

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

15th August 2024

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|---|--|---------------------------|
| Application No: | SMD/2024/0326 | |
| Location | John Hall Gardens, Fowlchurch Road, Leek | |
| Proposal | Retrospective creation of concrete pad foundation. Proposed Shed to be placed on pad | |
| Applicant | Mr Alan Moutter | |
| Agent | Mr Felix Woodhouse | |
| Parish/ward | Leek | Date registered: 17/07/24 |
| If you have a question about this report please contact: Lisa Li email: Lisa.li@highpeak.gov.uk | | |

REFERRAL

The application is before committee as the site is owned by Staffordshire Moorlands District Council.

1. SUMMARY OF RECOMMENDATION

APPROVE with conditions

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The application relates to a community wellbeing garden off Fowlchurch Road. It lies in between the Brough Park Leisure Centre, Nelson Street Industrial units and the Leek Recycling Centre. The site itself contains a number of outbuildings and ancillary facilities to the southern part of the site, and a detached conservatory serving as a dining area to the west and a small cottage with an elongated single storey side extension; this element of the cottage serves as a kitchen for the running of the café on site.

2.2 Planning permission has recently been granted for alterations to the main building and a timber outbuilding to the far south east of the site. These have now been built. The polytunnels have been removed.

2.3 For the purposes of planning policy consideration, the application site is located within the development boundary of Leek. The property is not within any Conservation Area, and there are no Listed Buildings/structures nor protected trees on the site.

3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL

3.1 Planning permission is sought for a timber shed on a concrete pad. The concrete pad has already been constructed.

3.2 The shed is to be used for tool storage and messy gardening work for volunteers of the garden. It has a dimensions of 5m by 3m with a ridge height of 2.5m. It features a sloped pitch with slim line glazed windows.

3.3 The proposed garden outbuilding will be located immediately to the east of the entrance.

3.4 Full details of the application, including consultation responses and supporting documents can be found at

[Planning Applications - Staffordshire Moorlands District Council \(staffsmoorlands.gov.uk\)](http://staffsmoorlands.gov.uk)

4. RELEVANT PLANNING HISTORY

| | | |
|---------------|--|----------|
| SMD/2002/0327 | Use of land as market garden and erection of polytunnels | Approved |
| SMD/2023/0651 | Works to existing building - New door to the kitchen, and servery hatch to be in place of an existing window, including the alteration of the structural opening. External works - two bollards to be implemented to the east of the entrance. Garden Room | Approved |

5. PLANNING POLICIES RELEVANT TO THE DECISION

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

5.1 The Development Plan comprises the Local Plan Development Document (adopted September 2020).

5.2 The following Local Plan policies are relevant to the application:

- SS5 Leek Area Strategy
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting

5.3 Supplementary Planning Document

Staffordshire Moorlands Design Guide

6. CONSULTATIONS

| | |
|---------------------------|-----------------------------------|
| Neighbour letters | Expiry date for comments: 7/08/24 |
| Site Notice Posted | 9/08/24 |
| Press Notice | N/A |

Public response to consultation

6.1 No representatives

Leek Town Comments

6.2 No comment

Severn Trent Waters

6.3 No comment

7. OFFICER COMMENT AND PLANNING BALANCE

7.1 The main issues relate to:

- Principle of development
- Design and visual impact
- Neighbouring amenity
- Highway safety

Principle of Development

- 7.2 Policies SS2 seek to focus future growth within the three largest settlements comprising of Leek, Biddulph and Cheadle and to strengthen its role as a service centre.
- 7.3 Whilst there are no 'in principle' objections to the application, all other material planning considerations must be satisfied for the scheme to be supported and in this instance include design, visual impact, neighbour amenity, parking and drainage.
- 7.4 The nature of the application is to erect a new outbuilding for the purpose of community benefit. The proposal is in accordance with Policy SS2 of the Local Plan.

Design and visual impact

- 7.5 Paragraph 127 of the NPPF (2019) requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture.
- 7.6 The shed will sit directly next to the gated access and on approach may appear imposing at first. However, the garden building is a lightweight structure and modest in scale within the overall setting of the garden. Furthermore, the shed is grouped with existing buildings of similar footprint and scale to the south east of the site such that it would not appear out of place within the site.
- 7.7 In terms of the wider landscape, the shed would be partially visible from the main road but will be read as another ancillary building that is sympathetic to the scale and nature of the site. Therefore, the scheme is considered to be visually acceptable.
- 7.8 The use of the garden room will be for tool storage and gardening work for volunteers of the garden. Currently, the tools are being stored in a small shed to the north of the site. While there is already storage space for tools, at the time of visit, it was full and lack any space for easy access. Therefore, there is necessary means for a larger unit for these gardening tools.
- 7.9 A condition will be added to the decision ensuring that the use of the shed shall be restricted to the opening times of the John Hall Gardens to ensure the facilities are for the purposes associated only with the site.
- 7.10 This application is therefore considered to be in accordance with Policy DC1 of the Local plan.
- 7.11 Details of the materials used for the shed are to be conditioned under a pre-commencement condition.

Impact to neighbouring amenity

- 7.12 Paragraph 127(f) of the NPPF (2019) and policy DC1 seeks to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

- 7.13 The scheme is unlikely to impact any neighbours as the site is next to the Council's depot. The shed for the purpose of creating indoor space for volunteers will unlikely to cause noise disturbance to the wider surrounding area.
- 7.14 It is for these reasons that the proposed development will comply with policy DC1 of the Local Plan (2020) and the NPPF (2023).

Highway safety

- 7.15 Section 9 of the NPPF states that developments should achieve safe and suitable access to the site for all users. Policy T1 of the Local Plan states that permission will only be granted for development incorporating adequate and satisfactory parking provisions.
- 7.16 The purpose of an additional shed is for volunteers. As such, the existing parking arrangements to the south of the site will remain the same as existing.
- 7.17 This application is therefore considered to be in accordance with Section 9 of the NPPF and Policy T1 of the Local Plan.

Planning Balance & Conclusions

- 7.18 The proposal would respect the scale and character of the site while also utilising the space that the site currently offers. It would not adversely affect the amenities of the neighbouring or residential properties. Accordingly, the application is to be considered to be in accordance with the NPPF and the Local Plan. It is therefore recommended for approval subject to conditions.

8. RECOMMENDATION

That planning permission be APPROVED with the following conditions:

1: The development to which this permission relates must not be begun later than the expiration of three years from the date of this permission.

REASON: To comply with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

2: Unless non-material variations are agreed in writing with the Local Planning Authority the development shall be carried out in accordance with the plans and documents detailed below:

- **Drawing no: 35153-BGL-A1-XX-DR-A-1100-P-04 - Site Location and Block Plan**
- **Drawing no: 35153-BGL-A1-XX-DR-A-1200-P-01 - Proposed Shed**
- **Drawing no: 35153-BGL-A1-XX-DR-A-1110-P-03 - Existing and Proposed Site Plan**
- **Design and Access Statement**

REASON: For the avoidance of doubt and to ensure that the details of the development are acceptable to the Local Planning Authority.

3: The material used for the shed shall be in spruce cladding as outlined on plan no 35153-BGL-A1-XX-DR-A-1200-P-01 Proposed Garden Room

4: Unless prior permission has been obtained in writing from the Local Planning Authority, all activities within the proposed shed shall be restricted to the following times of operations in association with John Hall Wellness Gardens:

- **09:00 - 16:00 hours (Monday to Friday);**
- **09:00 - 15:00 hours (Saturday)**
- **No working is permitted on Sundays or Bank Holidays.**

REASON: To ensure proper use of the development and avoid the risk of disturbance to neighbouring dwellings from noise during unsocial hours.

5:

- I. Any waste material associated with the demolition or construction shall not be burnt on site but shall be kept securely for removal to prevent escape into the environment. All waste transfer records should be retained for inspection by officers of the Local Planning Authority;**
- II. No activity hereby permitted shall cause dust to be emitted beyond the site boundary so as to adversely affect adjacent residential properties and/or other sensitive uses and/or the local environment. In the event dust is caused to escape the site boundary the activity shall be stopped until sufficient dust suppression has been undertaken to prevent further escape. There shall always be the appropriate means and sufficient water resources on site for dust suppression. These should be made available for inspection when required by officers of the Local Planning Authority**

REASON: To protect the amenities of the area during construction

6: Details of the facing materials to be used on the walls and roof of the proposed shed shall be submitted and approved by the Local Planning Authority prior to commencement of works.

REASON: To ensure a satisfactory external appearance and for the avoidance of doubt.

Informative

This is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

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.

