

PLANNING STATEMENT

**GRAVEL BANK FARM
CAVERSWALL**

MARCH 2021

Site Address:

Gravel Bank Farm, Caverswall Common Lane, Caverswall, ST11 9EU

Applicant:

Mr. J. Bettaney

Proposal:

Re-development of previously developed site for erection of
up to 6no. bungalows (outline)

Planning Statement:

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Job Reference: RDP/2021/037

Report Prepared By:

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1. Introduction

1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Mr. J. Bettaney to seek planning permission for the re-development of previously developed land at Gravel Bank Farm, Caverswall Common Lane, Caverswall for the erection of up to 6no. bungalows.

1.2 The application is submitted in outline with all matters reserved for subsequent approval. It proposes the removal of a range of glasshouses and polytunnels associated with the former retail garden centre on the site, and their replacement with up to 6no. bungalows. An indicative site plan and site sections are submitted to demonstrate how the site might be developed.

1.3 The application represents a resubmission following the refusal of planning permission under application SMD/2018/0003 which had also sought outline consent for the re-development of the site for residential purposes. That application was refused and subsequently dismissed at appeal. The reasons for refusal were as follows:

1. *The site is in the Green Belt and under Section 9 of the National Planning Policy Framework (NPPF), new dwellings are considered to be inappropriate development unless they involve, inter alia, redevelopment of previously- developed land. The site comprises a former horticultural nursery and is not considered to be a previously developed site and therefore the proposal amounts to inappropriate development in the Green Belt which is by definition in the NPPF, harmful to its openness and should not be allowed unless very special circumstances, considered to outweigh the harm, have been demonstrated. The Council considers that no very special circumstances exist. The proposal is therefore contrary to Chapter 9 'Protecting the Green Belt' of the NPPF and in this respect is also contrary*

to Policy SS6c of the Core Strategy which requires strict control over inappropriate development in the Green Belt.

2. The application site is not considered to be in a sustainable location as it is in a remote rural area with no nearby public services and a residential development in this location is therefore likely to lead to reliance on the private car for the majority of journeys contrary to paragraphs 39 and 35 of the NPPF.

- 1.4 In the intervening period the applicant has applied for a lawful development certificate to demonstrate that the site was established as a retail garden centre (SMD/2020/0160). That application was refused, but only on account of the perceived abandonment of the retail use. Subsequent communication with the planning officer has confirmed that the site constitutes previously developed land.
- 1.5 This Planning Statement sets out the case for planning permission to be granted having regard to current local and national planning policy, having due regard to the site history.

2 Site & Surroundings

- 2.1 The application site is located on the northern side of Caverswall Common Lane and extends to approximately 0.45 hectares. The site constitutes a range of single storey glass houses and polytunnels associated with the retail garden centre that previously operated from this site.
- 2.2 Adjacent to the western boundary of the site, which comprises mature vegetation, lies a polytunnel structure previously used for retail purposes. Adjacent to this polytunnel lies a large, rectangular shaped glasshouse that was previously utilised for retail purposes, and which occupies a footprint of 481 square metres.
- 2.3 There is a small gap to the east of the glasshouse, adjacent to which lies a further polytunnel that has previously been used for retail purposes. A further, much large glass house is located to the east of that, and which occupies a footprint of 834 square metres, and which has also been used for retail purposes. Beyond this glasshouse and lying a further distance to the east is a portal framed building used for the storage of goods associated with the retail garden centre.
- 2.4 The existing farmhouse lies to the immediate south east of the site, with the whole site being served by a single access point of Caverswall Common Lane midway along the southern site boundary. The remainder of the southern site boundary is enclosed by mature vegetation. The nearest residential properties lie approximately 40 metres to the south on the opposite side of Caverswall Common Lane.

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 Local Plan 2020 of which the following policies are considered to be of relevance:

3.2 Policy SS1 of the Local Plan relates to 'Development Principles' and states that the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands in terms of delivering, in partnership with other agencies and services:

- a mix of types and tenures of quality, affordable homes, to meet the needs and aspirations of the existing and future communities
- quality local services, including provision for education, healthcare, leisure, community, cultural and tourist facilities in response to anticipated population change and visitor numbers;
- easy access to jobs, shops and transport services by all sections of the community;
- increased economic prosperity and opportunities for employment and greater local capacity with an educated, skilled and flexible workforce;

- a healthy, safe, attractive, active, well-designed and well-maintained environment;
- development which maintains the locally distinctive character of the Staffordshire Moorlands, its individual towns and villages and their settings;
- development that is undertaken in a way that protects and enhances the natural and historic environment of the District and its surrounding areas, including the Peak District National Park, both now and for future generations.
- support development which secures high quality, sustainable environments, efficient and effective use of resources and contributes effectively to tackling climate change and reduced carbon emissions.

3.3 Policy SS10 of the Local Plan of the Local Plan relates to the 'Other Rural Areas Strategy' and states that these areas will provide only for development which has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside. The policy states that the Council and its partners will achieve this through a number of actions, including:

- Restricting new build housing development in the countryside to that which has an essential need to be located in the countryside in accordance with policy H1.
- Giving priority to the need to protect the quality and character of the area and requiring all development proposals to respect and respond sensitively to the distinctive qualities of the surrounding landscape;

- Limiting uses which generate a substantial number of regular trips in areas that are not well served by public transport;
- Encouraging measures which protect and enhance the biodiversity, geological resources and heritage of the District

3.4 Policy H1 of the Local Plan relates to 'New Housing Development' and states that:

- 1) Development should provide for a mix of housing sizes, types and tenure including a proportion of affordable housing as set out in Policy H3, and where appropriate housing for special groups, to meet the needs and aspirations of the current and future population having regard to the Area Strategies.
- 2) In line with Government legislation the Council will maintain and update a register of those interested in acquiring self-build / custom-build housing plots across the District. Where a demand exists, residential developments of 10 dwellings (or 0.5ha) or more will make an appropriate contribution towards this need in agreement with the Council. This will be negotiated on a case by case basis.
- 3) All development will be assessed according to the extent to which it provides for high quality, sustainable housing and to which it meets identified housing needs, having regard to the location of the development, the characteristics of the site and the economics of provision.

3.5 Policy H1 goes on to state that:

- a) Housing for special groups, particularly for older people and others as identified in the SHMA or successor document should be of a scale and in a location, which is appropriate to its needs.

- b) Housing proposals of 10 dwellings (or 0.5ha) or more will be required to provide a mix of housing in terms of size, type and tenure on the site unless viability or other circumstances exist. The final mix will be negotiated with the developer based on housing needs as informed by the SHMA or successor document and other relevant factors such as available supply and market demand.
- c) All housing development should be at the most appropriate density compatible with the site and its location, and with the character of the surrounding area. Higher densities will generally be appropriate in locations which are more accessible by public transport and which have good access to services.
- d) All new dwellings should aim to provide flexible accommodation which is capable of future adaptation by seeking to achieve adequate internal space for the intended number of occupants in accordance with the Nationally Described Space standard and delivered to meet accessibility standards set out in the Optional Requirement M4(2) of Part M of the Building Regulations. This will be determined on a site-by-site basis subject to considerations such as viability and design.
- e) All new dwellings must be of sufficient size to provide satisfactory levels of amenity for future occupiers of the dwellings whilst respecting the privacy and amenity of occupiers of existing dwellings.

3.6 Policy H1 further states that in the rural areas only the following forms of housing development will be permitted:

- a) Affordable housing which cannot be met elsewhere, in accordance with Policy H3.
- b) 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.

- c) 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.
- d) The conversion of rural buildings for residential use where the building is suitable and worthy in physical, architectural and character terms for conversion; or where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets.
- e) Proposals to redevelop previously developed land provided it is not of high environmental value.
- f) The subdivision of an existing residential dwelling provided it is not in an isolated location.

3.7 Policy H1 also confirms that when development is located within the Green Belt, national Green Belt policy will apply.

3.8 Policy DC1 of the Local Plan relates to 'Design Considerations' and states that all development shall 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 Guide SPD. In particular, new development should:

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

2. be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, height, density, layout, siting, landscaping, character and appearance;
3. create, where appropriate, attractive, active, functional, accessible and safe public and private environments which incorporate public spaces, green infrastructure including making provision for networks of multi-functional new and existing green space (both public and private), landscaping, public art, 'designing out crime' initiatives and the principles of Active Design;
4. incorporate sustainable construction techniques and design concepts for buildings and their layouts to reduce the impact of the development;
5. protect the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution;
6. promote the maintenance, enhancement, restoration and re-creation of biodiversity and geological heritage, where appropriate;
7. provide for safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use;
8. require new developments to be well integrated for car, pedestrian and cycle use as well as other sustainable transport links;

9. ensure that existing drainage, waste water and sewerage infrastructure capacity is available, and where necessary enhanced, to enable the development to proceed;
 10. ensure, where appropriate, equality of access and use for all sections of the community;
 11. be served by high speed broadband (>30mbps) unless it can be demonstrated through consultation with Next Generation Access Network providers that this would not be possible, practical or economically viable. In all circumstances during construction of the site sufficient and suitable ducting should be provided within the site and to the property to facilitate ease of installation at a future date.
- 3.9 Policy T1 of the Local Plan relates to 'Development and Sustainable Transport' and states that the Council will promote and support development which reduces reliance on the private car for travel journeys, reduces the need to travel generally and accommodates residual development traffic in line with the Integrated Transport Strategy. This will be achieved by:
1. Ensuring that all new development is located where the highway network can satisfactorily accommodate traffic generated by the development or can be improved as part of the development.
 2. Ensuring that major development is located in areas that are accessible by sustainable travel modes or can be made accessible as part of the proposal
 3. Considering appropriate parking provision on a case by case basis with recourse to the parking guidance set out in Appendix 2.

4. Where appropriate all new development shall facilitate walking and cycling within neighbourhoods and town centres, and link with or extend identified walking or cycling routes. In addition applicants should also consider how their schemes can enhance the existing path network in line with the Staffordshire County Council Rights of Way Improvement Plan and also give consideration to the protection of non-definitive public footpath routes in addition to definitive routes.

4 Other Material Considerations

National Planning Policy Framework (July 2019)

- 4.1 The National Planning Policy Framework (NPPF) seeks to secure the delivery of sustainable development and sets out guidance, *inter-alia*, in respect of safeguarding the Green Belt, the delivery of homes in the countryside, securing high quality design, securing a net gain to biodiversity, and safeguarding highway safety. The content of this document has been taken into consideration in the preparation of this application and is referenced within the Planning Assessment below.

Appeal Decision 3206824 – Gravel Bank Farm, Caverswall

- 4.2 This appeal decision relates to a previous application on the site (SMD/2018/0003) which had sought outline consent for the redevelopment of the site for residential use. The conclusions of the Planning Inspector in the assessment of that appeal have been taken into consideration in the preparation of this application and are referenced within the Planning Assessment below.

Planning Application SMD/2020/0160

- 4.3 The above Lawful Development Certificate application sought to demonstrate that the lawful use of this site is that of a retail garden centre. The Local Authority accepted that the site had been used more or less continuously as a retail garden centre for a period of at least 10 years but took the view that the use had since been abandoned. Reference is made to the Lawful Development Certificate application in the Planning Assessment below.

5 Planning Assessment

Principle of Development

- 5.1 The application site is located within the Green Belt, wherein the National Planning Policy Framework (paragraph 145) confirms there is a presumption against the erection of new buildings unless it is for one of a limited number of exceptions. The list of exceptions includes:

“limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would:

– not have a greater impact on the openness of the Green Belt than the existing development; or

– not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority”

- 5.2 In determining the previous application on the site (SMD/2018/0003), the Local Authority considered the existing buildings on the site to be associated with a horticultural / agricultural use. It was held that the evidence presented in the application did not demonstrate that the use of the land was that of a retail garden centre, and that consequently the site did not comprise previously developed land. Such conclusions led the Local Authority to refuse planning permission on the grounds that the proposal amounted to an inappropriate form of development within the Green Belt.

- 5.3 An appeal was subsequently lodged against that decision, with the Planning Inspector finding that the evidence of the site having qualified for business rates, coupled with the appellant's testimony and some business records suggested some diversity of horticultural and gardening related commerce took place on the site. The Planning Inspector nevertheless concluded on the evidence before him that the site did not comprise previously developed land, and consequently also found the proposal to amount to an inappropriate form of development within the Green Belt.
- 5.4 In the intervening period following the dismissal of that appeal, the appellant has lodged a lawful development certificate application to demonstrate that the lawful use of the site is that of a retail garden centre (SMD/2020/0160). That application was accompanied by a wealth of evidence along with a Statutory Declaration to demonstrate the lawfulness of the use. In determining the application, the Local Authority concluded that the retail use had been proven to be continual for a period in excess of 10 years. The Local Authority nevertheless went on to contend that the retail use has since been abandoned, which ultimately led to the certificate being refused.
- 5.5 The conclusion of the Local Authority that the retail use had been proven to be continual for a period in excess of 10 years serves to confirm that this site amounts to previously developed land. The conclusion by the Local Authority that the use was subsequently abandoned has no bearing on that assessment, and email correspondence with the Planning Officer has confirmed that the site amounts to previously developed land.
- 5.6 The existing buildings on the site have a collective footprint of 1845 square metres and a cumulative volume of 5291 cubic metres. The site plan and section drawings submitted with the application are only indicative but demonstrate that the redevelopment of the site for up to six bungalows would

have a footprint of circa 758 square metres and a volume of 2845 cubic metres. At its maximum quantum of development (6 bungalows) the development would therefore derive a reduction in built footprint to the tune of 59%, and a reduction in volume of circa 46%. Such reductions amount to a significant reduction in impact on the openness of the Green Belt compared to the existing development. The indicative site plan furthermore demonstrates that the dwellings can be accommodated on the site without encroaching beyond the existing built up parts of the site.

- 5.7 In assessing impact on openness in the determination of the previous appeal the Planning Inspector noted that the proposed bungalows were likely to substantially exceed the height and solidity of the current greenhouses and polytunnels and would harm openness. Concern was also raised about impact of boundary treatments and domestic paraphernalia, including parked cars, impacting on openness.
- 5.8 These comments are acknowledged, and a balanced view on the impact of the development on the openness of the Green Belt is required. The imposition of a boundary treatment condition can serve to control the extent and nature of any boundary treatments erected on the site, with new planting incorporated by way of a landscaping scheme (as indicated) to screen the areas of private amenity space.
- 5.9 There is also ample scope for the resultant Reserved Matters submission to incorporate further planting to soften and obscure views of parked vehicles, and in consideration of this matter it needs to be acknowledged that as a retail garden centre, cars were parked all across the frontage of this site. The indicative siting of the dwellings furthermore takes its cues from the existing arrangement of buildings on the site, extending northwards into the site, and

most pertinently, the proposed bungalows will only stand 1 metre taller than the large glasshouse on the site (4.6m compared to 3.6m existing).

- 5.10 When coupled with the fact that this development will derive a very substantial reduction in the extent of built development on the site, in both footprint and volume terms, I reach the view that the development will not have any greater impact on the openness of the Green Belt than the existing development, and that consequently the proposal amounts to an appropriate form of development within the Green Belt that accords with paragraph 145(g) of the NPPF and the provisions of policies SS10 and H1 of the Local Plan.

Housing Delivery

- 5.11 The application site is located within the rural area, wherein policy SS10 of the Local Plan allows for new residential development that accords with the provisions of policy H1 of the Local Plan. Policy H1 confirms that within the rural areas proposals to redevelop previously developed land will be permitted provided it is not of high environmental value.
- 5.12 As set out within the preceding paragraphs, the site has been demonstrated to constitute previously developed land and therefore is in an appropriate site for re-development in the context of policy H1. The application is furthermore accompanied by a Preliminary Ecological Appraisal prepared by Apex Ecology which demonstrates that the site is not of a high environmental value. As a consequence the proposal is firmly in accordance with the provisions of policies SS10 and H1 of the Local Plan.

Sustainability of Location

- 5.13 In determining the previous application on the site, the Local Authority concluded that the site did not constitute a sustainable location for new housing as it was considered to lie in a remote rural area with no nearby public

services, and consequently would lead to a reliance on the private car for the majority of journeys. In determining the subsequent appeal, the Planning Inspector agreed that the site was not well served by public transport and that the site was not easily accessible by safe, off-road waling routes to Weston Coyney, Cookshill or Caverswall.

- 5.14 In the intervening period since that appeal was determined the new Local Plan has been adopted, and the provisions of the NPPF have been updated. Paragraph 103 of the updated NPPF confirms that:

*“The planning system should actively manage patterns of growth in support of these objectives. **Significant development** should be focused on locations which are or can be made sustainable, through limiting the need to travel and offering a genuine choice of transport modes. This can help to reduce congestion and emissions and improve air quality and public health. **However, opportunities to maximise sustainable transport solutions will vary between urban and rural areas, and this should be taken into account in both plan-making and decision-making**”*

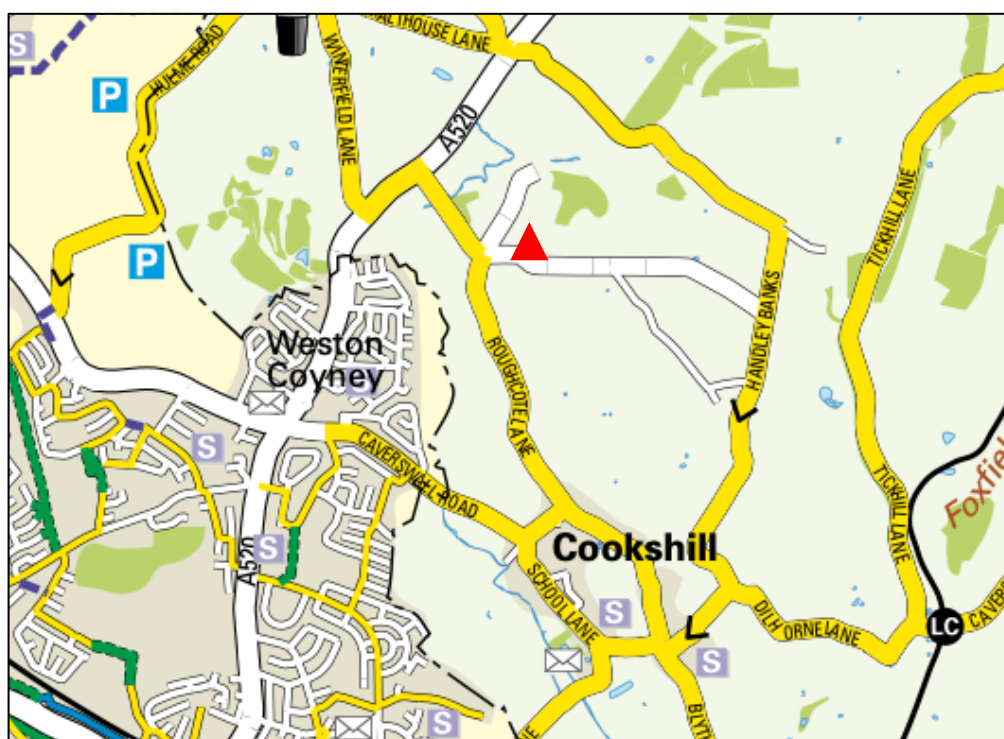
(my emphasis)

- 5.15 This guidance is enshrined with policy T1 of the Local Plan which states that **major development** should be located in areas that are accessible by sustainable travel modes. This proposal does not comprise major development and thus does not derive any conflict with the provisions of paragraph 103 of the NPPF or policy T1 of the Local Plan.
- 5.16 The above notwithstanding, it is also noted that the centre of Weston Coyney is located 2.3km from the application site, with Caverswall village located some 2km distant. Both of these settlements and the day-to-day services they offer

are located well within the 5km recommended threshold distance for cycling and consequently future occupiers of the dwellings would have a choice of means of transportation to access local services. The nearby Farm Shop at Thornfields Farm is also located well within the 5km threshold (1.6km).

- 5.17 The majority of the highway network connecting the site with these local centres are defined as “Advisory Cycle Routes” by Staffordshire County Council on their Cycle Route Map (extract shown in Figure 1 overleaf) and thus comprise recommended cycle routes for getting around the area.

Figure 1 – Extract of SCC Cycle Route Map



- 5.18 To assist in supporting the use of cycling as a means of transportation, the applicant is agreeable to a condition being imposed to require the provision of secure cycle parking provision for each dwelling to be incorporated into the resultant Reserved Matters submission.

- 5.19 The applicant is furthermore willing to provide an electrical vehicle charging point to serve each of the dwellings as part of the Reserved Matters. Doing so accords with the objectives of paragraph 102 of the NPPF in supporting opportunities for changing technology and usage and also mitigating the effects of vehicle movements in terms of carbon emissions.
- 5.20 No such offers aimed at facilitating more sustainable modes of transportation were offered or considered in the assessment of the previous application or appeal, and consequently a clear and positive distinction can be drawn between this proposal and the previous refusal. Any journeys which do need to be made by car will only be short in duration give the relatively close proximity of the nearby local centres. Such considerations lead me to conclude that the proposal will not give rise to conflict with paragraph 103 of the NPPF or policy T1 of the Local Plan.

Highway Safety

- 5.21 The application site benefits from an existing vehicular access point off Caverswall Common Lane which serves the existing farmhouse and the retail garden centre. That access is to be closed up as part of the proposals, with a new access point provided alongside which will be wide enough for two vehicles to pass one another. No objections were raised to these access arrangements under the previously submitted application (SMD/2018/0003) and in the absence of any change in circumstances it can be concluded that the proposal remains acceptable from a highway safety perspective, and thus accords with policy T1 of the Local Plan and paragraphs 108 and 109 of the NPPF.

Ecology

- 5.22 The application is accompanied by a Preliminary Ecological Appraisal prepared by Apex Ecology, which demonstrates that the site has a low ecological value

and that its redevelopment would not give rise to harm to any protected species. The feature of greatest ecological value is noted to be the hedgerow running along the western site boundary. This is to be retained, and the applicant would furthermore be agreeable to the imposition of a condition to require the provision of a brick built bat box into the proposed dwellings. In doing so the development will secure a net gain to biodiversity, in accordance with the requirements of paragraph 175 of the NPPF.

6 Conclusion

6.1 It is considered that the proposed development is acceptable in planning terms having regard to the following conclusions:

- The proposal encompasses the redevelopment of a previously developed site within the Green Belt, which by virtue of the substantial reduction in footprint and volume will not have any greater impact on the openness of the Green Belt than the existing development.
- The site constitutes previously developed land and is not of a high environmental value, and its redevelopment for housing is therefore in full accordance with the provisions of the Development Plan.
- The site lies well within the 5km threshold distance for cycling from local day-to-day services and the applicant is willing to support cycle usage and electrical car usage by providing infrastructure facilities on site.
- The proposed means of access to the site is acceptable and will not derive any severe residual risks to highway safety in the locality.
- The proposal will not give rise to any harm to protected species, and a net gain to biodiversity can be secured.

6.2 For these reasons the proposed development is considered to meet the requirements of policies SS1, SS10, H1, DC1 and T1 of the Staffordshire Moorlands Local Plan (2020), and guidance set out within the National Planning Policy Framework.