

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

19th September 2024

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| Application No: | SMD/2024/0309 | |
| Location | Springfields Farm, Hulme Lane, Werrington, ST3 5BH | |
| Proposal | Retention of toilet block | |
| Applicant | Mr C Taylor | |
| Agent | Rob Duncan Planning Consultancy Ltd | |
| Parish/ward | Werrington | Date registered: 03.07.2024 |
| If you have a question about this report please contact: Chris Johnston tel: 01538 395400 ext. 4123 christopher.johnston@staffsmoorlands.gov.uk | | |

REFERRAL

The application is before committee as all previous applications relating to the change of use of the site to an ice cream/food sales with seating have also been decided at committee.

1. SUMMARY OF RECOMMENDATION

APPROVE with Conditions

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The site is in the countryside to the south of Werrington, about half a kilometre from the village development boundary and which is reached via country lanes from the village. It comprises part of a farm, Springfield Farm, located on the east side of Hulme Lane. Within the site is a typical modern agricultural storage building (with a blockwork base and a mix of metal sheeting and timber cladding above), with a footprint of approx. 18 x 14 metres, which faces the road and the farm access, off the lane, which is also included in the red line application site and from where the building is clearly visible, being set back about 30m from the road. The building is now being used as an ice cream and hot food sales counter with seating areas/café use and there is also an outdoor seating area to the north-east of the building. An access drive leads from the access to the front of the building where there is a yard and there is also a track around the north side of the building leading to rear hard-standings to the east of the building and also further south of the building which are being used as parking areas for the new sales/café use. To the south of the building are other farm buildings between the front and rear yard areas. The farmhouse is a short distance to the south-west of the site and faces the lane. To the north of the property to the other side of an adjacent field lies three detached dwellings next to the lane to the west. To the east of the field lies another farm accessed via a long farm track off the lane which runs to the north of the field. More open land lies to the south and east of Springfield Farm and also to the other side of Hulme Lane to the

west. The site is in the Green Belt.

2.2 The red-line application site is restricted to the access connected to the lane and which loops around the north and rear of the building to the car parking area, also included. At the southern end of the car park, also included within the red line is a timber-clad toilet block (marked “Welfare facility building”) with two large cubicles, a low mono-pitch metal roof and an access ramp to a hard-standing in front of the building flanked by timber balustrading. The block is adjacent to farm buildings to the west and south.

3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL

3.1 This is a full planning application to retain the toilet block, which constitutes unauthorised development which requiring planning permission. This is therefore a “retrospective” planning application. A supporting letter has been submitted with the application which states the following:

The toilet block is used for purposes ancillary to the operation of the existing retail / café premises on the site, and constitutes a modest structure that has been located in a very discreet position to the rear of the existing buildings on the site.

The toilet block provides a much needed facility, not only for customers to the site, but also for members of staff. Without on-site toilet facilities staff members would need to travel away from the site to use other facilities, and then return to site, which is nonsensical. The toilet block is consequently considered appropriate and necessary to support the approved uses on the site.

3.2 The application forms state the foul drainage is via an existing mains sewer.

3.3 The application files including the drawings, report and other details of the proposal together with consultation and notification responses can be viewed on the Council website at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=179369>

4. RELEVANT PLANNING HISTORY

SMD/2023/0422: Conversion of former agricultural building to retail use and associated formation of parking area and vehicular access improvements (part retrospective). Approved. January 2024.

SMD/2024/0147: Change of use from retail to mixed use of retail and cafe within Use Classes E(a) and E(b). Approved. June 2024.

SMD/2024/0310: Retrospective change of use of land to garden and retention of patio and steps. Pending.

SMD/2024/0388: Variation of Condition 17 of SMD/2024/0147 relating to the temporary use of field to the north. Pending.

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The Development Plan comprises:

Adopted Staffordshire Moorlands Local Plan - Sep 2020

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

- SS1 Development Principles
- SS10 Other Rural Areas Strategy
- E1 New Employment Development
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- T1 Development and Sustainable Transport

National Planning Policy Framework (NPPF).- July 2021

Para 11: Presumption in Favour of Sustainable Development
Section 6: Building a Strong Competitive Economy
Section 7: Ensuring the Vitality of the Town Centre
Section 12: Achieving Well Designed Places
Section 13: Protecting Green Belt Land

6. CONSULTATIONS

6.1 A site notice was posted and displayed on Hulme Lane, a short distance to the north of the site access on 16.7.24 inviting comments within 21 days from the date it was posted. Letters were also sent out to adjacent residential properties shortly after the new application was received and 21 days was given for comments in response.

Public response to consultation

6.2 Two nearby residents have objected to the application, raising the following points:

- No new buildings should be allowed on this Green Belt site
- Existing buildings could be re-used for this purpose.
- Use of unsuitable septic tank which could affect a nearby stream

6.3 One further local resident has submitted a letter neither supporting or objecting but questioning the means of foul drainage given that the properties in the area are not considered to be served by mains drainage and states that a suitable septic tank for commercial purposes should be used.

Werrington Parish Council

6.4 Comments not received.

SCC Highways Authority

6.5 Recommendation Summary: Acceptance

Site Visit Conducted on: 10-Jul-2024

NOTES TO PLANNING OFFICER

Application is to retain a toilet block for use as part of the ice cream farm and cafe use.

This would be an integral and essential part of the ice cream farm/cafe use and will have no additional effect on the highway over the ice cream farm/cafe use.

SMDC Environmental Health

6.6 No objection.

Severn Trent Water

6.7 Comments not received.

SMDC Waste Collection Service

6.8 Comments not received.

7. OFFICER COMMENT AND PLANNING BALANCE

Introduction

7.1 The main issues with the proposal are as follows:

- The impact on the openness of the Green Belt.
- The impact on the character, appearance and amenities of the area.
- The impact on highway safety.

Whether or not the proposal amounts to inappropriate development in the Green Belt.

7.2 The site is in the Green Belt and Policy SS10 of the Local Plan, the strategy for the countryside, states there will be strict control over inappropriate development in the Green Belt. The NPPF in paragraphs 149 and 150 lists the exceptional types of development which are not inappropriate in the Green Belt and which are therefore not harmful to its openness. New buildings for commercial purposes (or in this case, to assist with or are linked to commercial purposes) are not listed. The toilet block building is therefore deemed to be inappropriate development in the Green Belt and the NPPF states it should not be approved unless there are "very special circumstances" which are considered to outweigh the harm to the Green Belt.

7.3 It is considered that such circumstances exist. Clearly there is an essential need for toilet facilities for both customers and staff of a café and ice cream parlour in order for it to operate as business and in particular for this café given its countryside location where no such public toilets exist in the vicinity.

7.4 However, in order to minimise the impact on the openness Green Belt, it needs to be considered if such facilities could be provided within the existing café building or any other building at the property for that matter, alleviating the need for a new building. When questioned about this, the applicant's agent gave the following response to justify the need for a new building:

"The applicant's other buildings are used for agricultural storage, machinery, implements etc. so are not suitable for the proposed development. This site has been chosen since it is directly located adjacent to existing drainage connections. Providing toilets in the cafe would not only reduce available commercial floorspace but would also entail significant works in providing new drainage infrastructure, hence this location being chosen."

7.5 The particular level of harm to the openness of the Green Belt needs to be considered. The building has been placed on an existing area of hardstanding adjacent to much larger farm buildings. It occupies a footprint of less than 10sq.m and has a max height of 2.8m when measured from the ground of the yard. It is considered the impact on the openness of the Green Belt is very limited. Furthermore, it should also be pointed out that the enlargement of buildings in the Green Belt is not deemed to be inappropriate providing that this would not be disproportionate in relation to the original building. The café building has had no previous extensions. If the toilet block was attached to the café building as an extension there would be no lesser impact on the openness of the Green Belt than the current detached structure.

7.6 Ultimately, it is considered that the need for toilet facilities at the café, the drainage infrastructure reasons for a toilet block in this location, together with the other factors listed above, including minimal size and relationship to adjacent much larger buildings are cumulatively sufficient to amount to the "very special circumstances" which outweigh the particular level of harm to the openness of the Green Belt, which is considered to be minimal.

7.7 The principle of the detached toilet facilities building is therefore accepted in accordance with the NPPF (Section 13) and policies SS10 and E1 of the Local Plan.

The impact on the character and amenities of the area.

7.8 The building has been tucked away behind the group of large modern agricultural storage buildings. It is not visible from the road or from the public footpaths to the west or from the south. It would be difficult to spot from the nearest public footpaths or roads to the north or east, the nearest of which is a public footpath crossing fields about 400m to the east. From this direction it would be seen against the backdrop of much larger and higher metal-sheeted buildings and the timber materials exactly match those of the back wall of the nearby café building.

The building does not harm the character and appearance of the area, compliance with policies SS10 and DC1 of the Local Plan.

7.9 It does not harm the residential amenities of the area as the nearest residential properties (other than the farmhouse within the same property) are located at least 80 metres to the north-west of the building. The building therefore complies with Policy DC1 in this respect.

The impact on highway safety

7.10 No objection has been raised by the local highways authority. The toilet block has displaced one parking space. However, this space has relocated at the far south end of the car park adjacent to the building to the south of the toilet block. Twenty two spaces were approved for the main car park area to the rear of the café and the twenty two spaces still exist following the provision of the toilet block. The building does not lead to any further pressures to park on the road at busy times and is therefore does not result in any additional harm to highway safety. There is therefore no conflict with Policy T1 of the Local Plan.

Other Points

7.11 From the letters received by local residents there appears to be some dispute with the method of foul drainage from the toilet block, with it being claimed that no mains foul drainage exists. However, the application form states that foul sewage is to be disposed of via main sewer. The applicant also claims that there is drainage infrastructure in the vicinity of the toilet building and that there were previously toilets in this location (hence the reason for the chosen location of the building).

Conclusion and Planning Balance

7.12 The unauthorised toilet building is not significantly harming the openness of the Green Belt or the visual or residential amenities of the area. It complies with the Council's Local Plan and the NPPF and therefore it is recommended that retrospective planning permission is granted to retain the structure.

8. RECOMMENDATION

A. That the application be APPROVED subject to the following conditions:

1. The development hereby approved shall be maintained in complete accordance with the submitted plans and specifications as follows: -

**Location Plan 1895 02 Revision A
Plan, Elevations and Section 1895 01**

Reason:-

To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

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/in formatives/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.

