

DELEGATED DECISION REPORT

HPK/2023/0102
Valid 23/03/2023

CHARLESWORTH STUD,
WOODSEATS LANE,
CHARLESWORTH,
DERBYSHIRE, SK13 5DR

PRIVACY SCREENS

(FULL - MINOR)

MAIN ISSUES

- Impact on the character and appearance of the existing building and surrounding area
- Impact on neighbouring amenity

DESCRIPTION OF SITE

The application site comprises an equine yard, associated timber clad storage building and stables.

The site is gated and accessed off Woodseats Lane. There is a large expanse of parking and turning area allowing for off street parking and manoeuvring of numerous vehicles associated to the established equine use.

The building is set back from the road.

For the purposes of planning policy consideration, the application site is located within the St John's Ward, and it is not in a Conservation Area, there are no Listed buildings/structures or protected trees which need to be considered. The site is in the green belt.

PROPOSAL

This is a retrospective application. Full planning permission is sought for two timber privacy screens. One mounted at roof height on the end of the main building and the other fixed to a smaller building parallel to the side boundary.

The material finish is painted green timber and sympathetic to the timber clad finish of the host building/and vegetation bounding the site.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

High Peak Local Plan (Adopted 2016)

S1 Sustainable Development Principles
S1a Presumption in Favour of Sustainable Development
EQ 3 Rural Development
EQ 4 Green Belt Development
S6 Central Sub-area Strategy

EQ6 Design and Place Making

Supplementary Planning Document

1. High Peak Design Guide Adopted 2018
2. Residential Design SPD2 Adopted 2005

National Planning Policy Framework (2021)

Including sections -

- 4: Decision-Making Section
- 12: Achieving well-designed places
- 13: Protection Green Belt Land

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HPK/2023/0073 Application for variation of condition 4 relating to HPK/2004/0118 - number of permitted lessons – withdrawn

HPK/2004/0118 Certificate of lawfulness for the existing use for the breeding, schooling and exercising of horses together with the teaching of equine skills - Lawful (Approved)

CONSULTATIONS

Publicity

Site Notice expiry date: 25 April 2023
Neighbour consultation period ends: 20/04/2023

Public Comments

Comments received from a neighbour stating that the roof-top fencing negatively affects the openness of the greenbelt and is an alien construction that is a visual intrusion on the landscape.

There is no point to the fencing, it does nothing for security or privacy and if the application is successful, it sets a precedent for future constructions of this kind.

Town / Parish Comments

Objection –

1. The application describes the proposal as Privacy screens to protect the business. The application makes no reference to what, or who, the business needs protecting from. The screens effectively block the view of the equine menage and yard from the adjacent property, Elizabeth Cottage, but the area remains wide open to views from the public using Woodseats Lane.
2. The screens have a negative, overshadowing effect on the amenity of Elizabeth Cottage
3. The screens also impact the amenity of the wider area more generally, which is Green Belt and any proposal to reduce the openness of the Green Belt without proper justification should be resisted
4. The screens could affect wildlife, especially bats

5. The screens are out of character with the surrounding area and introduce an alien element into the landscape.

The Parish Council noted with concern the limited consultation on the application and thought the residents at Hunters Gate and The Green, Woodseats Lane, should have been included.

Highways Authority

No highway safety comments to make on this application.

OFFICER COMMENTS

Principle of Development

LP Policy S 2, which states that moderate scale development which meets local needs should be allowed in large villages such as Charlesworth. However this site is within open countryside and therefore must be considered under the 'other rural areas category' which includes 'all other areas outside of the settlement boundary of settlements, including those villages, hamlets and isolated groups of buildings in the Green Belt and the Countryside which do not have a settlement boundary as defined on the Policies Maps, development will be strictly limited to that which has an essential need to be located in the countryside or comprises affordable housing in accordance with policies EQ3 and H5'.

LP Policy EQ 3 states that outside the settlement boundaries and sites allocated for development as defined on the Policies Map, including the Green Belt, the Council will seek to ensure that new development is strictly controlled in order to protect the landscape's intrinsic character and distinctiveness, including the character, appearance and integrity of the historic and cultural environment and the setting of the Peak District National Park whilst also facilitating sustainable rural community needs, tourism and economic development. Policy supports equestrian development where it does not have an adverse impact upon the character and appearance of the area.

LP Policy EQ 4 states that the Council will seek to protect the Green Belt and maintain its openness and permanence.

NPPF Paragraph 149 (c) states that if the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building then it is considered appropriate development within the green belt. The site falls within open countryside; however the proposal does not seek to increase the size of the existing building but instead seeks to make external additions of privacy screens to it.

Discussing the application on site with the applicant, the applicant states a need for the screens to secure privacy for those persons using the manege or using the yard, from any onlooking from the first floor windows of the neighbouring property.

The proposal therefore complies with LP Policy EQ 3 and EQ 4 as well as NPPF 149 (c). Therefore the principle of the development is acceptable subject to consideration of the following policy.

Amenity, Design & Visual Impact

There are no design objections to the proposal. Policy EQ6 refers to design and states that all development should be well designed. Development is expected to contribute positively to an area's character, history, and identity in terms of scale, height, density, layout, appearance, materials and the relationship to adjacent buildings and landscape features.

The NPPF requires the design of a development to add to the overall quality of an area, by being sympathetic to local character.

The Council's Design SPD outlines the Council's expectations in respect of design and states that extensions should harmonise with the parent building. Development should respect the dominance of the original building and be subordinate to it in terms of its size and massing.

The screens are in situ and have been added to the building off the side boundary and the side elevation of the existing building elevated at roof height. The screens have been constructed in timber. The alterations are contained within the boundary of the site.

A screens are positioned at roof level and designed to reflect the height of boundary hedges, the timber panels painted green.



The proposed additions appear subservient to the existing buildings and not obviously visually prominent from the streetscene due to the structures being set

back into the site, viewed end on from the highway and part screened by existing site clutter and boundary treatment. This offers glimpses unless stood in front of the entrance gate looking directly into the site.



In response to matters raised by the neighbour and Parish Council:

It has within this report been explained that the purpose of the screens is indeed to block the view of the equine menage and yard from the adjacent property, Elizabeth Cottage. The applicant has no issue with the menage and yard being within view of passers-by along Woodseats Lane.

High Peak Local Plan Policy EQ6 seeks to secure development that does not result in unacceptable effects on the amenity of the area by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity. The separation distance and prevailing structures that fall between the screens and Elizabeth Cottage does not cause loss of amenity, including suggested overshadowing, of the neighbouring property. The screens are not considered to reduce the openness of the Green Belt and the NPPF and local plan policies support equine related development and alteration to existing buildings that are not disproportionate, these screens are not disproportionate.

The boundary screen extends the boundary foraging route it is unlikely that the screens will significantly adversely affect wildlife, especially bats.

The screens are timber panels, materials, and forms not uncommon to the countryside, used often for fencing enclosures. The roof top positioning is unusual, but it is fulfilling a need expressed by the applicant, viewed against the backdrop of a large rural timber clad building, and is considered not visually prominent to cause harm to the character with the surrounding area nor the landscape.

The Parish Council have expressed concern regarding the limited consultation on the application and thought the residents at Hunters Gate and The Green, Woodseats Lane, should have been included. The notification of neighbours was undertaken as per statutory requirements. The immediate neighbours were notified directly, and a site notice was erected on the gates to the site, publicising openly to persons interested in the site within the vicinity.

Highway Safety

No highway issues arise from this development.

CONCLUSION / PLANNING BALANCE

For the reasons outlined above, the development (as detailed on the approved drawings) is considered to accord with the relevant policies contained in the High Peak Local Plan (2016) and the NPPF (2021). As such the application is recommended for approval.

OFFICER RECOMMENDATION: APPROVE

Case Officer: P. Twigg

Recommendation Date: 21.5.2023

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council