DELEGATED REPORT

FILE REFERENCE: SMD/2016/0184

MAIN ISSUES:
Town Council – recommend refusal on Green belt grounds
LHA – recommend refusal on inadequate visibility
Severn Trent Water – No objection subject to condition
Coal Authority – object due to lack of Coal Mining Risk Assessment report
United Utilities – No objection subject to conditions
Ecology Officer – None received

PUBLICITY/REPRESENTATIONS:

Site notice displayed. No letters of representation received

CASE OFFICER ASSESSMENT:

This is a greenfield site situated outside the Development boundary of Biddulph in open countryside and within the Green Belt. It is part of a small group of stable and other outbuildings. The dwelling would be sited on a ménage for which permission was granted in 2004.

Principle of development

The development is inappropriate development in the Green Belt and therefore harmful by definition. In addition there would be significant harm to openness from the development of the site with a dwelling and there would be some harm to visual amenity. LPA's are required to give substantial weight to any harm to the Green Belt. No case for very special circumstances has been put forward by the applicant. Whilst the benefit of a dwelling does attract moderate weight in circumstances where the Council does not have a 5 year deliverable supply of housing land, it does not clearly outweigh the substantial harm to the Green Belt. In saying this I am mindful of advice in the NPG which says that unmet housing need will rarely amount to very special circumstances. The proposal is thus contrary to Policy SS6C of the Core Strategy and the NPPF and unacceptable in principle

Landscape Impact

The development of this open site which is visible in the wider landscape, would fail to respond to its open character. It would neither protect nor enhance the character and appearance of the area and there is thus conflict with policy DC3 of the Core Strategy and the NPPF.

Highways – visibility at the point of egress onto Akesmore Lane is very poor. As the LHA note, an increase in the use of this access would result in an increase in danger for road users. There is no scope to improve this within the confines of the application site and there is no indication that the applicant owns or controls any adjoining land. As such there is conflict with Policy T1 of the Core Strategy and advice in the NPPF

Coal Mining

The site lies within a High Risk Areas for Coal mining. Although a Coal Mining Report is submitted, no Risk assessment report is provided and thus there is no assessment of the risks to any proposed new development on the site from past mining activity and if necessary propose mitigation measures to address any issues of land instability. In the absence of this the LPA has insufficient information to determine the planning application and thus there is conflict with advice in the NPPF

Planning balance

In circumstances where a 5 year supply is absent, para 49 of the NPPF states that policies for the supply of housing can not be regarded up to date. SS6C and DC3 are such polices. Para 14 says therefore that permission should be granted unless specific polices indicate that development should be restricted for example in the Green Belt. Given that there are no very special circumstances development must be restricted. The proposal does not deliver sustainable development and a recommendation of refusal is made

RECOMMENDATION:

Refuse

Date 15/8/2016 **Signed** _____

Jane Curley

DEVELOPMENT CONTROL MANAGER COMMENTS: Agreed.

Date 15.08.16. Signed B.J. Haywood.