DELEGATED DECISION REPORT

SMD/2017/0606 **Valid 01/11/2017**	**LAND BETWEEN 2 AND 12 HIGH LANE BROWN EDGE**	**PROPOSED NEW ACCESS GATE** **(FULL - MINOR)**

MAIN ISSUES

- Highways
- Heritage setting – listed building opposite
- Neighbour amenity
- Green Belt

DESCRIPTION OF SITE

Broad level c.2m to 3m wide roadside grass verge with planted small to medium mature trees and bushy hedgerow to rear. No roadside pavement. Land immediately behind appears formerly to have been attached to number 12 High Lane as a planted orchard / garden extension which is now somewhat overgrown and neglected. No. 12 is now in separate ownership and the land to its north side which is to be served by the proposed access links to fields to the rear (east).

The location is Green Belt and number 12 is a lone detached house with farm grassland fields bordering High Lane both to the north and south of it. There are detached roadside houses opposite and directly opposite the application site is Annats Farm farmhouse which is Grade II Listed.

There is an existing further field gate entrance to fields in adjoining ownership to the immediate north within c.10m. The access to number 12 is within c.20m to 25m south of the proposal site.

PROPOSAL

To form a constructed and surfaced vehicular entrance off the highway 5m in width with field gate necessitating removal of two small mature roadside verge trees and removal of a section of hedgerow along with loss of verge.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS6c Other Rural Areas Area Strategy

DC1 Design Considerations
DC2 The Historic Environment
R1 Rural Diversification
NE1 Biodiversity and Geological Resources
T1 Development and Sustainable Transport

National Planning Policy Framework
Paragraph(s) 1 to 17
Section(s) 3 – Supporting a Prosperous Rural Economy; 7 – Requiring Good Design; 9 – Protecting Green Belt Land; 12 – Conserving and Enhancing the Historic Environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS
None

CONSULTATIONS

Publicity
Site Notice expiry date: 15th December 2017
Neighbour consultation period ends: 4th December 2017
Press Advert: N/A

Public Comments
None

Town / Parish Comments
Brown Edge Parish Council – no objections, subject to normal planning guidelines.

Staffordshire County Council Highways
No objections subject to conditions – access to be surfaced in bound material; and informative – requirement for separate SCC Highways dropped crossing application. The surfacing of the access is shown as being unbound 'hardcore'. A bound material is required in accordance with details to be submitted. Two trees are shown as being removed, one in the access and one outside the access. It may be appropriate for these trees to be replaced (with trees planted outside of the visibility splay of the access). Permit to dig will be required for trees planted within the highway.

OFFICER COMMENTS

Principle of Development
Policy SS6c is to exercise strict control over inappropriate development in the Green Belt allowing only for exceptions as defined by Government Policy. NPPF paragraph 90 defines engineering operations as not inappropriate development 'provided they preserve the openness of the Green Belt and do not conflict with the purposes of including land in the Green Belt'. However this proposal is small scale in nature and amounts only to minor work on a level site and therefore the amount of engineering in this case would be minimal.

There would be no loss of openness and the proposal would scarcely be of a scale to amount to encroachment on the countryside although the Highways requirement for a bound material could lead to the introduction of a metalled surface which could be perceived as an urbanisation.

Policy SS1a is to approve applications which accord with the Development Plan unless material considerations indicate otherwise or, where there are no relevant policies, to approve applications unless material considerations indicate otherwise taking into account whether:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- Specific policies in that Framework indicate that development should be restricted.

Policy R1 is that all development in the rural areas outside the development boundaries of the towns and villages will be assessed according to the extent to which it enhances the character, appearance and biodiversity of the countryside, promotes the sustainable diversification of the rural economy, facilitates economic activity, meets a rural community need and sustains the historic environment.

Appropriate development should not harm the rural character and environmental quality of the area or any sites designated for their nature conservation, or historical interest by virtue of the scale, nature and level of activity involved and the type and amount of traffic generated or by other effects such as noise and pollution.

Design
In design the proposal would be akin to roadside field access points typically found although the likely requirement for a tarmac surface could be considered unfortunate urbanisation.

Amenity
No adverse implications for neighbour amenity arise. The loss of two roadside trees would amount to some loss of public street scene amenity. Taking account of the qualities and benefits of these trees it is considered that new replacement planting should be required not necessarily within the Highway verge but the applicant has land within their control where planting could be incorporated. The existing trees show some weaknesses such as excess dead wood and a pronounced lean in one case. They are of medium size and not of the highest amenity value. They are judged likely to have relatively short future longevity. On balance their loss and replacement with alternative planting is considered acceptable.

Heritage
Taking account of Policy DC2 and NPPF section 12 the location of the proposal opposite the Grade II Listed Annats Farm farmhouse means that consideration must be given as to whether there would be any impact on the setting of the Listed Building. In the context of this location where there are existing modern style accesses immediately to either side of the farm house and two existing accesses on the opposite side of the road albeit offset from being directly opposite – which is the

location of this proposal – it is concluded that this proposal would have no detrimental impact on the setting in this case.

Highway Safety
Acceptable subject to adopting the SCC recommendations.

CONCLUSION / PLANNING BALANCE
Whilst the policies protecting the Green Belt and Heritage are ones which could mean that the development should be restricted (NPPF 14) in this case the impacts on the Green Belt and the setting of the nearby Listed Building, as discussed above, are not considered to give grounds to refuse the development. Being acceptable on all other counts the application is recommended for approval.

OFFICER RECOMMENDATION : Approve subject to conditions

Case Officer: Arne Swithenbank
Recommendation Date: 3rd January 2018

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council