

However, Churnet View Middle School is projected to be full for the foreseeable future.

We will therefore be requesting a contribution towards Middle School provision only.

We would seek an Education Contribution for 1 Middle School places (1 x £13,827 = £13,827). This gives a total request of £13,827.

Severn Trent Water

As the proposal has minimal impact on the public sewerage system no objections to the proposals and do not require a drainage condition to be applied.

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

7.3 This site lies in open countryside. Although it is close to the settlement of Blackshaw Moor, it is physically and visually detached from the core of this settlement. It very much forms part of the open countryside. The applicant argues that the existing buildings on site, footprints of previous buildings, access tracks and use of the land for the storage of caravans point decisively to the fact that this is previously developed land.

7.4 Previously developed land is defined in the NPPF as,
'Land which is or was occupied by a permanent structure, including the curtilage of the developed land although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. This excludes: land that is or was last occupied by agricultural or forestry buildings; land that has been developed for minerals extraction or waste disposal by landfill, where provision for restoration has been made through development management procedures; land in built-up areas such as residential gardens, parks, recreation grounds and allotments; and land that was previously developed but where the remains of the permanent structure or fixed surface structure have blended into the landscape'.

7.5 Having regard to this definition and an on site assessment it is not accepted that the whole of the application site is previously developed land. It is agreed that part of the site is brownfield, but the remaining land is clearly greenfield either as a result of it never having been developed, not being part of the 'curtilage' or where the remains of permanent

structures or fixed surface structures have blended into the landscape. An aerial photograph in the DAS from 2000 shows this progression. As an approximate guide it is considered less than half of the application site could realistically be considered to be brownfield land. Even if the applicant's conclusion was accepted, which it isn't, brownfield land does not trump the development plan strategy for the location of new housing in the countryside and other polices as will be explained below.

7.6 In respect of new development in the open countryside, Policy SS6C is the relevant policy in assessing the acceptability of the principle of the development; a position accepted by the applicant (para 6.38 of Planning Statement). This policy refers to the rural areas of the District and forms part of the spatial strategy for the District which seeks to concentrate most development within the three main towns and thereafter the larger villages. Only very limited development is envisaged in the smaller villages. It is a hierarchical approach in order to deliver most development in sustainable locations where services and facilities are readily available. Outside of these areas, Policy SS6C seeks to restrict new housing to that which meets an essential local need; affordable housing that cannot be met elsewhere or accommodation for an agricultural, forestry or other rural enterprise worker again where the need cannot be met elsewhere. There is no evidence that the proposal is meeting an essential local need. There is conflict with Policy SS6C.

7.7 Policy R2 refers to 'Rural Housing'. For new build it reflects Policy SS6C and confirms that only certain forms of housing development will be acceptable; affordable housing which cannot be met elsewhere, new dwellings that meet an essential local need (agricultural, forestry or other rural enterprise worker) that cannot be met elsewhere or replacement dwellings. The proposal does not meet this criterion.

7.8 Policy R2 also provides scope for the conversion of non residential buildings to residential use where the building is suitable and worthy in physical, architectural and character terms, where it is demonstrated through marketing that agricultural or commercial use is not viable or suitable or where the conversion to residential use would enable a building of particular merit to be safeguarded. The R2 requirement for a marketing to demonstrate non viability is not in conformity with national advice in the NPPF and thus attracts limited weight. The NPPF says at para 79 that planning decisions should avoid isolated homes in the countryside except in specific cases. Of relevance to this application is exception b) – the development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of the heritage assets c) which refers to development that re uses of redundant or disused buildings and which enhances its immediate setting (our emphasis).

7.9 On the face of it therefore there is policy support for the re use of the buildings. The buildings have been identified as being of local significance and were placed on the Councils Local List in February 2019 because they are the best preserved examples, have collective group value and local heritage value. However as noted and discussed elsewhere the Conservation Officer is very critical of the application and advises that the proposal will harm the heritage asset rather than respecting or enhancing its heritage value. As she rightly notes the buildings are fundamentally altered in the scheme such that their original identity is virtually lost. Furthermore the simple setting which the buildings currently enjoy (and which contributes to their significance) is also eroded with new buildings, structures and features. The immediate setting is not enhanced, it is harmed. For these reason there is conflict with Policy R2

7.10 The applicant also draws attention to Paras 78 which says that to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. There is no assessment or evidence as to how it would support nearby villages. In any event the site is a divorced from Blackshaw Moor as described above

7.11 It is for all of these reasons that there is strong conflict with Policies SS6C and R2 and an objection in principle to new housing development and to the re use of buildings in the manner proposed. The proposal runs contrary to the spatial strategy for housing development which underpins the Core Strategy.

7.12 However there are other material considerations including the NPPF. The Council's current housing supply is 1.99 years. The NPPF says at paragraph 11, footnote 7 that where a five year supply of deliverable housing sites can not be demonstrated, then policies which are most relevant for determining the application are out of date and in these circumstances planning permission must be granted unless the any adverse effects of doing so would significantly and demonstrably outweigh the benefits when assessed; the so-called "tilted balance." This matter is returned to in the planning balance below.

Co Housing scheme

7.13 The application is described as a proposal for a Co housing scheme and it points to elements of the application which support this including communal facilities provided in a common house, visitor accommodation for residents guests, shared electric vehicles, shared workshop and gardens etc. Section 1 of the Planning Statement provides further detail of the concept of the Cohousing international movement, the operation of cohousing schemes and other sites that have been considered by the applicants and why they were discounted, The group are referred to as Leek Co Housing.

7.14 The Council has a legal duty to keep a register of those interested in self/custom-build in its area and "have regard" to this in its planning function. In respect of decision making it is confirmed in the PPG that 'having regard' means, '*... registers that relate to their area may be a material consideration in decision-taking.*'

However the Council is not obliged as such to provide plots in locations specified by entries, rather more generally to provide for District-wide demand. The Policy Officer advises that the SMDC register currently has 54 entries since 2016. No entries specify Blackshaw Moor as a location, however significant numbers specify Leek and surroundings, or 'rural areas' etc. The applicant Leek Co-Housing was placed on the Register in 2016. The Policy Officer goes on to query whether a *converted building* can be considered 'self-build' given that the definition refers to servicable 'plots of land' for 'building or completion of houses'.

7.15 The fact that a scheme is a self/custom build scheme does not therefore outplay other planning policies. It is simply a material consideration to weighed in the planning balance. This matter is returned to in the Planning balance below.

Highways

7.16 The proposal is to use an existing access into the site and to upgrade this. The Local Highway Authority has considered this and raised no objection subject to securing the visibility splays shown on SCP/18101/F03 D. The visual impact of this upgraded entrance and access is considered elsewhere in the report. A safe and suitable access can be achieved. There is no conflict in that respect with relevant parts of T1 and DC1.

Accessibility

7.17 The site is not in a sustainable location. It is in the open countryside. Thorncliffe Road does not benefit from footpaths nor street lighting. The site is not on a bus route. Residents would have to walk to the main A 53 to reach the nearest bus stop where services are infrequent. Blackshaw Moor and Thorncliffe have limited services and facilities and no shops. The site is located some distance from Leek and well beyond the generally acceptable 2 km walking distance. Despite the 'self-contained' elements to the development

(communal growing of vegetables, communal food store etc) occupiers would need to travel to meet day to day grocery needs and also to access other services and facilities.

7.18 The applicant tries to draw comparisons with the development of the large site known as the Anzio camp which fronts Buxton Road but this has a very different policy background; it is identified as a major developed site in Policy SS6C with proposed uses for employment, extra care and tourism. Even though it has direct access to the main A53 and bus stops, an Inspector concluded in 2013 that the site was not in a sustainable location. The Inspector at the Local Plan Examination also referred to its isolated location.

7.19 Policies T1 and SS1 says that the Council will promote and support development which reduces reliance on the private car for travel journeys and reduces the need to travel generally. Para 103 of the NPPF says that the planning system should actively manage patterns of growth to promote sustainable transport. For the reasons given above and despite the nature of the development, residents would still be likely to rely on the private car for transport. There is conflict with Policies T1 and SS1.

Heritage

7.20 The buildings were listed on the Councils Local Heritage Register in February 2019. As such they are regarded as a non-designated heritage asset (NDHA). Policy DC2 is the primary development plan policy in relation to the protection the historic environment. Para 197 of the NPPF specifically refers to NDHA and says that the effect of an application on the significance of a NDHA should be taken into account in determining the application. It says a balanced judgement should be taken having regard to the scale of any harm or loss and the significance of the asset.

7.21 A Heritage Assessment (HA) accompanies the application. It includes a 1954 OS map which shows the siting of the buildings. The DAS also refers to preserving these buildings as heritage assets (para 5.13). In terms of their significance the HA highlights the importance of the site to the local community and confirm their connection with military history and the Polish community. Their significance stems from their age and rarity (best preserved examples of the former army camp at Blackshaw Moor Camp, subsequently Blackshaw Moor Polish Re-settlement Camp), their group value (the buildings have a collective group value and formed part of a larger camp infrastructure) and their local heritage value for the contribution to the war effort and their role in establishing the local Polish community in the area.

7.22 In recent correspondence the applicant accepts that the proposed development will materially change the existing buildings. However he says that if the buildings are to have any viable future at all, then substantial alterations will be necessary. He says that the scheme retains the simple form and detail of the buildings.

7.23 The Conservation Officer has carefully considered the submitted information. She has grave concerns about the impact of the proposals on the significance of the buildings. She comments that the proposed alterations are extensive and that the buildings will be substantially changed and will be largely unrecognisable once converted and extended. The simple utilitarian form, massing and detailing will be lost and very little of the original fabric will remain. Once converted they will no longer look like functional, military structures. The buildings were added to the Register because of being well preserved examples but they will no longer retain their essential characteristics. Development would harm their special character, it will not respect or enhance their heritage value. She says that to retain heritage value a scheme should look to retain their identity as former military buildings, retaining their

form and massing, openings, similar materials and their setting. Her conclusion is that the proposal will result in harm to the significance of the NDHA a view shared by the Case Officer.

7.24 The submitted Planning Statement does not promote the development as 'enabling development'. The DAS does make loose reference to the proposal enabling the buildings to be preserved as does the most recent correspondence from the applicant (letter dated 17th June 2019). Historic England provides very clear guidance and procedure for applications for enabling development. The application does not follow this; fundamentally there is for example no financial viability assessment. The application has not been considered on this basis.

7.25 The conclusion is that the proposal harms rather than safeguards the significance of the NDHA. There is conflict with Policy DC2 and the NPPF.

Design

7.26 The four existing brick buildings on the site are simple in their construction and appearance.

7.27 Despite the applicants wish to preserve the buildings as heritage assets the scheme does appear to achieve this. The plans show that Building A which is to become house plot 7 is so altered as to appear as a completely different building in terms of materials, roof height, eaves height, door and windows, banks of photovoltaic panels and roof lights. Buildings B and C are also so altered by increased eaves height, new roof and a sizeable extension to link the two that any evidence of the former simple buildings is lost in the design. Similarly the simplicity in form and appearance of Building D which is to become house plot 1 is completely lost in the alterations and extensions to the east and west elevations. The extension to the west incorporates a flat roof 'link' element to be sedum roof. The original building is indistinguishable; new roof of greater pitch, increased eaves, new metal sheet roof, banks of PV panels, roof lights, timber cladding.

7.28 Not only are the existing buildings enveloped in new materials, extensions etc but new buildings are also introduced onto the site together with walls, retaining walls, car park, gardens, ponds and SUDS features, vegetable plots etc all of which impact on the setting of the retained buildings. The DAS says at para 6.31 that the overall layout is reminiscent of the loose courtyard style of local traditional farmhouses. This view is not shared. Nor is the applicants comment that '.. red brick boundary walls and retaining walls serve to reinforce and help unify the character of the group' (6.39 of the DAS). In terms of Para 79 of the NPPF the immediate setting of the buildings would, it is considered be harmed not enhanced. The proposal would have a much greater presence on the site than the existing buildings. It will introduce a concentration of development in an area which is otherwise semi-remote and rural, characterised by isolated dwellings and farmsteads. The visuals show that the access into the site would necessarily need to be widened but as proposed is engineered and also visually prominent.

7.29 The development is does not respect the site or its surroundings. There is conflict with Policy DC1 and the NPPF

Existing Trees, Hedges and Woodland

7.30 There are relatively few existing trees actually within the site set in from the boundaries. None of the trees/woodland abutting the north west and south west boundaries would be significantly adversely affected by the proposed development.

7.31 A few trees within the site are indicated to be removed to accommodate the development; in fact those at the northern gable ends of the existing buildings have already been removed. A further few scrubby trees around the existing pond near the western corner are also marked for removal, together with half a dozen or so again in this corner. These are mainly self-set scrubby Goat Willows and Alder, and their removal would not in itself be notably harmful to the landscape of the site or its immediate surrounding area. Their loss could be readily mitigated. There is no objection to tree loss and no conflict with Policy NE1.

Landscape and Visual Impact

7.32 The application is supported by a Landscape and Visual Impact Assessment which considers landscape and visual impact.

7.33 The application site lies just within the Ancient Slope and Valley Farmlands (ASVF) landscape character type in the Landscape and Settlement Character Assessment but also close to and visually connected to the adjacent Gritstone Highland Fringe character type. Localised residential development is noted as one of the incongruous landscape features within the ASVF character type, with the potential proliferation of such incongruous features contributing to an adverse impact on landscape quality, although these guidelines also advise that planting of trees and woodlands can be used effectively to reinforce existing vegetation structure to enable it to more readily absorb new development.

7.34 Although there are buildings on the site much of the site has the appearance of an open field, having strong visual connection to the surrounding largely open, upland rural/agricultural landscape with scattered individual dwellings, smallholdings and farmsteads. The site has no physical or visual connection with Blackshaw Moor, Thorncliffe or the former Anzio Camp, despite their relative proximity. This gives the site and its immediate surroundings a feeling almost of remoteness.

7.35 As the Trees and Woodland Officer says the proposed development would not directly affect the landscape structure/field pattern. However it would introduce a much more concentrated form of built development. It would have a much greater presence than the existing development and this would be compounded by the trappings associated with the development – fences/hedges providing enclosure, car park, access roads and footpaths, vegetable gardens, network of ponds, refuse stores etc. Such features are incongruous to the prevailing landscape character of the site and immediate surroundings and harmful. Although the Trees and Woodland Officer says that because of the somewhat run-down condition of the site and accumulated debris there is an argument the proposed development would bring an aesthetic improvement (hence appropriately assessed as beneficial in the LVIA), the converse of this is that the planting provides enclosure which is at odds with the open character of the landscape in which the site is experienced.

Visual Impact

7.36. In terms of visual impact the LVIA considers the potential visual impact from a number of view points. It is agreed that visual impact is likely to be localised owing to the site's relative containment. So for example from viewpoints further afield, Ninepins/North Hillswood public right of way (Viewpoint 6) and Ramshaw Rocks (VP 7), the Trees and Woodland Officer advises that the combination of distance and intervening structural vegetation make the site difficult or impossible to discern in its existing state, even using binoculars, and that the proposed development would have generally negligible or no

adverse visual impact from longer range receptor locations – particularly once new on-site landscaping became established.

7.37 In more local views from Thorncliffe Lane the development would be visible. VP1 (Thorncliffe Lane adjacent to the site) shows clear open views into the site in which the development would be readily apparent. The Trees and Woodland Officer advises that the development would not breach the treeline along the rear (south-west) boundary of the site nor encroach into views of the more distant landscape and horizon over the tops of these trees, as seen from Thorncliffe Lane. He does make the point however that firstly the new foreground tree and hedge planting is likely to take much longer to establish in this location than the 5 years suggested in the LIVIA. Secondly as noted above, the effect of this planting would progressively contribute to the largely uncharacteristic sense of enclosure to the extent of potentially obscuring views of the distant skyline of the Lask Edge ridge.

7.38 The Trees and Woodland Officer advises that the maximum visual impact at VP1 would be mainly limited to brief “in-passing” views experienced by drivers/passengers and anyone walking or cycling past (on the public highway, rather than on any public right of way which would have a more recreational/countryside appreciation role. Overall visual impact from VP1 would be moderate adverse, gradually becoming less so with time as new landscaping matures.

7.39 From VP2, (Thorncliffe Lane above the weather station), the Trees and Woodland Officer agrees that views of the site are already notably more filtered and would become increasingly effectively screened by new landscaping. Overall he agrees that visual impact from VP2 would be slight-moderate adverse, reducing over time.

7.40 VP3 (just below Whitehouse Farm on Thorncliffe Bank) is more distant (c.1km) but affords some view directly towards/into the site, partly filtered/screened by mature roadside trees at White Gables and in the road verge alongside the site. From this VP, the site and its development as proposed would represent a very small, partly hidden feature in the middle-range of a wide expansive view in which the more distant features and horizon are the attention-grabbers (Tittesworth Reservoir, Gun Hill, Sutton Common, Ramshaw Rocks and The Roaches). Overall he agrees that visual impact from VP3 would again be slight moderate adverse, and decreasing.

7.41 The application is accompanied by a fully detailed and specified new landscaping scheme for hard landscape works and planting. It is heavily based on the use of appropriate native species and covering a range of vegetation/habitat types including native woodland, hedgerow, grassland, marginal and aquatic. There is no objection in principle to the proposed landscaping scheme.

7.42 For all the reasons above the conclusion is that the proposal would introduce a harmful and incongruous feature into this remote, rural and open landscape. Planting would be needed to screen the development but this will take many years to be effective particularly in this relatively harsh environment. Even with the planting however the sense of a concentration of development would remain in a location which has a sense of remoteness. The proposal would neither protect nor enhance the local landscape. There is conflict with Policy DC3 and the NPPF.

Drainage and Flood Risk

7.43 The application is accompanied by a Flood Risk Assessment and Drainage Strategy. This has been considered by the Local Lead Flood Authority who raise no objection to the application subject to a condition to ensure compliance with the agreed strategy and mitigation. With this in place there is no conflict with that part of Policy SD4 relating to flood risk or with the NPPF.

Residential amenity including noise and contamination

7.44 White Gables is the nearest residential property to the site. There is some distance between this property and the application site and no issue is anticipated in terms of overlooking or loss of privacy. The Councils' space standards are met. Light pollution from the proposal development could be controlled by condition.

7.45 Some of the letters of representation concern the impact of the proposal on the existing Leek and District Shooting club who operate from a site to the north of the application site. The Club is concerned about the impact of houses on their activities given the relatively close proximity. In this respect the Environmental Health Officer (EHO) initially objected to the application on grounds that the noise impact from the Club had not been assessed. A Noise Assessment (NA) was subsequently provided. The NA summarises that with good acoustic design the site can be suitable for residential development. The assessment has been primarily considered under BS8233:2014, CIEH Clay Pigeon Shooting Guidance and PROPG.

7.46 The EHO has carefully considered the NA and the letters of representation including those from the Leek and District Shooting club. He accepts the mitigation measures suggested in the NA and subject to these being installed prior to first occupation with pre completion testing too, he raises no objection to the application. He comments that there is no record of complaint against the shooting club from existing residents and no evidence it is causing a nuisance in the locality though there is a clear recognition noise from shooting is audible in the vicinity of the proposed development site.

7.47 A desktop site assessment has been submitted in support of the application. It considers the site to be low to moderate risk but notes "unknowns" regarding the military history. Given that there is a military history with the site and tanks / asbestos buildings on site any redevelopment requires that an intrusive contaminated land risk assessment be completed. This can be conditioned.

7.48 With conditions in place there is no objection on amenity grounds and compliance with Policy SD4 in respect of pollution and with the NPPF.

Biodiversity

7.49 The application is supported by preliminary Ecological Appraisal Report, Great Crested Newt and Bat surveys. The Ecology Officer has considered this. He advises that the Report contains a comprehensive suite of ecological assessment and that no biodiversity interests are at risk. Measures where necessary to mitigate any partial risks such as to breeding birds during nesting season could readily be imposed by way of conditions to require schemes of mitigation including an Ecological Management Plan. The application also proposes biodiversity enhancements which again it would be appropriate to secure by conditions. The proposal for additional nest boxes on the new buildings (p.21 PEA) seem somewhat under provided but this could readily be addressed and generally the scheme offers significant ecology enhancements.

With conditions in place there would be compliance with Policy NE1 and the NPPF.

Planning Balance

7.50 Planning applications must, by law, be determined in accordance with the Development Plan unless material considerations indicate otherwise.

7.51 As set out above there is conflict with Policies DC1, DC2, DC3, SS1, R2 and T1 of the Core Strategy. The proposal is not in accordance with the Development Plan.

7.52 The NPPF is a material consideration of weight in the determination of this application. It sets out a presumption in favour of sustainable development. For decision taking it says at paragraph 11 that where those policies which are the most important for determining the application are out of date, the tilted balance applies i.e. that permission must be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole. Footnote 7 confirms that 'out of date' includes applications for the provision of housing where the LPA cannot demonstrate a 5 year supply of deliverable housing sites. That is the case here with the District having a less than 2 year supply. The tilted balance applies.

7.53 The proposal would deliver some economic benefits through the construction of the dwellings and increased Council tax receipts. The provision of housing in circumstances of a chronic housing under supply attracts very significant weight. The fact that this scheme is promoted by a registered Co housing group also adds weight to the proposal. On the negative side though, this is an isolated and unsustainable location. Despite the eco credentials of the scheme (which are positive factors) residents would be largely reliant upon the car to access services and facilities. Walking and cycling do not offer realistic modes of travel and the bus service which is some distance from the site on the main A53 is infrequent. There would also be harm to the character and appearance of the area by introducing a more extensive and dense development and residential use into this open, rural and remote landscape. Furthermore it is considered that the proposal would harm the special character of the buildings. Rather than respecting or enhancing their heritage value, it will harm their significance. These matters amount to significant adverse environmental harm.

7.54 Weighing all matters into the balance and applying the paragraph 11 test, the judgement reached is that the adverse impacts and conflict with Policies DC1, DC2 DC3 SS1, R2 and T1 of the Core Strategy are significant and demonstrable and clearly outweigh the benefits that housing would bring in this unsustainable location. The proposal will not deliver sustainable development and a recommendation of refusal is therefore made.

8. RECOMMENDATION

That planning permission be refused for the following reasons :-

1. The application site lies within land designated as open countryside. Although it is within 1km of the village of Blackshaw Moor it has no physical or visual relationship with the village. Furthermore Blackshaw Moor is identified as a small village in the adopted Staffordshire Moorlands Core Strategy DPD owing to the limited services and facilities available. It is not a location where new development is encouraged with the spatial strategy focusing most new development within the three main towns and larger villages of the District. Policy SS6c sets out the strategy for the rural areas of the District including the application site. It says that these areas will only provide for new housing development which meets an essential local need. There is no evidence that the proposal is meeting an essential local need. As a result, the proposal would conflict with Policy SS6C of the Staffordshire Moorlands Core Strategy DPD which forms part of the spatial strategy for the District and underpins the Core Strategy and the National Planning Policy Framework.

2. There is some support for the reuse of rural buildings in Policy R2. The National Planning Policy Framework provides at paragraph 79 more up to date guidance on isolated dwellings in the countryside. It says that such dwellings maybe acceptable where the development re uses redundant or disused buildings and enhances its immediate setting. Whilst the buildings are reused, the alterations and extensions

proposed are extensive such that the original identity of the buildings is lost. Furthermore the buildings are enveloped by new buildings, car park, walls, fences, vegetable plots such that their immediate setting is harmed not enhanced. The design does not respect the site or its surroundings or reinforce local distinctiveness. There is conflict with Policy R2, DC1 and the NPPF.

3. The site is not located in a sustainable location. Leek is the nearest centre offering services and facilities. It is over 3 miles from the application site. Thorncliffe Road does not benefit from footpaths or street lighting and the site is not on a bus route. Residents would have to walk to the main A 53 to reach the nearest bus stop where services are infrequent. The consequence is that walking, cycling and public transport do not offer realistic alternative modes of travel. Residents would be heavily reliant upon the car (notwithstanding the offer of electric pool cars and charging facilities) to access services and facilities. Policy SS1 (amongst other things) expects new development to provide easy access to jobs, shops and transport services and to contribute towards a reduction in carbon emissions. Policy T1 similarly supports development which reduces reliance on the private car for travel journeys and reduces the need to travel generally. There is for these reasons conflict with Policies T1 and SS1 of the Staffordshire Moorlands Core Strategy DPD and the NPPF

4. The site is situated in the landscape character type of Ancient Valley Slopes and Farmland. The landscape is characterised by isolated dwellings and farmsteads. The proposed conversion, alteration and extension of the existing buildings for residential use, the erection of five new dwellings and a service building together the trappings of domestic use – vegetable plots, car park, SUDS features, walls and fences would , it is considered result in a notable and harmful change in landscape character of the site. It would introduce a more extensive and dense development. It would be an incongruous form of development on a prominent site with open views from Thorncliffe Lane. The scheme could not be said to protect nor enhance local landscape. There would be harm to the character and appearance of the area and conflict with Policy DC3 of the Staffordshire Moorlands Core Strategy DPD and the NPPF.

5. The application buildings were listed on the Councils Local Heritage Register in February 2019. As such they are regarded as a Non Designated Heritage Asset (NDHA). Although the application is said to be heritage led, it is not considered that the scheme respects or enhances their heritage value. The simple utilitarian form, massing and detailing of the buildings is lost in the scheme. They will no longer look like functional, military structures. Development would harm their special character. The proposal harms rather than safeguards or enhances the significance of the heritage asset. As such there is conflict with Policy DC2 and the NPPF.

6. Notwithstanding the Councils current lack of a 5 year deliverable supply of housing land the adverse impacts in this particular case as set out in reasons 1- 4 above are significant and demonstrable and outweigh the benefit that the provision of housing on this site would make. In accordance with Policy SS1a the proposal would not deliver sustainable development.