

PLANNING, DESIGN & ACCESS STATEMENT

APPLICATION PROPOSAL: NEW FIELD ACCESS

**APPLICATION ADDRESS : LAND ADJACENT TO SPRING COTTAGE
FARM, MILL LANE, WETLEY ROCKS, STOKE ON TRENT,
ST9 0BN**

APPLICANT : MR C BIDDULPH

DATE : MAY 2022

JOB No. : 2021-2627

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1.0 INTRODUCTION

Sammons Architectural Ltd have been appointed by Mr C Biddulph to prepare and submit a full planning application to Staffordshire Moorlands District Council for a new field access on land adjacent to Spring Cottage Farm, Mill Lane, Wetley Rocks. The application is accompanied by drawing numbers 2021-2627-01A, 2021-2627-02A and 2021-2627-03 which should be read in conjunction with this statement.

2.0 APPLICATION SITE DESCRIPTION

The application site comprises of a roughly rectangular parcel of land which extends to some 0.12 ha and lies on the southern side of Mill Lane. With the exception of two shipping containers which lie in the south western corner of the site the site is open and bound on three sides, eastern, southern and western, with a drystone wall whilst the road frontage boundary is formed by a mature mixed native hedge supplemented with a number of substantial trees. To the north and south of the site lies open countryside whilst to the north west and south east lie residential dwellings, Spring Cottage Farm and The Croft. To the north east, on the opposite side of the highway lies the St John's Primary School. For the purposes of the Development Plan the application site lies outside the village development boundary within the North Staffordshire Green Belt where more restrictive planning policies apply.

3.0 APPLICATION PROPOSAL

This is a full application which seeks consent for a new field access to serve the application site. Planning permission is required due to the classification of Mill Lane. The proposed development would require the removal of a short section of roadside hedge along with 4 trees. The new access would be formed with a new 2.0m x 2.0m splayed entrance formed either side of the gateway. Timber posts approximately 1.4m high would be erected either side of the new access onto which a 5 bar timber gate would be hung.

4.0 POLICY

Section 38(6) of the Planning and Compulsory 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 the area consists of the Staffordshire Moorlands Local Plan (2020). The most relevant policies are considered to be:-

SS1 Development Principles

SS2 Settlement Hierarchy

SS10 Other Rural Areas Strategy

SD1 Sustainable Use of Resources

DC1 Design Considerations

DC3 Landscape and Settlement Setting

NE2 Trees Woodlands and Hedgerows

T1 Development and Sustainable Transport

The National Planning Policy Framework, as updated in February 2019, sets out the Government's planning policies for England, and how it is expected that these will be applied. It establishes a framework within which local people and planning authorities can produce their own local and neighbourhood plans and is a material consideration in planning decisions.

The heart of the NPPF embodies, in Section 2 paragraph 11 a presumption in favour of sustainable development and states that development proposals that accord with the development plan should be approved without delay.

Paragraph 11d states:-

"Where there are no relevant development plan policies , or the policies which are most important for determining the application are out of date granting permission unless:-

(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

(ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework taken as a whole"

The most relevant sections are 2 (Achieving Sustainable Development), 11 (Making Effective Use of Land) , 12 (Achieving Well Designed Places) 13 (Protecting Green Belt land) and 15 Conserving and Enhancing the Natural Environment. Again these are not reproduced in full here but referred to below where appropriate.

5.0 ASSESSMENT

Principle

Part 6 of Policy SS10 of the Staffordshire Moorlands Local Plan (the 'Local Plan') states that strict control will be exercised over inappropriate development in the Green Belt, only allowing for exceptions as defined in Government policy. Government policy is set out in the National Planning Policy Framework and paragraph 150 of the Framework identifies that engineering operations are not an inappropriate form of development in the Green Belt providing they preserve its openness and do not conflict with its purposes.

Whilst the development does not therefore constitute inappropriate development in terms of the NPPF, this is qualified as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

Openness and landscape value

Paragraph 137 of the NPPF states that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open, the essential characteristics of Green Belt are their openness and their permanence. Paragraph 127 of the NPPF also requires new development to be sympathetic to the local character, including the landscape setting.

LP Policy DC1 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 be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area; and 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. LP Policy DC3 refers to Landscape Character and states that the Council will protect and where possible enhance local landscape and the setting of settlements in the Staffs Moorlands by supporting development which respects or enhances the setting of the settlement and conversely resisting development which would lead to a prominent

intrusion into the countryside or have a significant adverse impact on the character of the landscape.

The proposed vehicular access would involve the removal of a short section of roadside hedgerow and the removal of 4 trees. It could be argued that the change in boundary treatment would actually result in a modest increase in openness as the timber gate and fence would allow views into the site to be appreciated which is currently not possible with the current hedgerow due to its maturity and height. The application site is positioned between two residential dwellings, both of which have gated accesses onto Mill Lane and both of which have low stone walls to their frontages. Within this context, the proposed access would not appear incongruous and moreover, its modest size and scale and simple design and palette of materials would ensure that it is appropriate to and in keeping with the semi-rural character and appearance of this part of Mill Lane.

In this regard the proposed development would not harm the openness or visual amenity of the Green Belt nor would it be detrimental to the character and appearance of the street scene or wider setting within which it is located. Accordingly the proposal complies with policies DC1 and DC3 of the adopted Local Plan as well as guidance contained within the National Planning Policy Framework which aim to ensure that development respects the site and its surroundings and the local landscape.

Highway Safety

LP Policy T1 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 by ensuring that all new development is located where the highway network can satisfactorily accommodate traffic generated by the development. Paragraph 108 of the NPPF states that in assessing applications for development, a safe and suitable access should be achieved for all users. Paragraph 109 goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

Despite benefiting from a substantial section of road frontage the application site is currently landlocked with no access having a stone wall on three sides and a large mature hedgerow on the other. The site has not been maintained and is currently overgrown and unkempt. The new access is required to provide access into the site to allow it to be maintained. The proposed use of the access will therefore be low and the new access will be formed with a splayed entrance set 2.0m x 2.0m back from the highway. Visibility in either direction is good at this point along Mill

Lane and it is not therefore considered, having regard to the above, that the proposal would be detrimental to highway safety. It is therefore compliant with Local Plan policy T1 and the NPPF in this regard.

Amenity

LP Policy DC1 requires that all new development protects 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.. Paragraph 126 of the NPPF states that planning should create high quality, beautiful and sustainable buildings and places. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Paragraph 130 states, amongst other things, that developments should function well and add to the quality of the area, be visually attractive, sympathetic to local character and history, establish a strong sense of place and create places that are safe, inclusive and accessible with a high standard of amenity for existing and future users.

Given the semi-rural location of the site, the nature of the proposed development and its spatial relationship with the neighbouring residential properties it is not considered that the proposed development would not be prejudicial to residential amenity or detrimental to any neighbouring land uses. The proposal is therefore considered to comply with LP Policy DC1 and paragraph 127 and 130 of the NPPF.

Trees

Chapter 15 of the NPPF contains relevant national policies that require local authorities to be satisfied that sufficient survey works demonstrate that no protected habitat or species will be adversely affected and identify appropriate mitigation measures that secure a net gain in biodiversity.

Local Plan Policy NE2 sets out the Council's aim of protecting existing trees, woodlands and hedgerows, in particular, ancient woodland, veteran trees and ancient or species rich hedgerows from loss or deterioration.

The application is accompanied by an arboricultural survey undertaken by Tree Heritage (April 2022). This report states that a total of 12 trees and 1 hedge were surveyed and that 3 trees (T6, T9 and T11) all of which lie adjacent to the highway should be removed on safety grounds. All of these trees are category U trees. A further tree, T10, a C Category Goat Willow will need to be removed in order to facilitate the proposed development.

The proposed access point has been selected following the undertaking of the above survey and has been positioned so as to reduce the impact upon the trees. Whilst the proposed development would also require the removal of a short section of hedgerow , which is unfortunate, this has been limited to the minimum amount required to facilitate the proposed development. The loss of the trees and the short section of hedgerow are required to manage and maintain the wider site and the public benefit of this and the safety benefits which would ensue are considered to outweigh any perceived short term harm. The proposal is therefore considered to comply with Local Plan Policy NE2 and the NPPF in this regard.

6.0 CONCLUSION

The application proposes an appropriate form of development within the Green Belt which by virtue of its modest size, scale, form, design and materials would not adversely affect its openness or visual amenity or detract from the character and appearance of the street scene or the wider surrounding area within which it is located. Furthermore, it would not be prejudicial to residential amenity or conflict with neighbouring land uses or detrimental to highway safety. Accordingly the proposal complies with policies DC1, DC3, NE2, T1 of the Staffordshire Moorlands Local Plan and guidance contained within the National Planning Policy Framework.