

DELEGATED DECISION REPORT

SMD/2017/0694
Valid 25/10/2017

HIGH VIEW
SUTHERLAND ROAD
LONGSDON

OUTLINE PLANNING
PERMISSION WITH ALL
MATTERS RESERVED FOR
THE ERECTION OF A SINGLE
DWELLING

(OUTLINE - MINOR APPS)

MAIN ISSUES

- Green Belt
- Landscape
- Amenity

DESCRIPTION OF SITE

The site extends to some 975m² occupying rising ground which fronts on to the east side of Sutherland Road at a point just over 500m south of the junction of Sutherland Road with the main A53 Newcastle Road at the Wheel Inn, Longsdon. There is little development on the entire length of the east side of Sutherland Road. Some eight properties form a ribbon of development along the first 120m south from the Newcastle Road junction. There is then a long gap of 270m to Stone Barn Farm and a further gap of c.150m to the application site. Over this same stretch on the opposite side of the road there are some 12 properties in total sporadically spaced in generally spacious plots at varying intervals.

Immediately opposite the site is Limes Avenue which runs more-or-less due west from Sutherland Road for c.100m with a row of some nine properties to its upper (north) side. South of Limes Avenue a further nine or so properties front Sutherland Road giving the sense of a built frontage. Overlapping with the southern end of this row on the opposite (east side) development continues southwards to Wood Road.

There is woodland bordering at the top of the slope to the rear of the site which is protected by Tree Preservation Order and which forms a high backdrop. A post and rail fence separates the site from a similar sized plot to the immediate north in which there is a double garage served by a concrete apron of access off Sutherland Road. A raised promontory of woodland borders the north side of the neighbouring plot which together with the ridge of woodland to the rear (east) of the plots gives a strong topographic enclosure.

Bordering to the south of the application plot is High View which has been developed following consent 07/00501/FUL for a replacement bungalow.

The application site has a c. 20m tarmac access with gates set back c.5m from the road edge with modern suburban brick piers and brick walling making a curved return to the road front. A dry stone wall fronts the roadside boundary behind which

there is a medium to tall Leylandii hedge. The tarmac drive is bounded by dry stone wall for its 20m length into the site. At the head of the drive about midway into the site the rising slope is broken with partial levelling or terracing. The site rises more steeply rear of this to a point about 45m to 50m back from the road front.

PROPOSAL

Outline for erection of a single dwelling with all matters reserved. The application is accompanied by a statement which aims to justify the proposal as being limited infill within a village (NPPF 89). The statement asserts as follows:

“The site lies within the village of Longsdon and has residential development to the North, South and West of the site with woodland to the East and rear of the site. The site lies on Sutherland Road and at a point about 400 metres away from the junction of this road with the main Leek Road. The Leek Road is a main route linking Leek with the conurbation of Stoke-on-Trent. The Council offices at Moorlands House are 2.5 miles away from the site. The site is considered to be reasonably sustainable and not isolated.

“The site has a dwelling to either side of the site and a number of dwellings opposite the site along Limes Avenue. The site is considered to be an infill site within the village of Longsdon.

“The site clearly lies with the village of Longsdon. This is self evident from the plan itself and will be clear from a visit to site. The site lies opposite Lime Avenue and it could be said to lie within the central part of this linear village with other houses spreading out along Sutherland Road to both the North and South of the site and along the main Leek Road.

“With regard to whether the site is or is not a limited infill the following can be said.

“In the first place the NPPF does not provide a definition of infill. The site has a road frontage of about 30 metres. The width and proportion of the plot is similar to many of house plots spread out along Sutherland Road and in this context the site would be seen to be a normal plot width within this village. In fact the application plot width is narrower than High View to which it is linked but a little wider than Lyndhurst which lies to the North of the site. Taking into account the built development to the North, South and West of the site and its central village location it is considered that the application is a relatively small gap within the heart of this village and as such it does indeed constitute limited infill within the village of Longsdon.”

The statement also addresses the sustainability of the location referencing the bus routes available on the A53; the applicant aspires to generate electricity at the site and adopt a low-carbon construction. The statement notes that the Council does not have a 5 year housing supply and “is well short of such provision at the time that this application is submitted” – a permission would “assist in small part with meeting a 5 year housing supply target”.

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
SS6b Smaller Villages Area Strategy
SS6c Other Rural Areas Area Strategy
SS7 Churnet Valley Area Strategy
DC1 Design Considerations
DC3 Landscape and Settlement Setting
R2 Rural Housing
NE1 Biodiversity and Geological Resources
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 to 17

Section(s) 6 – Delivering a wide choice of high quality homes; 7 – Requiring Good Design; 9 Protecting Green Belt Land

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

10/00711/FUL – new access – retrospective – refused
11/00246/FUL – field access and gate – retrospective – approved
SM.1612 – erection of one dwelling on land fronting Sutherland Road dated 7th May 1976 – approved. There is no plan available to confirm the location of this consent but its reference number and an associated s.106 reference are shown on the planning plot sheets as relating to the site. Due to the date of this consent pre-dating for example the North Staffordshire Green Belt Local Plan (June 1983) the case is not relevant but is listed for completeness.

CONSULTATIONS

Publicity

Site Notice expiry date: 15th December 2017

Neighbour consultation period ends: 29th November 2017

Press Advert: N/A

Public Comments

1) No objections but concerned by “possible detrimental consequences” in respect of drainage – that hard surfacing on the development site is leading to run-off on to the road and onwards to the writer’s property

2) Severn Trent state in their response ref: STW ref: 2017111679931 / lpa ref: SMD/2017/0694 / High View Sutherland Road Longsdon "As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied." This is INCORRECT. Severn Trent must be aware that there is no public sewerage system in the village and I am surprised that they have made such an error in their

response. I would suggest, therefore, that the proposed development WILL have "a major impact". When I moved into the village I was informed by officers of the council that no further development would be allowed in the village since the land was already "at capacity". The land would be incapable of taking further outfall from any more septic tanks and cesspits.

- The proposed site is in the green belt.
- By definition this proposed development does not appear to be infill.

3) **TRAFFIC:** The entrance to the land is close to Limes Avenue, which due the number of packed cars will increase the probability of potential traffic related issues.

GREEN BELT: Clearly this proposal is within Green Belt with no special circumstances. The site should be maintained as an area of open space to protect the rural nature of the village.

INFILL: This proposal cannot be classed as infill.

Town / Parish Comments

Longsdon Parish Council – **OBJECT** to the proposal on the following grounds:- The site is in the Green Belt. The proposal cannot be classed as infill and there are no special circumstances. A retrospective application in April 2011 for an additional entrance on the site stated that the land was agricultural.

Staffordshire County Council Highways

No objections subject to conditions to address:

- 1) - access point;
- 2) - layout and disposition of building and access;
- 3) - provision of parking, turning and servicing within the site curtilage;
- 4) - means of surface water drainage;
- 5) - surfacing materials;

- 6) details of a surface water drainage interceptor, connected to a surface water outfall or to SUDS principles

- 7) details of the 2.4mx43m visibility splays – provision of the visibility splay will require some of the land edged blue.

OFFICER COMMENTS

Principle of Development

Policy SS6c is that strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government Policy.

The NPPF states at paragraph 88 that: "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt."

Paragraph 89 states that: “A local planning authority should regard the construction of new buildings as inappropriate in Green Belt.”

Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances (NPPF 87).

NPPF paragraphs 89 and 90 set out specific exceptions by which certain forms of development can be considered as being not inappropriate in the Green Belt. One of these exceptions – cited by the applicant as the planning basis for this proposal – is “limited infilling in villages”.

Longsdon is listed as a smaller village in the adopted Core Strategy under policy SS6b. Longsdon is however a particularly dispersed settlement with sporadic ribbon development along the roads. There is not a readily obvious single built core to define the village although the Victoria County History of Staffordshire refers to late 19th-century houses at the north end of Sutherland Road, “which had by then become the main centre of Longsdon”. There was a combined post office and shop here through much of the 20th C opposite The Wheel Public House, next to which in turn is a village hall. Some 300m to the west is a church built in 1905. There was also a chapel at the head of Sutherland Road.

The cluster of development at Limes Avenue (opposite the application site) southwards to Wood Lane represents a recognisable nucleus of development at least comparable with that at the head of Sutherland Road. It appears that Longsdon is a village with two principal parts: that clustered at the head of Sutherland Road and along Newcastle Road and that clustered from Limes Avenue south to Wood Lane, loosely linked by an intermittent scatter of properties along the intervening south side of Sutherland Road.

The SS6b Smaller Villages supporting text at paragraph 8.1.66 states:

“These settlements will continue to be subject to Green Belt or countryside policies but in addition some limited infilling and redevelopment is considered acceptable. In order to guide development an Infill Development Boundary will be defined around these settlements within which appropriate development will be allowed. These boundaries will be more tightly drawn than Development Boundaries to accommodate infilling or redevelopment but to restrict peripheral expansion.”

In other words the aim of the infill boundary under Policy SS6b would be to define locations of acceptable infill but avoid outward spread. However, the infill boundaries have yet to be defined and in the latest draft of the emerging Local Plan the proposal for infill boundary lines is to be dropped in favour of a more flexible criteria-based infill policy. Prior to this a draft boundary was published as part of the consultation on the emerging land allocations and this did not include the application site although it did include development at Limes Avenue and other developed land along Sutherland Road as far as Wood Lane. However no weight can be attributed to this as it was not progressed to a conclusion.

A recent planning application (SMD/2017/0126) for land adjacent to the south side of High View regarded that site as being within the village and an appeal decision for land on the north side of the application site (dating from 1986) generally seemed to regard that site as being within the village. All considered it would seem appropriate to regard the current application site as being within or part of the village of Longsdon.

In considering whether or not the site can be regarded as infill it is important first to note that contrary to the submitted planning statement the plot of land adjacent to the north does not contain a dwelling. A further confusion is that the names appearing on the OS maps to be associated with these plots (the application site and the plot to the north) are in fact the names of the properties on the opposite side of the road. High View is therefore the most northerly of the development on the east side of Sutherland Road before Stone Barn Farm.

Although there is a simple panel walled double garage on the plot to the north the main characteristic of that plot is of open undeveloped land – the upper (east) section is enclosed as a small paddock.

From the above it is concluded that development of the application plot could only be considered an extension to the accepted stretch of existing development on the east side of Sutherland Road and not the infilling of a gap. Although there is established development on the opposite side of the road – the substantial Victorian red brick semis known as Wood View and Lyndhurst and below these, Shrubs Hill Cottage – the application site does not appear obviously to relate to these and, given there is no development to the east of the application site, again its development would amount to an easterly extension of the existing development plan and not the infilling of a gap. The only remaining possibility is whether the site could constitute infilling by squaring off a corner.

To take the consideration further it is appropriate to consider the purposes of Green Belt and how the proposal might affect these. It is notable that in approaching the site down Sutherland Road from the north, as the existing development at Wood View etc on the West side comes into view there is a strong sense of openness into the land on the left (east) and a sense still of distance to the first development on that side of the road – High View. Development of the application plot would intrude on this openness and would amount to encroachment on the countryside. No doubt the basis of the paragraph 90 exception for infilling development is that it should not have these effects or that the effects are at least contained by the existing development that is being in-filled. On balance it is concluded here that the proposal would amount more to a peripheral expansion and not infill. The low profile double garage block and concrete apron approach opposite Wood View are considered minor and though noticeable do not dominate the location as would a dwelling.

Piecemeal additional expansion of existing settlement is also a threat to the Green Belt purpose of preventing neighbouring towns from merging. Although separated by higher ground, in terms of maintaining openness from development per se, the site is only some 400m away from the town development boundary of Leek at Mollatts Wood Road to the north east.

An appeal decision dated 29th October 1987 upheld the Council's decision to refuse consent for construction of a dwelling on land opposite Wood View – the neighbouring plot attached to the north of the current application site. The decision letter notes that, "The appeal site is a roughly rectangular plot which lies to the east of Sutherland Road. It contains a pair of garages on a concrete hardstanding and is otherwise rough and overgrown. The appellant's case was that the proposal would constitute in-filling. The inspector wrote that, "the appeal site lies on the eastern edge of the settlement and that although there are a number of dwellings on the eastern side of Sutherland Road the general character of the area is that of open countryside separating the village from the town of Leek". Whilst the term infill has since evolved to be undefined the appeal decision remains relevant in its view that "the development proposed would not be appropriate to the Green Belt in that it would encourage the coalescence of the 2 settlements and harm the rural setting of Longsdon".

Landscape

The site is within an area assessed as being of high quality within a county-wide context being ranked at level four on a five point scale where 5 would represent the highest grade of landscape quality. Specifically the site is within the Dissected Sandstone Cloughs and Valleys landscape character type as recognised in the Council's planning policy evidence document 'Landscape Character Assessment (2008). The character type is locally very sensitive to the impacts of development and landscape change. Suggested guidelines include that: the grouping and form of new buildings should reflect the juxtaposition, scale, form, enclosure and materials of traditional local buildings characteristic of this area.

In the Historic Environment Character Assessment 2010 (an evidence document) the site has been mapped as post 1880s settlement but this is not borne out by the known history of the land or its current character although as discussed earlier in this report the OS map base could be interpreted as implying this to be the case.

The 2010 case officer report to assess a retrospective application for a new site access found the works inappropriate and unacceptable due to the change in character being introduced and it was refused. The case officer commented, "There is concern that the retention of the development in its current state could lead to future pressure to change the use of the land to domestic purposes". A repeat application in 2011 was found acceptable as the brick walls and gate posts were to be replaced with stone and conditions would secure surfacing and highways requirements which hadn't been achievable under the first application. It is known that recent work in 2017 has been undertaken to introduce some levelling on a central area within the plot but this was found by the Council's enforcement officer not to constitute development.

Although there has been some attrition of the rural character of the land comprising this site as a result of minor changes, the impacts on character from a change of use of this 975m² plot and construction of a dwelling would be of a different much more considerable order. The proposal would be contrary to policy DC3 which is to protect and where possible enhance local landscape and setting of settlement and contrary to R1 as being harmful to rural character

Amenity

The plot would be capable of providing sufficient amenity space for a dwelling and distances to neighbouring properties are sufficient to give in excess of the 22m spacing required between any principal windows.

Highway Safety

Acceptable subject to conditions as advised by SCC Highways.

CONCLUSION / PLANNING BALANCE

The Applicant has drawn attention to the fact that the Council cannot demonstrate a 5 year supply of housing. Under paragraph 49 of the Framework this means that relevant policies for the supply of housing are out of date and housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 14 of the Framework states that for decision taking this means where policies are absent silent or out of date granting permission unless, inter alia, specific policies in the Framework indicate that development should be restricted.

NPPF polices at paragraphs 89 and 90 and the Council's Policy is to exercise "strict" control on development in the Green Belt. Limited infilling within a village is an allowed exception. Whilst it is found appropriate to consider this site as being within a village location the careful analysis considered in this report leads to the conclusion that this is not an infill site. Although the site is within a right angle of existing development, taking account of High View to the south and Shrubs Hill Cottage on the opposite side of the road, and its neighbours, the proposed further development would result in a projection towards the two undeveloped sides to the north and east. In other words it would on this basis amount to peripheral expansion and to waiver from this view would be to not exercise strict control.

As well as being inappropriate development by definition the proposal would harm openness, would result in encroachment on the countryside and would be contrary to the aim of preventing towns from merging. The proposal is therefore contrary to NPPF policy and accordingly does not benefit from the presumption in favour of sustainable development and should be restricted.

Furthermore, as detailed above the proposal would be contrary to policy DC3 which is to protect and where possible enhance local landscape and setting of settlement and contrary to R1 as being harmful to rural character.

OFFICER RECOMMENDATION : refuse

Case Officer: Arne Swithenbank

Recommendation Date: 11th January 2017

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council