

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**26<sup>th</sup> January 2023**

<b>Application No:</b>	SMD/2022/0634	
<b>Location</b>	Charlie Bassetts, New Road, Dilhorne	
<b>Proposal</b>	Change of use to 14 pitch caravan site and provision of facilities building and associated works.	
<b>Applicant</b>	Mr Ball	
<b>Agent</b>	Hewitt & Carr Architects	
<b>Parish/ward</b>	Dilhorne / Caverswall	<b>Date registered</b> 2nd December 2022
<b>If you have a question about this report please contact:</b> Mr Benjamin Hurst tel: 07738506367 or e-mail <a href="mailto:benjamin.hurst@staffs Moorlands.gov.uk">benjamin.hurst@staffs Moorlands.gov.uk</a>		

**REFERRAL**

The application is referred to Committee as it is locally contentious.

**1. SUMMARY OF RECOMMENDATION**

**REFUSE**

**2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

2.1 Charlie Bassetts Public House is located at the southern end of Dilhorne, a settlement of scattered ribbon development identified in the Local Plan as 'smaller village'. The application site, the Public House and the whole of the village lie within the north Staffordshire Green Belt.

2.2 The Public house and large car park occupy the corner adjacent to the junction formed by Caverswall Road to the south and New Road to the east. The application site comprises the grazing field that surrounds the Pub and its car park to the north and east. The land slopes away gently in a westerly direction and is enclosed along its southern site boundary by mature trees and hedgerows that line the roadside. The western, northern and eastern site boundaries of the field are also enclosed by mature hedgerows.

2.3 Open fields extend beyond the site to the west and north. The nearest residential properties lie to the south on the opposite side of Caverswall Road (Dilhorne House, The Old Parsonage and Tythe Barn Cottage) and further to the east, on the opposite side of New Road (The Croft and Churchfields). To the

north the nearest dwellings are some 100m from the Public House, separated by the open field and the grounds of All Saints' Church, which flank the west and east sides of New Road respectively.

2.4 All Saints' Church is a Grade II\* listed building and its associated churchyard wall, gates, and memorials/tombs are all Grade II listed. The Old Parsonage to the south east of the site also comprises a Grade II listed building.

2.5 Public Footpath Dilhorne Parish No 1 crosses the application site. In this area there is a 'high risk' of historic coal mining activity affecting the development.

### **3. DESCRIPTION OF THE PROPOSAL**

3.1 The applicant proposes a material change of use that would provide a new or extended open market caravan site with a total of 14 pitches for either transient touring caravans, motorhomes or campervans. All of the pitches would be on a surface provided by a 'Eco grid/grasscrete system'. It is assumed, the application statement implies but does not explicitly state, that the occupation of the caravan site would be restricted to persons that are on holiday and have a permanent residence elsewhere, rather than accommodation for persons of nomadic lifestyle.

3.2 7 of the pitches would be to the southern edge of the field, to the west of the existing car park and served by an existing access track that has been installed without planning permission. The other 7 pitches would be located in a separate grouping to the north, where they would be more centrally located within the field. Additional hardstanding and track are proposed to access these pitches.

3.3 The application also proposes the erection of a facilities building to the northwest of the pub building, comprising of a male and female shower, male and female toilets and an outdoor washing up area. The building will occupy a footprint of 26.4 square metres and will stand to a height of 3.85 metres. The building will be finished in timber cladding, with a pitched Staffordshire blue tiled roof above.

3.4 The foul drainage from the facilities building would be to the mains drain shared with the existing public house. Vehicular access to the site would be from the existing pub car park, which connects with New Road in the southeast corner of the site, and this will be unaltered by the submitted proposal.

#### **4. RELEVANT PLANNING HISTORY**

4.1 SMD/2017/0637 Change of use from agriculture to beer garden and play area. APPROVED.

4.2 SMD/2019/0279 Certificate confirming the use of land for temporary purposes as lawful. GRANTED.

#### **5. PLANNING POLICIES RELEVANT TO THE DECISION**

5.1 The development plan comprises the adopted Staffordshire Moorlands Local Plan 2020, Document SPD/SPG and supporting evidence documents.

##### **Local Plan (adopted 9<sup>th</sup> September 2020)**

SS1	Development Principles
SS9	Smaller Villages Strategy
SS10	Other Rural Areas Area Strategy
DC1	Design Considerations
DC2	The Historic Environment
DC3	Landscape and Settlement Setting
T1	Development and Sustainable Transport

##### **National Planning Policy Framework February 2019**

Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 11 – Making effective use of land; 12 – Achieving well designed places; 13 – Protecting Green Belt Land; 15 – Conserving and enhancing the natural environment.

##### **Adopted Supplementary Planning Documents/Guidance (SPD/G):**

- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

##### **Local Plan Supporting Evidence Documents:**

- Landscape and Settlement Character Assessment (2008)

#### **6. CONSULTATIONS CARRIED OUT**

##### **Public**

6.1 Neighbour consultations issued for response by 10<sup>th</sup> January 2023. Site notice posted for responses by 10<sup>th</sup> January 2023. Newspaper notice, due to affecting a public right of way, published for response by 11<sup>th</sup> January 2023.

6.2 The authority has received some 172 comments in support of the application and a further 16 comments, which do not purport to be either in support or objection, but essentially make very similar remarks to those that have been made by persons who have identified as a supporter. The comments all tend to make the same points which can be summarised as such:

- The site would provide recreational opportunity for families that would be affordable on a well-managed quality facility.
- Those that stay at the site are likely to eat and drink at the public house. Their site fees and patronage of the pub would support its viability, vitality and longevity – creating and sustaining employment opportunity.
- It would be an asset to the local area that would attract visitors who would spend in, and support, local businesses, services and attractions. This would bring community and economic benefit to the area – creating and supporting employment opportunity in the local area.

Some of the comments reference 'Covid recovery' and 'cost of living crisis', suggesting these are circumstances that should attach additional gravity to their points

6.3 Many of the contributors live in the surrounding villages and settlements within the district; some live in the adjacent potteries conurbation; and very many live, much further afield, in various locations across the country. Generally, those contributing from further afield are associated with the first of those points, expressing a desire or likelihood of them visiting the site. Those closer to the site generally have more regard for an anticipated effect on local businesses. 11 comments of support have come from residents with a Dilhorne postal address, many do not have a direct relationship with the site, but, of note, supportive comments have come from two of the properties closest to the site, however, one of those appear to be the applicant himself.

6.4 One objection has been received from a Dilhorne resident who is concerned about heavy traffic flow through the village and unmaintained roads and paths. Another Dilhorne resident, living opposite the site, does not wish to object but requests conditions similar to those suggested by the Parish Council to address their concerns and control site activities.

### **Parish Council**

6.5 Dilhorne Parish Council – confirmed they neither object or support. If the application is approved, request that the following conditions are applied:

- Stays limited to 28 days. No permanent or static caravans on site.
- No music later than 11pm.
- No flood lights.
- Rubbish to be placed in sealed containers.
- No tents.
- Time restrictions on arrivals and departures

### **Ramblers Association (Staffordshire Moorlands branch)**

6.6 Footpath Dilhorne 1 runs through the application site, it must not be affected or obstructed by development.

### **SMDC Environmental Health**

6.7 Awaited

### **Coal Authority**

6.8 Concur with the recommendations of the Desk Based Coal Mining Risk Assessment Report submitted with the application. Coal mining legacy potentially poses a risk to the development and intrusive site investigation works should be undertaken prior to development.

### **Staffordshire County Council Highways**

6.9 No objection subject to conditions. Vehicular access to the site is from an existing access off New Road which is acceptable for the proposal. There is sufficient space within the pub car park to allow caravans to be towed safely between the site and public highway.

### **Cllr Gary Bentley as member of the Tourism Committee**

6.10 Ideal opportunity for local tourism in the area that will support the pubs and shops of the area.

## **7. OFFICER COMMENTS/PLANNING BALANCE**

### **Impact on the Green Belt**

7.1 Dilhorne, defined in the Local Plan as a 'smaller village' within an 'other rural area' of countryside, is within the Green Belt. Generally, Local Plan strategy for the rural areas (SS9 'smaller villages' and SS10 'other rural area') supports development which enhances community vitality, meets economic need, or promotes sustainable tourism – supplementary policies SS11 and E4 specifically support development for tourism in the Churnet Valley and based on set criteria, other appropriate locations. However, where the area coincides with the Green Belt, the strategies and policy essentially defer to the strict control of Government policy set out in the NPPF. There is no policy provision in the adopted Local Plan that should be taken as overriding or outweighing the Green Belt policy in the NPPF.

7.2 The development, a material change of use with associated works and building construction, would occur within the Green Belt - of particular sensitivity to the edge of the Potteries conurbation. Development within the Green Belt is inappropriate, and by definition, harmful to the Green Belt, unless it is provided for by one of the exceptions on the closed lists that appear at paragraphs 149 and 150 of the NPPF. At para 149(b) an exception is made for the provision of appropriate facility for outdoor recreation; and at 150(e) there is

an exception for a material change of use, provided, in both cases, that the development preserves the openness of the Green Belt and does not conflict with the purposes of including land within the Green Belt. As set out in paragraph 137 of the Framework, the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open. The essential characteristics thereof are their openness and permanence. The physical presence of built or other structural forms may affect openness. Paragraph 138 of the NPPF clarifies that the Green Belt serves five purposes, including, inter alia, to assist in safeguarding the countryside from encroachment.

7.3 The material change of use in this case would introduce up to 14 caravans and/or motorhomes. Whilst they would be essentially transient and moveable, where the enterprise is successful, long stays or high turnover would see such structures on otherwise open land for prolonged period of time throughout the year for the unrestricted life of the development. Caravans and motorhomes are often and commonly accompanied by what can be large tented awnings and, of course, each caravan would be towed by a vehicle that is normally parked adjacent. All of this would inevitably amount to considerable structural form and seven of the pitches would form a grouping in a central and exposed position in the middle of the open field. Additionally, a new sizeable facilities building would be constructed to the rear of the Public House. This would have the effect of further enlarging the already extended building form and footprint of the Public House with the encroachment and expansion of buildings into the open field to the rear.

7.4 The site, caravan pitches and associated structural form would have exposure across open land from New Road to the East and the public footpath that crosses centrally through the site. Even when the site would not be at full capacity, the presence of the collective mass of caravans, motorhomes, other associated vehicles and tented awnings would inevitably result in a harmful loss of openness of the Green Belt in both visual and spatial terms. Rather than preserve openness, the development's overall impact on the openness of the Green Belt would be significant with a considerable degree of permanency. The resultant sprawl and countryside encroachment of the building and the structural form of the caravans/motorhomes and their impedimenta would conflict with the purposes of including land within the Green Belt. The development proposed would encroach into a part of the countryside that is currently undeveloped, and in that regard would be harmful to the essential characteristics of the Green Belt, namely its openness and permanence. The loss of openness identified would mean that, in the context of paragraph 149 and 150 of the NPPF, the proposal would constitute inappropriate development in the Green Belt.

7.5 The NPPF requires that any harm to the Green Belt must be attributed substantial weight. Planning permission should not be granted unless other considerations, amounting to 'very special circumstances' clearly outweigh the harm resulting from inappropriateness, and any other harm resulting from the proposal.

## **Impact on the character and appearance of the area**

7.6 The proposal would result in a permanent change to the site owing to the erection of the facilities building along with the access roads and grass-crete pitches. The facilities building would be timber clad, low level and set back from the road, behind the existing car park and to the rear of the public house building. From public vantage the building would be rather concealed and would not appear incongruous or intrusive in the landscape and rural setting. From Caverswall Road to the south tree lined roadside enclosure would go some way to screen and hiding some of the pitches, particularly the 7 that would be positioned against the boundary close to the road.

7.7 However, to the north the site becomes increasingly more open and exposed, when the 7 more centrally located pitches would be in use the caravans, vans and awnings would be exposed and apparent from New Road to the north and the public footpath that passes through the site. They would intrude upon and interrupt views toward the high ground of Blakely Bank Wood, when viewed from the east and the Grade II\* listed All Saints Church, when viewed from the west. The caravans, vans, cars, awnings and associated impedimenta would, in an exposed and central location, be incongruous landscape features that would effect detrimentally the special quality, unique character and amenity value of the local and wider landscape and the setting of Dilhorne. Consequently, the proposal would have a harmful impact on the character and appearance of the area. There would be conflict with Policies DC1, DC3, SS9 and SS10 of the Local Plan.

## **Impact on the amenity and living conditions of residential neighbours**

7.8 Only one objection has been raised concerning volume of traffic through the village – the Highway Authority have not objected on grounds of highway safety and the development should not increase the traffic flow of Charlie Bassett customers to an extent that it should unreasonably disturb villagers. None of the contributors have specifically raised any concern over the potential for noise and disturbance. However, the Parish Council and one of the nearest neighbours, while they do not object, request certain conditions to be applied to any permission. The development would not be obviously harmful in these respects. The site does not have an immediate or close proximity to existing residential properties. Conditions that seek to control lighting schemes and prevent amplified sound/music from being audible beyond the site boundary could successfully control impacts in these regards. Under normal use camping and caravan sites are generally quite successfully self-policed under strict site rules, and this of course is primarily out of respect for other campers on the site. Similarly, rubbish and waste is normally collected and disposed of diligently to maintain a pleasant on site environment. Impacts in these regards would not be reasons to reject the scheme and there would not be conflict with policy DC1 of the Local Plan.

## **Highway Safety**

7.9 The site would be accessed across the existing pub car park which already has an access with New Road in the southeast corner of the site, and this will be unaltered by the submitted proposal. There is sufficient space within the pub car park to allow caravans to be towed safely between the site and public highway. The County Highway Officers consider this to be an acceptable access arrangement for the proposal and do not raise any objection. The development should not therefore compromise highway safety.

### **Other Considerations and the Planning Balance**

7.10 The development would be harmful to the Green Belt by reason of inappropriateness, loss of openness and countryside encroachment. The development would also cause some harm to the character and appearance of the area and the setting of Dilhorne. The NPPF requires that substantial weight is attributed to any Green Belt harm and that planning permission should only be granted if other considerations, amounting to 'very special circumstances' clearly outweigh the totality of the harm. A 'very special circumstance' is not further defined but the term suggests a requirement for some exceptionalism and for considerations to clearly and obviously outweigh substantially weighted harm.

7.11 In much of the consultation contribution there is a presupposition that the premises already provides an existing caravan site and that this application is only required to extend or reopen the facility. In a very limited way the land benefits from the 'permitted' development right, available to all, afforded by the General Permitted Development Order. That provision permits the use of agricultural land by up to 5 caravans, where the site has been granted a certificate by an exempted organisation, such as The Camping and Caravanning Club, for use by its members. The provision is there to allow some limited diversification of business and access to recreational sites, in a way that is free from the constraint of planning policy. The premises at Charlie Bassetts has previously relied on this provision, however, this proposal, would essentially supplant that use with a new use that would introduce a significantly greater number of caravans/pitches. This new use would also be free from the constraint imposed by the terms of the organisations certificate which is time limited and must be renewed annually. The rights conferred by the certification of the site do not equate to planning permission for the use of the land for camping and caravanning or an established use right for the same. Although a certified site may have some impact on openness associated with the 'permitted' use of the site, the harm to openness of the Green Belt and the character and appearance of the countryside is annually time-limited and further restricted by an occupancy period imposed by the organisation. A planning permission for this proposal would significantly increase pitch numbers and occupancy of the site with a greater harm to the openness of the Green Belt and the character and appearance of the countryside.

7.12 The application statement submits a case that economic benefits to businesses within the area and rural economy should weight in favour of the development. The statement points to the 'Tourism Economic Impact Assessment' for the district which draws a comparison between the spend of a



day visitor to the Moorlands and the greater daily spend of a visitor who stays overnight. The application identifies some local services in Dilhorne, including two public houses and the Dilhorne Recreation Centre. The site is described by the applicant as having public transport connections and proximity to public footpaths and cycle routes that connect to attractions such as Caverswall, the Foxfield Steam Railway and Cheadle, as well as the wider landscape of the Moorlands. It is also part of the application case that the site would provide significant boost to the trade of Charlies Bassetts and help to guard against the loss or closure of the public houses within the village.

7.13 There is no dispute that the applicant, and many of those who wish to support the proposal, have identified benefits that may indeed be associated with the proposal. In these respects the applicant alludes to a general compliance with those Local Plan policies SS10 and E4 that seek to support development for sustainable tourism within the district and would take precedent if the site were not in the Green Belt. Indeed, these are benefits that could apply to many rural pubs and sites throughout the district, including those within the Green Belt. Although laudable, they are general in their scope. In the Green Belt, it is the strict controls of the policy set out in the NPPF that apply, and this commands that circumstances or benefits must be special, unique or exceptional. While these identified benefits should be attributed some weight they do not clearly or obviously outweigh the substantial weight given to the Green Belt harm.

## **8. Conclusion**

8.1 The development would be inappropriate and, by definition, harmful to the Green Belt – it would not preserve openness and would result in countryside encroachment, conflicting with the aims and purposes of including land within the Green Belt. Substantial weight should be given to that Green Belt harm. There would also be some harm to the character and appearance of the area and the setting of Dilhorne. Planning permission should not be granted because other considerations do not amount to ‘very special circumstances’ that clearly outweigh the harm to the Green Belt and the other harm that would result from the proposal. In these respects, there is conflict with the NPPF and policies SS9, SS10, and DC3 of the adopted Staffordshire Moorlands Local Plan.

## **9. RECOMMENDATION**

### **A. Refuse for the following reason:**

1. The development would be inappropriate and, by definition, harmful to the Green Belt – it would not preserve openness and would result in countryside encroachment, conflicting with the aims and purposes of including land within the Green Belt. There would also be harm to the character and appearance of the area and the setting of Dilhorne. Planning permission should not be granted because other considerations do not amount to ‘very special

circumstances' that clearly outweigh the harm to the Green Belt, given substantial weight in the balance of considerations, and the other harm that would result from the proposal. In these respects, there is conflict with the NPPF and policies SS9, SS10, and DC3 of the adopted Staffordshire Moorlands Local Plan.

## **10. APPENDICES TO THE REPORT**

**10.1 The link below to the Council's website is where the detail of this application can be viewed.**

**<http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=166028>**

## 10.2 Charlie Bassetts, New Road, Dilhorne – location plan

