

DELEGATED DECISION REPORT

SMD/2023/0050
Valid 07/02/2023

**YEW TREE FARM, EAVES
LANE, ARMSHEAD,
STAFFORDSHIRE, ST2 8LY**

**REPLACEMENT DWELLING
(FULL - MINOR)**

MAIN ISSUES

- Whether the proposal comprises an exception to inappropriate development in the Green Belt
- Impact on the character and appearance of the surrounding area
- Impact on ecology

DESCRIPTION OF SITE

The site is located outside an identified settlement boundary in an area designated as Green Belt. It is currently occupied by a detached dwelling and associated outbuildings. The application seeks full planning permission for the demolition of the existing dwelling and the erection of a new replacement dwelling with amended access and parking area.

The dwelling had been historically extended to the rear with two contiguous outbuildings and modest porch to the front. The dwelling is positioned in the corner and directly abuts the boundary of the domestic curtilage.

The application site is located in an isolated position within the North Staffordshire Green Belt. It is accessed from Eaves Lane to the east of the site which comprises an unclassified rural road.



PROPOSAL

Full planning permission is sought for the demolition of the existing dwelling and the erection of a replacement dwelling, repositioned further into the domestic curtilage off the boundary -sited partly on the footprint of the existing dwelling.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

The following Local Plan policies are relevant to the application:

- SS1 Development Principles
- 1a Presumption in Favour of Sustainable Development
- SS2 Settlement Hierarchy
- SS10 Other Rural Areas Strategy
- H1 New Housing Developments
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- T1 Development and Sustainable Transport
- NE1 Biodiversity and Geological Resources

Supplementary Planning Document

High Peak Borough Council Design Guide (February 2018)

National Planning Policy Framework Revised (2021)

The following sections of the NPPF are particularly relevant to this application:

- 2: Achieving sustainable development
- 4: Decision making
- 5: Delivering a sufficient supply of homes
- 9: Promoting sustainable transport
- 12: Achieving well-designed places
- 13: Protecting Green Belt land

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2022/0386 Extension and renovation of existing farmhouse - Withdrawn

CONSULTATIONS

Publicity

Site Notice expiry date: 17 March 2023
Neighbour consultation period ends: 6 July 2023
Agreed Extension of Time: 31 July 2023

Public Comments

No comments received

Town / Parish Comments

No comments received

Environmental Health

Initial consultation response noted the following requirements:

1. Construction Impacts (condition)
2. Land contamination (condition)
3. Drainage (Building Regulations)

Asbestos survey and risk assessment should be carried out prior to the demolition/renovation of the existing buildings – applicant submitted this report during the determination of the application – Env Health confirmed approval

A full contamination assessment would appear to onerous, however, it would be advisable that all soft landscaped / garden areas are tested for contaminants (including Asbestos screen) to ensure suitability of use areas conditions are recommended – applicant submitted this report during the determination of the application – Env Health confirmed approval and soil test condition not required

Suggested conditions: (Updated Comments 21/6/2023)

Construction & Demolition works: Time of operations

Construction & Demolition: Pollution Control

Unexpected Contamination

& Informatives to be passed onto the applicant

Severn Trent Water

No objections and do not require a drainage condition to be applied.

Staffordshire County Council Highways

No objections subject to access drive rear of the public highway has been surfaced and thereafter maintained in a bound material for a minimum distance of 5(m) from the highway boundary and shall thereafter be retained for the lifetime of the development.

Staffordshire Wildlife Trust

No objection, subject to updated site plans and appropriate conditions.

Required before determination:

1. Updated site plan showing location of replacement hedges, hedge enhancement and reinstated grassland areas
2. Confirmation of bird and bat features to be provided and locations

Secure via condition should permission be granted:

3. Detailed landscaping scheme
4. Details of lighting, if external lighting will be installed

OFFICER COMMENTS

Principle of Development

The application site is located in the Open Countryside and North Staffordshire Green Belt whereby policy SS10 of the Local Plan (2020) is applicable.

Policy SS10 states that these rural areas will provide only for development that 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. Part (1) of policy SS10 seeks to meet rural housing requirements and specific needs by 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.

Part (5) of policy H1 lists the types of housing that will be permitted within the rural areas, including:

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.

The principle of a replacement dwelling is therefore considered to comply with policies SS10 and H1 of the Local Plan (2020).

Green Belt

The application site is located within the North Staffordshire Green Belt. Policy SS10 states that strict control will continue to be exercised over inappropriate development within the Green Belt, allowing only for exceptions as defined by Government policy.

Paragraphs 147 and 148 of the NPPF (2021) state 'that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances' and 'when considering a planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt'.

Paragraph 149 of the NPPF (2021) states that the construction of new buildings within the Green Belt comprise inappropriate development, unless the proposed development complies with the list of exceptions. One exception of relevance to this application is:

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

A comparison of the replacement dwellinghouse to the existing dwellinghouse confirms the following changes in percentage increase/size:

	Existing	Proposed	Increase/Decrease
Floorspace	101sqm	140 sqm	+41%
Footprint	66.69sqm	70 sqm	+5%
Eaves Height	4.2m	4.8m	+0.8m
Ridge Height	5.8m	7.4m	+1.6m

The replacement dwellinghouse will not be materially larger than the dwellinghouse it will replace, especially when compared to other similar proposals in the vicinity and therefore it will comprise appropriate development in the Green Belt.

Paragraph 138 of the NPPF (2021) outlines the five purposes of including land within the Green Belt. One purpose is, 'c) to assist in safeguarding the countryside from encroachment'. The proposed replacement dwellinghouse will be sensitively sited adjacent to the footprint of the existing farmhouse, further off the boundary and close to the existing outbuilding. It will be sited within the existing yard. This presents no detriment to the Green Belt, compliant with the purposes of including land in the Green Belt. The proposed development will therefore accord with paragraph 138 of the NPPF (2021).

Impact on the Character and Appearance of the Area

Policy DC1 refers to design and seeks to secure development of a high quality which is designed to add value to the area and to respect the site and its surroundings. New development should promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character, and appearance.

Policy DC3 of the Local Plan seeks to protect and where possible, enhance local landscape and the setting of settlements, resisting development that will lead to a prominent intrusion into the countryside or have a significant adverse impact on the character or the setting of a settlement or important views into and out of the settlement.

Policy SS10 of the Local Plan seeks to enhance and conserve the quality of the countryside by 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.

Paragraph 130 of the NPPF (2021) requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture.

The Landscape Character Assessment outlines that the application site is located within the Potteries and Churnet Valley character area and within the Ancient Plateau Farmlands character type. The landscape is described as a gentle undulating landform with some steep slopes; heathland including wet heath with rushes and rough grasses; drystone walls with remains of unmanaged hedgerows and isolated trees; fields often demarcated by fencing; dairy farming and horse grazing; isolated stone farm houses and buildings converted to residential dwellings.

The Landscape Character Assessment states that the Planning for Landscape Change Supplementary Planning Guidance to Staffordshire and Stoke on Trent Structure Plan, identifies this landscape character area as a landscape in decline that requires restoration. Urban fringe pressures have had a particularly adverse impact on the landscape quality of this area due to the proliferation of incongruous features and the deteriorating condition of existing landscape features'.

The proposed development will comprise the demolition of an existing two storey, dilapidated cottage that is constructed of brick and rendered. It has a tiled pitched roof. The cottage sits close to a traditional stone built rural building that has recently had a new roof and stonework repaired for safety reasons. Due to the dilapidated condition of the existing cottage, no objection is raised to its demolition, thus complying with part (5) of policy H1 of the Local Plan (2020).

It is proposed to erect a replacement dwellinghouse repositioning it partly on the existing footprint but bringing it off the site boundaries. Separation is maintained from the outbuilding (which will be used for general storage). The new dwelling is within the existing curtilage associated with the dwelling.

The proposed dwellinghouse will comprise of a rectangular shaped footprint, detached, two-storey dwellinghouse. Whilst the floorarea of the replacement dwelling is 44% larger, it is acknowledged that the current dwelling is modest and does not meet modern standards, what is proposed is not dissimilar in layout and form to the existing cottage.

It will have an open-sided porch, lounge, kitchen, utility room and WC to the ground floor and 3no. bedrooms (one with an en-suite) and a bathroom to the first floor. The application form states that the dwellinghouse will be constructed of brick and Staffordshire blue tiled roof with stone lintels and wooden doors and windows. The front elevation of the existing farmhouse faces south, whilst the front elevation of the proposed dwellinghouse will face southwest.

The dwellinghouse will be a modern cottage appearance, with brick and Staffordshire blue tile that will nod towards material finishes of traditional rural buildings. The Landscape Character Assessment notes this as an issue within the Ancient Plateau Farmlands character type, stating that 'improved properties can be suburban and out of character'. It goes on to state, 'numerous isolated properties within this area are stone built'. Whilst it is accepted that the existing farmhouse is not constructed of stone, and the traditional agricultural buildings it is adjacent to is brick.

The caravan that the applicant will live in whilst works are undertaken has been positioned behind the existing cottage within the adjacent field, this will be removed upon first occupancy of the replacement dwelling. The grass in the field will be made good and re-seeded upon removal.

For the reasons outlined above, the proposed replacement dwellinghouse will be sympathetically designed to respect the site and its surroundings – in accordance with policy DC1 and DC3 of the Local Plan. The new dwelling seeks to enhance/conservate the quality of the countryside/character of the area, and it will respond sensitively to the distinctive qualities of the surrounding landscape, compliant with policy SS10 of the Local Plan.

Impact on Highway Safety

Policies DC1 and T1 seek to achieve a level of parking and an access that is

appropriate to the development it serves. The site can accommodate the parking and manoeuvring of several cars, the Highway Engineer has assessed the application and raises no objection to the proposed development.

The proposed development will therefore comply with Appendix 2 and the proposed development is considered to comply with policies DC1 and T1 of the Local Plan (2020) and the NPPF (2021) in respect of highway safety.

Impact on Residential Amenity

Local Plan policy DC1 and paragraph 130(f) of the NPPF (2021) seek to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy, and soft landscaping. The application site is isolated with no other dwellinghouses in close proximity. It will therefore not adversely affect neighbouring amenity.

The development will therefore comply with policy DC1 of the Local Plan (2020) and the NPPF (2021) in respect of amenity.

Impact on Ecology

Policy NE1 outlines that the biodiversity of the District will be conserved and enhancement by positive management and the strict control of development by (1) protecting and enhancing habitats and species of principal importance for conservation; (2) ensuring development produces a net gain in biodiversity and; (3) any unavoidable impacts are mitigated.

The proposed development involves the demolition of the existing cottage that is dilapidated and has not been lived for years. A bat and bird survey has been undertaken and subject to bat and bird boxes being erected on the outbuilding and/or dwelling satisfactory mitigation measures will be implemented. No evidence of protected species are recorded as present and thus will not be harmed by the proposed development.

There has been direct discussions between the applicant and the ecologist. The ecologist has advised appropriate protected species boxes and lighting, which will be conditioned to be erected prior to occupancy of the dwelling. In addition a landscaping/planting plan has been submitted to be conditioned to secure implementation.

Subject to the imposition of conditions in respect of mitigation and enhancement measures, the proposed development will not adversely affect habitats or species and it will result in a net gain in biodiversity. The proposed development will therefore comply with policy NE1 of the Local Plan (2020) and the NPPF (2021).

CONCLUSION / PLANNING BALANCE

The proposed development comprises appropriate development in the Green Belt as the replacement dwellinghouse is not considered materially larger than the dwellinghouse it will replace.

The siting of the proposed replacement dwellinghouse within the curtilage, close to the existing outbuilding, will result in development that does not harm the Green Belt

both visually or spatially, and therefore it will not conflict with the purposes of including land in the Green Belt.

The design and materials, scale, and height of the proposed replacement dwellinghouse is acceptable to the rural location. The proposed development is therefore considered to accord with policies SS10, DC1, DC3 and H1 of the Local Plan (2020).

OFFICER RECOMMENDATION: APPROVE

Case Officer: Pet Twigg

Recommendation Date: 23 July 2023

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council