Rob Duncan
Planning
Consultancy

PLANNING STATEMENT

MOORSIDE FARM, KINGSLEY MOOR

AUGUST 2019

Site Address:
Moorside Farm, Clamgoose Lane, Kingsley Moor, Staffordshire, ST10 2EG

Applicant:
Mr. D. Titterton

Proposal:
Erection of replacement dwelling

Planning Statement:
Date Issued: 22nd August 2019
Job Reference: RDP/2019/057

Report Prepared By:
Rob Duncan BSc(Hons) MA MRTPI
Rob Duncan Planning Consultancy Ltd

Contact Details:
Rob Duncan Planning Consultancy Ltd.
70 Ferndale Road, Lichfield, Staffordshire, WS13 7DL
Email: rob78duncan@gmail.com
Tel. 07779 783521

1 Introduction

1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Mr. D. Titterton to prepare a Planning Statement to accompany an application by MAC Architectural for the erection of a replacement dwelling at Moorside Farm, Clamgoose Lane, Kingsley Moor.

1.2 The application represents a resubmission following the refusal of application SMD/2019/0029 which had also sought consent for the erection of a replacement dwelling. That application was refused on the following grounds:

1. *The replacement dwelling would be inappropriate development in the Green Belt, and by definition harmful, because the new dwelling would be materially larger, in terms of its mass and footprint, than the existing dwelling. The development would have a significantly greater impact on the openness of the Green Belt than the existing development and would also be harmful in those respects. In this case there would, in addition to the Green Belt harm, also be significant harm to the character and appearance of the area because the new dwelling would appear as a large, visually prominent, suburban dwelling that relates poorly to the existing landscape. The new dwelling would have a significantly greater detrimental impact on the character and appearance of the area than the existing dwelling and result in the loss of a building which is intrinsic to the character of the area, without showing any respect for a traditional moorlands vernacular, the landscape setting or the scale, design and appearance of that existing dwelling. The inappropriate development in the Green Belt can not be approved because there are no 'very special circumstances' to demonstrate that the substantial weight given to the harm to the Green Belt, and the additional weight given to the harm to*

the character and appearance of the area, are clearly outweighed by other considerations. The development would be contrary to the National Planning Policy Framework - specifically section 13 'Protecting Green Belt Land' paragraphs 133, 134, 143, 144 & 145; section 12 'Achieving well-designed places' paragraphs 124 and 127; and section 15 'Conserving and enhancing the natural environment' paragraph 170. The development would not comply with the Development Plan either and would specifically contravene 'Other Rural Area Strategy' SS6c and policies DC1, DC3 and R2 of the Staffordshire Moorlands Core Strategy and emerging strategy SS10 and policies H1, DC1 and DC3 of the yet to be adopted Local Plan 2016-2031.

1.3 This revised application seeks to address the previous reason for refusal, and encompasses a dwelling occupying a footprint of 155m^2 and standing to a ridge height of 8.15 metres. Its overall volume will be 830m^3. The accommodation will comprise of a lounge, dining room, kitchen, utility, cloakroom and conservatory at ground floor, with four bedrooms (one ensuite) and bathroom at first floor. The application encompasses a substantially different design to the one previously submitted, and also has a reduced footprint and overall volume. This Planning Statement sets out justification for the proposed development in the context of local and national planning policy.

2 Site & Surroundings

2.1 The application site lies within the North Staffordshire Green Belt and comprises a detached two storey dwelling set within a substantial curtilage. The land to the north of the site drops away in a northerly direction affording impressive views over the landscape beyond. A variety of ancillary residential buildings are located in and around the dwelling, along with a former pigsty

and building of unknown use. More modern agricultural buildings are located to the west of the site. Vehicular access is taken direct off Clamgoose Lane to the south, with a bank of mature trees enclosing the eastern side of the access.

3 Planning Policy

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application. The Development Plan for this area comprises the Staffordshire Moorlands Core Strategy (2014) of which the following policies are considered to be of relevance:

3.2 **Policy SS1a** of the Core Strategy states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in the Core Strategy will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission 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.*

3.3 **Policy SS6c** of the Core Strategy relates to the 'Other Rural Areas Area Strategy' and states that these areas will provide only for development which meets an essential local need, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside. The policy goes on to state that the Council will meet essential local needs by allowing the conversion, extension or replacement of an existing rural building in accordance with policies R1 and R2. The policy goes on to state that strict control will continue to be exercised over inappropriate development within the Green Belt, allowing only for exceptions as defined by Government policy.

3.4 **Policy R2** of the Core Strategy relates to 'Rural Housing' and states that only the following forms of housing development will be permitted in the rural areas outside the settlement and infill boundaries of the towns and villages:

- *Affordable Housing;*

- *A new dwelling that meets an essential local need, such as accommodation for an agricultural, forestry or other rural enterprise worker, where the need for such accommodation has been satisfactorily demonstrated and that need cannot be met elsewhere;*

- *Proposals for replacement dwellings, provided they do not have a significantly greater detrimental impact on the existing character of the rural area than the original dwelling or result in the loss of a building which is intrinsic to the character of the area;*

- *Extensions to existing dwellings provided they are appropriate in scale and design and do not have a detrimental impact on the existing dwelling and the character of the rural area;*

- *The conversion of non-residential rural buildings where the building is suitable and worthy in physical, architectural and character terms for conversion and it can be demonstrated that agricultural or commercial use is not viable or suitable.*

3.5 **Policy DC1** of the Core Strategy relates to 'Design Considerations' and states that all development should be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council's Design SPD. It goes on to state that new development should (amongst others):

- *be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area;*

- *be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance;*

- *protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping;*

3.6 **Policy DC3** of the Core Strategy relates to 'Landscape and Settlement Setting' and states that the Council will protect and, where possible, enhance local

landscape and the setting of settlements in the Staffordshire Moorlands by (amongst others):

- *Resisting development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement and important views into and out of the settlement as identified in the Landscape and Settlement Character Assessment;*

- *Supporting development which respects and enhances local landscape character and which reinforces and enhances the setting of the settlement as identified in the Landscape and Settlement Character Assessment;*

- *Supporting opportunities to positively manage the landscape and use sustainable building techniques and materials which are sympathetic to the landscape;*

3.7 **Policy NE1** of the Core Strategy states that the biodiversity and geological resources of the District and neighbouring areas will be conserved and enhanced by positive management and strict control of development by (amongst others):

- *Resisting any proposed development that could have an adverse effect on the integrity of a European site alone or in combination with other plans or projects unless it can be demonstrated that the legislative provisions to protect such sites can be fully met.*

- *Ensuring development where appropriate produces a net gain in biodiversity, and ensuring that any unavoidable impacts are appropriately mitigated for.*

4 Other Material Considerations

National Planning Policy Framework

4.1 This document sets out the Government's approach to development in the Green Belt, and also provides guidance, *inter-alia*, in respect of design. The content of this document is discussed in more detail in the Planning Assessment below.

Staffordshire Moorlands Design SPD

4.2 This document sets out guidance aimed at securing good quality design, and confirms that the architectural style of new development should be guided through an assessment and understanding of the character and context of the area. The content of the SPD has been taken into consideration in the preparation of the application and is referred to in more detail within the Planning Assessment below.

Staffordshire Moorlands New Dwellings and Extensions to Dwellings SPG

4.3 This document sets out guidance in respect of the design of new residential development, including matters of siting, roof design, elevations, and materials. The content of this SPG has been taken into consideration in the preparation of the application and is referred to in more detail within the Statement of Case below

Staffordshire County Council Planning for Landscape Change SPG

4.4 This document provides descriptions of the landscape throughout Staffordshire, breaking the county down into character areas, in order to provide guidance aimed at securing the conservation of the landscape. The content of this SPG has been taken into consideration in the preparation of the application and is referred to in more detail within the Statement of Case below.

Staffordshire Moorlands Local Plan (Emerging)

4.5 The previous reasons for refusal cites policies H1, DC1, DC3 and SS10 of the emerging Local Plan. These policies are reflective of the provisions of the current Core Strategy, in particular policies SS6c (SS10), DC1 (DC1), DC3 (DC3) and H1 (R2), and have been taken into consideration in the preparation of this planning application.

5 Planning Assessment

Impact on the Green Belt

5.1 The application site lies within the North Staffordshire Green Belt and proposes the erection of a replacement dwelling. Paragraph 145 of the NPPF confirms that the erection of new buildings should be regarded as inappropriate in the Green Belt, unless it is for one of the exceptions listed. The exceptions listed in paragraph 145 include:

> *"d) The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces"*

5.2 These provisions are reflected within policies SS6c and R2 of the Core Strategy, with the latter allowing for:

> *"Proposals for replacement dwellings, provided they do not have a significantly greater detrimental impact on the existing character of the rural area than the original dwelling or result in the loss of a building which is intrinsic to the character of the area".*

5.3 The proposed development does not involve the loss of a building which is considered to be intrinsic to the character of the area, and for the reasons set out below it is submitted that the proposed development would not result in a dwelling that has a significantly greater detrimental impact to the character of the rural area than the original dwelling.

5.4 The previously refused application had proposed a replacement dwelling with a footprint of 172m^2 and a volume of 1032m^2, and this was deemed by the Local Authority to be materially larger than the one being replaced and was therefore concluded to constitute inappropriate development.

5.5 This revised submission incorporates a dwelling with a lesser footprint and volume compared to the previously refused scheme, at 155m^2 and 830m^3 respectively. When compared to the existing dwelling alone, the proposal represents an increase in footprint of 37% and an increase in volume 38%. This level of increase alone would arguably be not materially larger. However, the applicant also proposes to demolish a number of other residential buildings on the site as part of this proposal.

5.6 The buildings comprise an outhouse located to the immediate north of the building, as well as a further outhouse located to its east. Two timber garages are located to the south, with a building located to the west which was used to house a coal store and a generator to serve the dwelling. All of these structures are in the same use as the proposed replacement dwelling and consequently can be taken into account in assessing the acceptability of the development in the context of paragraph 145 of the NPPF. The footprint and volume of the existing residential structures is appraised in Table 1 overleaf for convenience.

Figure 1 – Footprint & Volumes of Existing Buildings

	Footprint	**Volume**
Existing Dwelling (4)	113.5m^2	602.0m^3
Coal Store / Generator (1)	56.9m^2	143.0m^3
Outhouse (3)	7.9m^2	15.1m^3
Outhouse (5)	17.2m^2	22.8m^3
Timber Garage (6)	12.4m^2	20.7m^3
Timber Garage (7)	14.7m^2	33.7m^3
Total =	**222.6m^2**	**837.3m^3**

NB: Quoted building numbers relate to those shown on the Proposed Plan

5.7 As demonstrated above, the existing residential buildings on the site have a collective footprint of 222.6m^2 and a total volume of 837.3m^3. The proposed replacement dwelling at 155m^2 and 830m^3 respectively therefore represents a smaller footprint and volume than these existing buildings, and consequently will be materially smaller than the buildings being replaced. (-30% footprint and -1% volume).

5.8 During the determination of the previous application the Local Authority had expressed concerns that some of the buildings proposed for demolition were beyond the domestic curtilage of the property and/or in agricultural use, and therefore could not be taken into account. However, the buildings identified in Figure 1 above are unquestionably in residential use, and the exception listed in paragraph 145(d) is not qualified by a requirement that any buildings proposed for demolition be located within the same curtilage. It requires only that they be within the same use, and the buildings quoted in Figure 1 above are all residential in nature. Consequently it is correct and appropriate to take them into consideration.

5.9 For these reasons I submit that the proposed replacement dwelling will not be materially larger than the buildings being replaced, and consequently it amounts to an appropriate form of development within the Green Belt. The proposed development is therefore in accordance with the provisions of policies SS6c and R2 of the Core Strategy, and paragraph 145 of the National Planning Policy Framework.

Design & Layout

5.10 The previous application on the site was refused, in part, because of its design, which the Local Authority concluded would be significantly harmful to the character and appearance of the rural area and landscape, appearing as a very large two storey brick dwelling, with a wide front elevation, and with height and mass at first floor and in the front and rear gable projections. Concerns were also raised that additions such as porches, hipped bay windows, and varying window designs that would also give the dwelling a suburban appearance that did not relate well to the landscape.

5.11 In response to these concerns the design of the dwelling has been substantially revised, and in doing so, consideration has been given to the Local Authority's adopted Design SPD and New Dwellings and Extensions to Dwellings SPG. These documents set out a number of parameters which new development should seek to adhere to in order to deliver high quality design that is appropriate to the District. The guidance includes, *inter-alia*, the following requirements:

- ***Buildings should sit comfortably in the landscape – best achieved by emulating the horizontal, ground-hugging form of traditional buildings with their strong eaves and ridge lines:*** The proposed dwelling accords with this objective and encompasses a dwelling with a ground hugging form, and one which has a strong eaves and ridge line;

- ***A new dwelling should respect the scale of those surrounding it.*** There are no other dwellings in close proximity to this site, but the existing dwelling is noted to stand to a height of 8 metres. The submitted plans demonstrate that the proposed dwelling will have a broadly commensurate ridge height to the existing property (8.15m) and the proposal is therefore in accordance with this objective. The previously refused scheme by contrast encompassed a dwelling with a ridge height of 8.90 metres;

- ***A balance of proportions between the overall shape of the walls and the openings they contain:*** The proportions of the dwelling are appropriate, and achieve a two thirds elevation / one third roof approach which is traditional of the Moorlands. The previously refused scheme by contrast had closer to a 50/50 split;

- ***Using a similar size and proportion of opening throughout.*** The proposed window sizes and proportions are consistent within each elevation, and are of a size that is typical of Moorlands vernacular. The proposal therefore meets this objective;

- ***Limiting the number of openings to achieve a high solid to void ratio.*** The proposed development will achieve a solid to void ratio, particularly to the most conspicuous elevations (South and West) and therefore accords with this objective;

- ***Arranging the openings harmoniously, often in a formal, symmetrical manner:*** The proposed development encompasses a simple arrangement of openings, aligned in a broadly symmetrical manner within the elevations, and thus accords with this objective;

- ***Sited to maximise solar gain and increasing proportion of glazing on south facing elevations;*** In this case the proposed dwelling will be orientated to face due south in the interests of achieving this objective;

- ***The roof form should be simple with a dominant roof line and, where appropriate to the locality or the building, emphasised by gables:*** The proposed dwelling encompasses a dominant roof line, emphasised by gabled ends, and is therefore consistent with this objective;

- ***The roof should span the shorter side where practicable:*** The proposed roof spans the shorter side of the roof and thus accords with this objective;

- ***Flat roofs should be avoided:*** No flat roofs are proposed, aside from a modest element on the proposed rear conservatory. However, this is not considered to be unduly harmful to the character of the property or that of the surrounding area, given its relatively inconspicuous location and subservient scale;

- ***The roof pitch and materials should match those of the locality:*** The proposed roof pitch is consistent with the vernacular of the Moorlands and will facilitate the use of Staffordshire Blue plain clay tiles. Its pitch is furthermore not dissimilar to that of the existing dwelling on the site, and consequently the proposal accords with this objective;

- ***Window patterns should be aligned in columns and storeys rather than randomly placed:*** The proposed development accords with this objective, with windows arranged in columns;

- ***The emphasis should be on vertical proportions which is in keeping with the style and tradition of the locality;*** Vertical emphasis is achieved by the proposed fenestration, and the rear projecting outrigger, and consequently the proposal is considered to accord with this objective;

- ***Window frames should be recessed by a minimum of 50mm to avoid a flat appearance to the elevation and to emphasise the solidity of the walls:*** The applicant is agreeable to recessing the proposed windows to accord with this requirement, and this can be secured by way of an appropriately worded condition. In doing so the development will accord with this objective;

- ***Bow windows should be avoided as well as large picture windows, top hung lights and leaded lights:*** The previously refused application had encompassed a large bay window at ground floor. This has now been omitted and no bay windows are proposed. Larger openings are incorporated into the rear elevation, but these have been given an agricultural scale and appearance in order to reflect the rural character of the area. The window openings in the most prominent elevations (South and West) however are traditionally proportioned, and therefore the development accords with this objective;

- ***Traditional surround to doors and windows should be incorporated, for example stone cills and lintels;*** The proposed development encompasses the provision of brick cills and arched headers, as well as corbelled eaves and brick on edge verges. The proposed development therefore accords with this objective;

5.12 The above assessment demonstrates that the proposed replacement dwelling is of a scale, massing and design that responds positively to the character and appearance of the surrounding area, and that of wider Moorlands vernacular, as set out in Local Authority's adopted guidance. Whilst the application continues to propose a dwelling in a re-sited position, the resultant dwelling is of a scale, massing and design that is firmly in keeping with the rural vernacular of the Moorlands, and incorporates design attributes that are aspired to within the adopted Design Guide SPD. To this end the proposal accords with the relevant requirements of policies DC1 and R2 of the Core Strategy in that the proposal secures a high quality design, and does not have a significantly greater detrimental impact on the existing character of the rural area than the original dwelling.

Landscape Impact

5.13 The previously refused application raised concerns, in part, that the development would detract from the character of the landscape. The site is located within the Ancient Slope and Valley Farmlands character type, as set out in the Planning for Landscape Change SPG. The SPG describes this particular landscape type as having a strongly undulating or sloping landscape interrupted by localised smaller scale steep sided stream valleys. These provide a range of scales from small and intimate in the valley bottoms to the larger scale, with extensive views offered from the higher ground. The generally intact ancient field pattern, hedgerow trees, and ribbons of broadleaved woodland running up side valleys are all subordinate to the strong effects of localised landform, but they provide important structure to the landscape. The woodlands, both broadleaved and coniferous in nature, have a strong visual influence on the landscape as a result of their interlock and relative position on the surrounding higher ground.

5.14 The SPG goes on to identify landscape features that are incongruous, and this include an expanding urban edge, fencing, present and past quarrying and mining activities, busy roads, power lines, localised industrial and residential expansion. The SPG also lists a number of critical factors that currently limit landscape quality, which includes a decline in some of the characteristic landscape features, a proliferation of incongruous features and the loss of semi-natural vegetation.

5.15 The proposed development will not result in the decline of any characteristic landscape features, and furthermore does not comprise any features that are incongruous to the landscape. It furthermore does not involve the loss of any semi-natural vegetation. For these reasons the proposed development will not be detrimental to the character of the local and wider landscape and thus accords with the provisions of policy DC3 of the Core Strategy.

Protected Species

5.16 The application, as with the previously refused scheme, is accompanied by a Bat and Bird Survey prepared by Evolution Ecology. The initial assessment of the site concluded that the existing building had a high potential for both bats and birds, and consequently emergence surveys were undertaken to assess bat and bird activity on the site. Various species of bat were identified during those surveys.

5.17 To ensure that there is no net loss to biodiversity, the report recommends a number of compensation methods be implemented, including the provision of a bat loft. No objections were raised to the conclusions of this report during the determination of the previous application, and subject to the imposition of a suitably worded condition to secure the implementation of the mitigation measures identified, this proposal will accords with policy NE1.

6 Conclusion

6.1 It is submitted that the proposal represents a sustainable form of development having regard to the following conclusions:

- *The proposed replacement dwelling will not be materially larger than the existing residential buildings being replaced, and thus constitutes an appropriate form of development within the Green Belt;*

- *The proposal does not involve the loss of a dwelling which is intrinsic to the character of the surrounding area;*

- *The proposed replacement dwelling will not have a significantly greater impact on the character of the rural area than the existing dwelling and the other buildings being replaced;*

- *The proposal encompasses a high quality design that is in keeping with the character and appearance of the surrounding area and the wider District;*

- *The proposed development will not give rise to harm to the defined landscape character of the area;*

- *The proposed development will not give rise to harm to protected species within the locality;*

6.2 The proposed development is therefore considered to accord with the provisions of policies SS6c, R2, DC1, DC3 and NE1 of the Staffordshire Moorlands Core Strategy, policies SS10, H1, DC1 and DC3 of the emerging

Staffordshire Moorlands Local Plan and guidance contained within the National Planning Policy Framework, and adopted supplementary planning guidance.

6.3 The Local Authority is therefore respectfully requested to grant planning permission for the proposed development.