

PLANNING AND DESIGN AND ACCESS STATEMENT

PROPOSAL : Erection of dwellinghouse
ADDRESS : Grove Farm, Cellarhead ST9 0DQ
APPLICANT : Mr A Shirley
DATE : June 2015 **JOB No. : 2015-2044**

DESIGN ASSESSMENT

Introduction

This is a full application proposing the erection of a dwelling at Grove Farm. Planning permission was granted for a replacement dwelling on this site initially through outline permission SM0702-88 and a renewal through application SM91-0999. A Reserved Matters application (SM94-0944) was refused and a subsequent appeal was dismissed. Application SM96-0333 (a full application for a replacement house) was permitted by the Council. The development was commenced within the terms of the permission and is illustrated in the photograph below.



APPLICATION SITE

A planning application proposing the erection of an amended design of dwelling was submitted earlier this year (SMD/2015/0409). During the processing of the application the Council reported that it had no evidence of the landscaping condition attached to planning permission SM96-0333 being discharged. On that basis the Council stated that in its opinion the start on the site had been unauthorised and that the planning permission granted in 1996 had expired. In the absence of the applicant having any evidence of the condition being discharged the application was withdrawn.

This application is, in all respects, a copy of application SM96-0333 proposing the erection of a replacement house on the site. The differences are outside the submitted drawing, namely that the existing house has been demolished and the foundations of the replacement house have been constructed and, it is understood, checked by the Council's Building Control service and the access has been formed.

Context

The application site measures about 0.18ha. and is located to the south-west of Shirley's Transport yard. It is a rectangular shaped site within an area of grassed fields. It has an improved access onto the A520 which has been formed in accordance with the extant planning permission.

The application site is located in a rural area whose character is formed by large detached houses (many having the benefit of permitted additions), usually in large plots, surrounded by farmland. Opposite the site is Little Mount Pleasant Farm which was extended in 1985 by an extension to form "larger sitting room, lounge, kitchen, porch, bedroom and bathroom". More recently, the former Hope and Anchor PH has been allowed to be redeveloped to provide 22 homes.

Planning Policy

The application site is located in an area indicated in the Development Plan as being in an area of open countryside that has been included in the North Staffordshire Green Belt.

Since the granting of the initial outline permission and its renewal and the granting of the full permission the Government has replaced PPG2 Green Belts with the National Planning Policy Framework and the Council has replaced its Local Plan with a Core Strategy. Green Belt policies are contained in its Section 9 of the Framework. This states that the construction of new buildings in the Green Belt is inappropriate. The exceptions to this policy are listed in paragraph 89. The exceptions include "limited infilling in villages" and "limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land) whether redundant or in continuing use which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development".

The Green Belt policy of the Local Plan was contained in Policy N2. This stated that, except in the case of exceptional circumstances, there is a general presumption against inappropriate development in the Green Belt. The Core Strategy policy has left this intact.

INVOLVEMENT

The proposal is informed by the series of planning permissions for residential development on this site, and nearby. These existing planning permissions represent material considerations in the determination of the application.

EVALUATION

The application proposes the erection of a single dwellinghouse on the site. The Council granted planning permission in 1996 for the erection of a replacement dwelling on the site, and this proposal is an exact refection of that proposal. The only conclusion that can be reached from that decision is that the Council accepted the principle of a residential development shown on the submitted drawings on the site. The site was until 1999 occupied by a dwelling. At that point the previous dwelling was demolished to enable a start to be made on the planning permission. It is accepted that there is no evidence of the landscaping condition attached to that planning permission having been discharged.

The decision to grant planning permission in 1996 was made when PPG2 Green Belts was in force. This identified that the erection of a replacement dwelling of a similar mass to the one it is replacing not to be "inappropriate development". Since that decision there have been changes to government policy towards Green Belt development through the cancellation of PPG2 and its replacement by the National Planning Policy Framework. The Framework supports the redevelopment of existing buildings in the Green Belt providing that the use does not change and proving that the building is not significantly larger. The policy has not significantly changed.

There are two ways of looking at this application. Firstly, the history of the site can be discarded and a harsh application of policy can be applied. This would see the proposal as one for the erection of a new dwelling

on an open site where there is no current dwelling and where the foundations on the site are unauthorised. It is considered that such an approach would be unreasonable.

The second way of looking at this application is to acknowledge that the Council has granted a planning permission for a three bedroom replacement dwelling on this site using planning policy that is to a large extent still in force. Through nothing more than a lack of attention to the detail of the application by the applicant's advisor at the time, an unlawful start was made on the proposal. The planning permission has therefore been lost by a technicality. It is not unimportant to note that the condition that was not discharged related to the landscaping of the site. The site already accommodates good landscaping on its boundaries. The benefits accrued to the area through additional landscaping would therefore have been slight. It is considered that this approach is reasonable and reflects a fair analysis of the situation.

DESIGN

The application is considered to propose a development that reflects the character of the area in which the site is located.

Use

The proposed building is to be used for residential purposes.

Amount

The size and shape of the proposal is in character with neighbouring development.

Scale

The application proposes a 2 storey dwelling on the site.

Landscaping

The site is considered to be within a rural setting and benefits from existing landscaping. A planning condition requiring further landscaping would be acceptable.

Appearance

The appearance of the proposed dwelling is inkeeping with the character of dwelling in the vicinity.

ACCESS

The proposed development does not alter highway issues in respect of access and sustainable transport.