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Mrs. A. Berry
Development Services
Staffordshire Moorlands District Council
Stockwell Street
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ST13 6HQ

13th October 2020

Dear Ailsa

PROPOSED FORMATION OF VEHICULAR ACCESS – STANHOPEA, MILL LANE, WETLEY ROCKS

On behalf of my clients, Mr. & Mrs Hartley, I would be grateful if you would find enclosed a planning application proposing the formation of a new vehicular access onto Mill Lane from the applicants existing dwellinghouse.

By way of background, planning application SMD/2011/0088 granted outline consent for the erection of a dwelling on this site, with all matters reserved for subsequent approval. The application had been recommended for refusal by officers on the grounds that the construction of the new dwelling amounted to an inappropriate form of development within the Green Belt. The application was nevertheless approved by the Planning Applications Committee, contrary to officer recommendation, who concluded that very special circumstances existed to justify approval of the development. In granting consent the Local Authority imposed a condition that required a shared access to be provided with the existing driveway serving Foxdale. Reserved Matters were subsequently approved under application SMD/2011/0788 and the dwelling was thereafter constructed and brought into use.

This application proposes the construction of a separate vehicular access to serve the existing dwelling, taken direct off Mill Street to the northeast of the dwelling. The existing vehicular access connected to the shared drive with Foxdale will be closed off as part of the proposed works. The new access is to be flanked by dry stone walls on either side, leading up to double five bar timber gates which will be hung off natural stone posts.

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The applicants have previously sought planning consent to create a separate vehicular access to serve this site under application SMD/2012/0015. That application was refused by the Local Authority on the grounds that the proposal amounted to an inappropriate form of development within the Green Belt and that no very special circumstances has been demonstrated, citing conflict with previous national guidance in the form of PPG2 – Green Belts and the 1998 Local Plan. An appeal was subsequently lodged against that decision, and was dismissed, with the Planning Inspector concluding that the proposal would have an adverse impact on the openness of the Green Belt owing to the creation of the new hardstanding and removal of the boundary wall.

Policy SS10 of the recently adopted Local Plan confirms that strict control will continue to be exercised over development in the Green Belt, allowing only for exceptions as defined by Government policy. The relevant exceptions are set out within paragraphs 145 and 146 of the NPPF, with the latter allowing for engineering operations where the proposal will safeguard the openness of the Green Belt and not conflict with the five purposes of including land within the Green Belt.

The proposed vehicular access will not materially detract from the openness of the Green Belt or give rise to any conflict with the five purposes of including land within it. The applicant has already constructed most of the driveway during works to construct the dwelling and these have been in situ for more than 4 years. The access was utilised by contractors' vehicles during the construction period. The boundary wall that previously existed has also long been removed. The proposed access has been designed to have a rural aesthetic, with new dry stone walls wrapping around either side of the access to meet the five bar gates. These proposed works will not give rise to harm to the openness of the Green Belt as the vehicular access will be flat and open in nature, and there will be no encroachment of residential development into the Green Belt, as the site is already in residential use. Consequently, there will be no conflict with the five purposes of including land within the Green Belt. The proposed development therefore constitutes an appropriate form of development within the Green Belt, in accordance with policy SS10 of the Local Plan and guidance set out within the National Planning Policy Framework.

The proposal access will furthermore not give rise to any adverse impacts to the character and appearance of the area. Either side of the proposed vehicular access point the site boundary comprises of dry stone walls. The application proposes to continue the dry stone walls, wrapping them around into the access, leading up to five bar gates hung on stone pillars. In doing so the development will respect and reinforce the semi-rural character and appearance of the surrounding area, in accordance with the provisions of policy DC1 of the Local Plan and guidance set out within the National Planning Policy Framework.

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The proposed access will benefit from good visibility in both directions on egress from the site, and the proposed gates are set well back from the carriageway such that a vehicle will be able to pull clear from the highway. The proposal will also reduce usage of the existing shared access which does not have good visibility on egress, particular to the east. No objections were raised by the Local Highway Authority in its assessment of the previous application and similar conclusions can be reached with current application. The proposal will therefore not give rise to any conflict with the provisions of paragraphs 108 and 109 of the NPPF in this regard.

The accompanying report prepared by Moorland Tree and Groundcare furthermore confirms that during the construction of the existing dwelling, a hardcore base was constructed where the new access is proposed in order to facilitate access for contactors vehicles. The proposed access will therefore not require any deep excavations to be carried out, as the sub-base is already laid. The works to create the access will therefore only involve removing the existing soil, and replacing it with tarmac, on top of the existing hard core sub-base. To this end the proposal will not give rise to any adverse impacts to highway safety or to nearby trees, and thus accords with the provisions of policies T1 and NE1 of the Local Plan and guidance contained within the National Planning Policy Framework.

Having regard to the above considerations I submit that there is a compelling case for planning permission to be granted, and I trust this proposal will be of interest. Should you have any queries or concerns with the proposal I would welcome the opportunity to discuss them with you prior to the determination of the application.

Yours sincerely

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