DELEGATED DECISION REPORT

SMD/2019/0751 **Valid 12/12/2019**	**ROSEHILL NABB LANE** **ALTON**	**PROPOSED ALTERATIONS TO THE EXISTING SITE ACCESS INCLUDING THE PLANTING OF NEW HEDGEROW TAPERING TO REPLACE THE EXISTING TO PROVIDE A VISIBILITY SPAY** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

The impact on the character and appearance of the rural area.
The impact on highway safety

DESCRIPTION OF SITE

The site is in the open countryside and lies a short distance to the south of the village of Alton and comprises a dwelling on the east side of Nabb Lane, a fairly narrow country lane. There are other dwellings a short distance to the north, marking the edge of the village but surrounding land elsewhere is open and rural.

PROPOSAL

This is a full planning application for the improvement of the vehicular access to the property, off Nabb Lane, which would involve the removal of a 33m length of road-side hedgerow either side of the access to create visibility splays to improve the level of safety of the access (a total of 66m of hedge would therefore be removed). The hedgerows would be re-planted immediately behind the splays. There does not appear to be any other works associated with this, as the existing gate posts would be retained (and therefore no access widening) although the drawings would appear to indicate some possible hard-surfacing in front of the splays. An Ecology Report has been submitted with the application.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy (Adopted March 2014)

SS6c Other Rural Areas Strategy
DC1 Design Considerations
DC3 Landscape and Settlement Setting
NE1 Biodiversity

National Planning Policy Framework (Feb 2019)

Sections 12 (Design) and 15 (Natural Environment).

Emerging Staffordshire Moorlands Local Plan

The Council agreed to publish the Local Plan Submission Version for representations in February 2018. At this point, the Council agreed that the Local Plan was "sound". Formal representations were then invited from residents, businesses and other stakeholders to provide them with the opportunity to support or challenge the soundness or legal compliance of the Local Plan. This stage in the process followed three previous public consultations since 2015 which had informed the preparation of the Local Plan alongside a comprehensive evidence base.

In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public is ongoing in order to determine whether the Local Plan is sound and legally compliant. Hearing sessions were conducted in October 2018 and the Inspector issued his initial post-hearing advice in January 2019 which set out some actions for the Council and a range of modifications that would be necessary to make the plan sound. The full schedule of modifications was agreed by the Council and the subject of public consultation between 18th September 2019 and 31st October 2019. The schedule consisted of modifications that the Inspector has deemed necessary to make the Local Plan sound. Following the consultation, the Inspector concluded that further hearing sessions were necessary to consider; proposals for safeguarded land at Gillow Heath in Biddulph, housing land supply, Local Green Spaces in Cheddleton (Ox Pasture), Biddulph (Dorset Drive and implications for the emerging neighbourhood plan) and Blythe Bridge. They will be held on 4th and 5th February. The Inspector will outline the timetable for next steps in the process at the close of the hearings.

In this context, the Council's position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is considered below:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the main modifications have been subject to consultation
- The extent to which there are unresolved objections to relevant policies this varies depending on the policy in question – the Inspector wishes to explore outstanding objections on a limited number of issues at the February hearing sessions further before drawing conclusions.
- The degree of consistency of the relevant policies in the emerging plan to this Framework – policies have been modified to address soundness issues identified by the Inspector to date. It is the Council's view that the policies (as modified) are consistent with national policy. The Inspector has yet to draw final conclusions, particularly on the matters subject to further hearing sessions.

Given the above, the majority of policies (as modified) can be given substantial weight. However, policies that are subject to the February hearing sessions can only be given moderate weight as they are subject to outstanding objections and scrutiny.

Emerging Policies

The following policies are considered to be relevant to this application:

SS10 Other Rural Areas Strategy
DC1 Design Considerations
NE1 Biodiversity

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2015/0756 Conversion of garage to domestic dwelling. Refused and dismissed at appeal
SMD/2017/0825 Conversion of garage to annexe. Approved

CONSULTATIONS

Publicity

Site Notice expiry date: 3.2.20
Neighbour consultation period ends: 3.2.20
Press Advert: N/A

Public Comments

None.

Town / Parish Comments

No objection.

Local Highways Authority

No objection subject to conditions

Staffordshire Wildlife Trust

No objection subject to conditions.

OFFICER COMMENTS

The Local Highways Authority approve of the works and consider the works would lead to a sufficient improvement in visibility for users of the access as hedgerows are blocking the required lines of sight and their removal would allow adequate visibility splays in consideration of the width of the road, nature of road and also the 30mph speed limit. Notwithstanding this it is noted that the Highways Engineer states that

due to poor visibility and the narrow nature of the road, vehicle speeds are likely to be much lower. Therefore, it is possible that by improving inter-visibility between drivers using the road and vehicles pulling out of the access, speeds may be increased and the effect on highway safety may be counterproductive. There are also alternative means by which visibility could be improve – a mirror for example. Notwithstanding this in the absence of any objection from the highways engineer it is not considered that a refusal on safety grounds could be sustained.

The character and appearance of the country lane and the rural nature of the area would be harmed to a degree as a result of the removal of the hedgerow which would reduce the narrow, enclosed and rural nature of this stretch of rural road and would inevitably have some "suburbanising" effect.

Nevertheless, verbal consultation with the Trees and Woodland Officer has confirmed that as a domestic hedge, and having regard to the species mix identified in the ecological report, the hedge does not qualify for protection under the Hedgerow Regulations.

Furthermore, a new replacement hedgerow would be planted behind the splays. A condition can be added requiring further details of the proposed hedge and the treatment of the area in front of the new splays which is currently occupied by the existing hedges, in the interests of protecting the character and appearance of the lane. There would be no harm to wildlife or biodiversity in general as a result of the hedgerow removal, with the safeguard of conditions. Staffordshire Wildlife Trust does not object to the proposal. It is also considered to be prudent to add conditions to control other boundary treatments which may be erected either before or after the hedge has established.

CONCLUSION / PLANNING BALANCE

Subject to appropriate conditions, on balance, neither highway safety or the appearance of the area would be harmed by the proposal with the safeguard of conditions. The proposal would comply with the Core Strategy and accords with the government planning guidance in the NPPF.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 28.2.20

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council