

PLANNING, DESIGN & ACCESS STATEMENT

APPLICANT : MR & MRS K TYLER

**ADDRESS : GRATTON HAYE FARM, DAMS LANE,
GRATTON, ST9 9AJ**

PROPOSAL : REPLACEMENT DWELLING

DATE : APRIL 2024

JOB No. : 2023-2824

INTRODUCTION

This statement is submitted in support of a full planning application which seeks consent for a replacement dwelling at Gratton Haye Farm, Dams Lane, Gratton. The application has been submitted by Sammons Architectural Ltd on behalf of Mr & Mrs Tyler and is accompanied by drawing numbers 2023-2824-02, 2023-2824-03D, 2023-2824-04A, 2023-2824-05A, 2023-2824-06A, 2023-2824-07, a Preliminary Bat Roost Assessment and Further Bat Activity Surveys undertaken by Peak Ecology all of which should be read in conjunction with this statement.

The application follows a previous submission under reference SMD/2023/0570 for a replacement dwelling which was recently refused (8th January 2024) for the following reason:

“The applicant has failed to establish the current lawful use of the site and building described as “workshop / store” and has failed to demonstrate that the proposal benefits from one of the exceptions at paragraph 154 of the NPPF, including d) “the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces”; or g) “the partial or complete redevelopment of previously developed land”. Consequently, the proposal is regarded as “inappropriate development” in the Green Belt. No very special circumstances have been demonstrated to outweigh the harm by way of inappropriateness and other harm and the proposal is therefore considered to be contrary to Policy SS10 of the adopted Staffordshire Moorlands Local Plan 2020 and the provisions of the NPPF.”

In order to address the above a certificate application which seeks to establish the combined commercial and domestic use of the application site has been submitted under application SMD/2024/0097. The application which was validated on 15th March 2024 is currently being considered by the Local Planning Authority and a decision is expected on 10th May 2024.

The certificate application provides clear and unambiguous information which demonstrates the lawful use of the application site. It is therefore anticipated that this application will be approved and that the mixed commercial / domestic use of the application site will be accepted. It is on this basis that this application, which is

identical to that previously refused has been resubmitted. As before this statement analyses the site, the proposals and the policy context within which they are made. Thereafter it provides justification for approval of the proposed development on the basis that it would comprise of appropriate development within the Green Belt without any material harm to its openness or visual amenity. Furthermore the proposed development would not harm the character and appearance of the area, nor would it be prejudicial to residential amenity, detrimental to highway safety or adversely impact upon any established ecological interests. The proposed development therefore constitutes a sustainable and appropriate form of development which accords with the provision of local and national planning policy and should therefore be approved without delay.

APPLICATION SITE & SURROUNDING AREA

Gratton Haye Farm comprises of a detached two storey dwelling and a number of associated outbuildings which lies on the northern side of Dams Lane close to its junction with Lea Laughton Lane and Chapel Lane.

Constructed from coursed stone walls under a plain clay Staffordshire Blue roof the dwellinghouse has a double fronted twin cell arrangement with a two storey projecting rear gable. A single storey flat roof extension which wraps around the eastern side and rear wall of the original dwelling provides a link from the main dwellinghouse to a larger portal frame building which lies immediately to the north. Part of this outbuilding, approximately one third, has historically been used for domestic purposes and currently provides additional accommodation in the form of a bedroom, study, utility, store and garage. A sunroom has also been added to the western elevation of the portal framed building with a further store added to the eastern gable. The remainder of the portal frame building has previously been used as a workshop / store in conjunction with a commercial use which has been carried out from the site. A later monopitch extension which wraps around the north western corner of the portal frame building provides further storage accommodation whilst a garden shed and greenhouse are located to the east.

Access to the site is provided within the south eastern, corner directly off Dams Lane, and leads to an extensive parking and yard area. A patio area is provided on the western side of the dwelling with a substantial domestic curtilage beyond. The existing dwelling sits within close proximity of Dams Lane and both it and the adjacent portal frame building have their ridge running in an east to west direction. The roadside boundary is formed by a coursed decorative stone wall supplemented with hedgerow planting with hedgerows also forming the boundaries to the north, east and west. The red edged site area which extends to some 4,024 sq metres within an overall 4 ha (c 10 acre) ownership, the remainder of which comprises of grassland laid to pasture.

The application site lies within an area characterised by open countryside interspersed with sporadic dwellings with Dams Lane Cottage lying approximately 130m to the west north west on the opposite side of the highway and other dwellings clustered around the Lea Laughton, Gratton Hall and Chapel Lane crossroads approximately 140m to the south east. For the purposes of the development plan the application site lies within the North Staffordshire Green Belt where restrictive development plan policies apply.

THE PROPOSAL

This is a full application which seeks consent for the demolition of the existing dwelling and associated outbuildings and its replacement. The replacement dwelling will provide a new high quality sustainable form of development which will be flexible in design to suit future family needs. The proposed replacement dwelling will have a footprint of 256 sq. metres, a floor area of 336sq metres with an eaves height of 5.05m and an overall ridge height of 7.1m. It will comprise of a lounge with open plan kitchen dining room, utility, hall, cloakroom and double garage at ground floor with a master bedroom with ensuite and dressing room, three further bedrooms, family bathroom and store above.

Predominately positioned on the site of the former dwelling the proposed dwelling would have a H shaped floor plan with its main axis running in a north to south direction with secondary ridges running in a broadly east to west direction. The

principal entrance to the replacement dwelling would be provided on the eastern side of the building facing the yard and parking area. The proposed dwelling which would have a traditional appearance with strong gables and a high solid to void ratio would be constructed from natural stone and plain clay tiles which would be salvaged from the existing building. The existing ground levels would be reduced to the level of the existing yard area to suit. Parking and turning facilities would be retained as existing as would the current vehicle access arrangement and domestic curtilage. All existing boundaries are to remain with supplementary tree planting being provided to the northern and southern boundaries of the site as shown on the submitted site plan.

In addition to the replacement dwelling a new implement store / workshop will also be provided in the north eastern corner of the application site. The proposed building would have a footprint of 94 sq metres and a floor area of 88 sq metres. It would have an asymmetrical gable with an eaves height of 3.65m and 4.65m and an overall ridge height of 5.0m. The proposed building would be constructed from a portal frame clad with profiled steel sheeting in Olive Green and a steel sheeted roof. A galvanised roller shutter door would be provided within the southern elevation of the building with a pedestrian access in the western side.

PLANNING POLICIES & GUIDANCE

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 this area comprises of the Staffordshire Moorlands Local Plan (September 2020). The following policies are considered to be relevant:-

SS1 Development Principles

SS1a Presumption in Favour of Sustainable Development

SS2 Settlement Hierarchy

SD3 Sustainability Measures in Development

SS10 Other Rural Areas Strategy

H1 New Housing Development

DC1 Design Considerations

DC3 Landscape and Settlement Setting

T1 Development and Sustainable Transport

NE1 Biodiversity and Geological Resources

National Planning Policy and Guidance.

The National Planning Policy Framework (NPPF) was republished in September 2023. The NPPF sets out the Government's economic, environmental and social planning policies for England. Taken together, these policies articulate the Government's vision for sustainable development which should be interpreted and applied in determining planning applications/appeals.

Paragraph 11 of the National Planning Policy Framework (NPPF) promotes a 'presumption in favour of sustainable development'. For decision takers this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless: i) the application of policies in the 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 the Framework taken as a whole.

Paragraph 8 of the NPPF identifies three dimensions to sustainable development as being economic, social and environmental. In accordance with policies SS1 and 1a of the Staffordshire Moorlands Local Plan, the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protecting, and where possible, enhancing the environment. When considering development proposals, the Council will take a positive approach

that reflects the presumption in favour of sustainable development contained in the NPPF.

In addition, the Government published its Planning Practice Guidance (PPG) in March 2014. The web-based resource pools together a series of planning guidance documents into a new format. It is updated regularly and is intended to be used to assist in the interpretation and execution of the NPPF. It is also therefore a material consideration in the determination of this application.

In addition consideration should also be given to the provisions of the recently adopted the Staffordshire Moorlands Design Guide SPD which sets out the importance of good design and high quality development and identifying that requirements of the design guide area material consideration in all relevant planning considerations and the Supplementary Planning Guidance Staffordshire Moorlands New Dwellings and Extensions to Dwellings which sets out guidance in respect of the design of new residential development, including matters of siting, roof design, elevations and materials. Furthermore, the Council's Local Plan Supporting Evidence Document: Landscape and Settlement Character Assessment (2008) which categorises the District into distinct character areas with specific guidance for each should also be considered.

ASSESSMENT

As the application building is located within the North Staffordshire Green Belt the main issues for consideration during the determination of this application are considered to be as follows:

- (1) whether the proposed development would be appropriate or inappropriate development for the purposes of the NPPF and development plan policy; and the effect of the proposed development on the openness and visual amenity of the Green Belt
- (2) impact upon the character and appearance of the application site and the wider part of the countryside;
- (3) impact upon the residential amenities of the area

- (4) impact upon highway safety
- (5) impact upon biodiversity.

(1) whether the proposed development would be appropriate or inappropriate development for the purposes of the NPPF and development plan policy and the effect of the proposal on the openness and visual amenity of the Green Belt

The National Planning Policy Framework (NPPF) attaches great importance to Green Belts (paragraph 142). The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence (paragraph 143).

Paragraph 152 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 154 of the NPPF states that the construction of new buildings is regarded as inappropriate in the Green Belt save for several specified exceptions.

One such exception 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. The Framework therefore establishes two tests for assessing proposals, firstly relating to the use, and then an objective assessment of the relative size of the existing and replacement building. The application proposal would be the same use, passing the first test. The second test is a matter of judgement based on the evidence of each case as the Framework does not define 'materially larger'.

The dwellinghouse is located within the Open Countryside, whereby policy SS10 is applicable. Policy SS10 lists a number of types of development that are deemed acceptable in principle in the Open Countryside, including 'allowing the conversion or replacement of an existing rural building in accordance with Policy H1'. Local Plan policy H1 outlines when new housing development is acceptable in principle. Part (5) of the policy outlines the types of housing development that will be permitted in the other rural areas, which includes the Open Countryside. Part (c) states that

proposals for replacement dwellings will be permitted 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.

In terms of the first criteria the replacement dwelling proposed as part of this application would be two storey and comparable in height to that of the existing dwelling.

A search of the Council's planning website shows that there have been no applications for extensions or alterations at the application site. Notwithstanding this it is clear that the existing dwelling has been extended. Whether this has been undertaken using permitted development rights or unlawfully it is clear from Google maps and evidence on site that these additions / alterations were undertaken some years ago and that they would now be immune from enforcement action.

The existing dwelling with its L shaped projecting rear wing has a volume of some 401.7 cu metres. The flat roof extension which wraps around the side and rear of the dwelling adds a further 78 cu metres to this taking the total to 479.7 sq metres. The encroachment into the adjacent workshop / store building results in a further 520 cu metres with the glazed dining room addition adding a further 37 cu metres. The combined total of the domestic accommodation currently on site is therefore 1,036.7 cu metres.

The proposed replacement dwelling would have a volume of 1,362 cu metres. This represents an increase of 325.3 cu metres or 31% over and above that which currently exists on the site. It should also be noted that the existing dwelling could be extended further using permitted development rights which would obviously increase the overall built development on the site. On the basis of the above it is not considered that the replacement dwelling would not be materially larger than that which it replaces and should therefore be approved as it complies with paragraph 154(d) of the NPPF.

The second part of Local Plan Policy H1 (5) (c) also requires the development to not result in the loss of a building that is intrinsic to the character of the area. The existing dwellinghouse is not listed, is it not located in a Conservation Area, and there is no Historic Environment Record associated with the property. The existing property contributes little to the character and appearance of the area and cannot be considered to constitute a building which is intrinsic to the character of the area. The proposed development is considered to comply with policies DC1 and H1 of the Local Plan (2020) and the NPPF (2023).

Should the council not agree that the proposed development complies with the exception provided for under paragraph 154 (d) of the NPPF then it is considered that there is a further exception available to the applicant to justify the proposed development. This would be found under paragraph 154 (g) of the NPPF which allows for the “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.

As stated previously a certificate of lawfulness application has been submitted to the council and is currently being considered. In determining the previous application for a replacement dwelling the council made several assertions to the fact that the site had a commercial nature although it noted that there was no planning history to determine its use. It concluded that it was “unclear whether the site was used for agricultural purpose or some other commercial purpose for instance” and as such could not be considered under this exception. The submitted certificate of lawfulness application seeks to demonstrate that the existing site benefits from a mixed use of commercial and domestic use, both of which are considered to constitute previously developed land for the purposes of the NPPF.

The redevelopment of the site means that several other buildings would be removed as part of the proposed scheme, namely the demolition and removal of the large portal framed building (which has a remaining volume of 1,025 cu metres), the adjoining store (22.5 cu metres), the greenhouse (23 cu metres) and the later monopitch extension which wraps around the north western corner of the site (122

cu metres). The total volume of all the buildings currently on the site is 2,229 cu metres). The volume of the replacement dwelling proposed would be 1,362 cu metres along with a further 408 cu metres for the proposed implement store / workshop building resulting in a proposed volume of 1,770 cu metres. This results in a net decrease of built volume on the site of some 459 cu metres or 21%. It is therefore considered that the proposed development constitutes an appropriate form of development within the Green Belt and which would not have a materially greater impact upon its openness or its visual amenity. The proposed development therefore complies with the adopted Local Plan Policies SS10 and H1 as well guidance contained within the NPPF.

(2) impact upon the character and appearance of the application site and the wider part of the countryside;

Paragraph 126 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. 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 of the NPPF lists 6 criterion (a) to (f) which planning policies and decisions should accord and details, amongst other things, that developments should be visually attractive as a result of good architecture and sympathetic to local character and history, including the surrounding built development and landscape setting whilst not preventing or discouraging appropriate innovation or change.

Paragraph 134 of the NPPF confirms that permission should be refused for development that is not well designed especially where it fails to reflect local design guidance and supplementary planning documents such as design guides and codes.

Policy DC1 of the Local Plan states that all development should 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.

The council's adopted Design Guide SPD outlines the Council's expectations in respect of design. It states that in the countryside, buildings should sit comfortably in the landscape, which is best achieved by emulating the horizontal, ground hugging form of traditional buildings with their strong eaves and ridge lines. It goes on to state that sites may be capable of accommodating both contemporary and traditional forms of development that are high quality and functional. The Design Guide SPD also acknowledges that modern design construction and materials allows for much larger openings, which has become particularly desirable as it provides light habitable space. It goes on to state that the insertion of such openings may prove acceptable when considering the design of new contemporary buildings.

In terms of more general scale, massing and design considerations, the Local Authority's Design SPD and New Dwellings and Extensions SPG set out a number of parameters which development should seek to adhere to in order to deliver high quality design that is appropriate to the District. Consideration has been given to this document in the drafting of the proposed scheme.

The proposed replacement dwelling would be of a traditional two storey design with a horizontal ground hugging form to ensure that it sits comfortably within the landscape. It has been designed with horizontal proportions, dominant ridge line strong eaves and gables but offers a slightly more contemporary design approach. The proposed roof pitch is consistent with the vernacular of the Moorlands and will facilitate the use of Staffordshire Blue plain clay tiles.

The replacement dwelling is broadly commensurate in scale to the existing dwelling and maintains a high solid to void ratio which is in keeping with the local vernacular of a traditional two storey Moorlands farmhouse. The proportions of the proposed dwelling are appropriate with the roof to wall ratio approximately 1/3 to 2/3 as required and window openings have been carefully considered and positioned with similar sizes and proportions used throughout to provide a harmonious appearance with larger openings generally limited to ground floor level on the side elevations where there will be less publicly visible.

The replacement dwelling would be constructed from materials salvaged from the existing dwelling and traditional design details such as simple eaves and natural stone surrounds to doors and windows have been incorporated ensure that the overall dwelling is reflective of the local vernacular. The incorporation of the garage within one end of the modern barn wing helpfully avoids the more suburban look of a detached garage being provided.

The portal frame building has been positioned in the corner of the site but still relates to the existing built development and the physical constraints of the site. Its overall size and scale has been significantly reduced when compared to that of the existing building and kept to the minimum required to allow the continued maintenance of the small holding. Its overall design, scale, form and appearance is in keeping with and reflective of its use and the proposed materials will ensure that it appears as a typical rural outbuilding which is commonly seen within the area.

In refusing the previous scheme, which was identical in terms of size, scale, form and design the case officer stated that “ The materials match the existing dwellinghouse. The proposed materials comprise of stone with Staffordshire Blue tiles. The appearance of the replacement dwelling is of a similar appearance to the existing dwelling and would complement the surrounding area”.

A subsequent telephone conversation with Ben Haywood, Head of Development Services, indicated that there was no concerns or issues with the size, scale, form, design and appearance of the proposed replacement dwelling subject to the lawfulness of the site being determined. Furthermore the previous refusal notice did not raise the size, scale, form, design or external appearance of the replacement dwelling as a reason for refusal.

The above assessment demonstrates that the proposed development responds positively to the Local Authority’s adopted guidance, and encompasses a two-storey design that is in keeping with the character and appearance of the surrounding area. It is concluded as a consequence that the redevelopment of the site and provision of a replacement dwelling with associated implement store/ workshop building will not

have a significantly greater impact on the character and appearance of the surrounding area than the existing dwelling.

Furthermore, the proposed development will serve to positively improve the character and appearance of the local area, by removing the existing dwelling, its unsympathetic additions and poor quality ancillary outbuildings, and replacing them with a high quality, bespoke designed replacement dwelling and associated implement store / workshop building that has been demonstrated to accord with local vernacular. The proposed development is therefore considered to accord with the objectives of policies SS1, SS10, DC1 and DC3 of the Local Plan .

(3) Impact upon the residential amenities of the area

Local Plan Policy DC1 and Paragraph 130(f) of the NPPF states, amongst a number of other matters, that new development should create a high standard of amenity for both existing and future occupiers. Policy DC1 of the adopted Local Plan states that all development should protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution.

The closest neighbours are positioned more than 130m away in both directions and are separated from the application site by pockets of Green Belt. Given the separation distances between and topography of the site it is not considered that the development as proposed would adversely impact upon the existing residential amenity afforded to any of the surrounding residential properties nor would it be detrimental to any neighbouring land uses.

The proposed replacement dwellinghouse significantly exceeds the minimum internal floorspace requirements, as set out in the Nationally Described Space Standards and the area of private amenity space exceeds the minimum required by the Space About Dwellings SPG. The amenity of future occupiers will therefore be acceptable and was accepted as such by the case officer considering the previous application.

In this respect it is considered that the proposal complies with policy DC1 of the Staffordshire Moorlands Local Plan and guidance contained within the NPPF.

(4) impact upon highway safety.

Policies DC1 and T1 of the Local Plan seek to achieve a level of parking and an access that is appropriate to the development which it serves. The replacement dwelling will be served by the existing access off Dams Lane. The proposal is for a replacement dwellinghouse and therefore it will not involve an intensification in the use of the existing access.

No alterations are proposed to the site access or its associated parking and turning areas. The replacement dwellinghouse will have 4 bedrooms and the submitted site plan shows that adequate provision to comply with the Parking Standards contained in Appendix 2 of the Local Plan (2020) has been provided. On this basis it is considered that the proposal complies with policies DC1, T1 and Appendix 2 of the Local Plan and national guidance in this respect contained in the NPPF.

(5) Impact upon biodiversity

Paragraph 179 of the NPPF states that to protect and enhance biodiversity and geodiversity local planning authorities should amongst other things promote the conservation, restoration and enhancement of priority species and identify and pursue opportunities for securing measurable net gains for biodiversity.

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 application is supported by a preliminary bat roost assessment and further bat activity surveys which have been undertaken by Peak Ecology (Sept 2023). Evidence of bats was found during the internal inspection and an application for an EPS licence from Natural England shall be required for the demolition of the building.

As the existing building will be demolished it will not be possible to retain any of the existing bat roosts however a number of mitigation measures have been incorporated into the replacement dwelling including the provision of external bat boxes and further site enhancement secured through additional landscaping works. A sensitive lighting scheme is also required in order to safeguard and protect the bat habitat and a number of bird boxes are also proposed throughout the site to maintain opportunities for nesting birds. These recommendations and mitigation measures proposed can be secured via a suitably worded planning condition. Having regard to the above it is considered that the proposed development would not be prejudicial to the established ecological interests of the site and as such is compliant with Local Plan policy NE1 and paragraphs 179 and 180 of the NPPF.

Conclusion

A separate certificate of lawfulness application has been submitted which categorically and unambiguously ascertains that the application site benefits from a mixed commercial / domestic use and would therefore constitute previously developed land.

The demolition of the existing dwelling and associated outbuildings and its replacement is an appropriate form of development which is acceptable in principle. The proposed replacement dwelling constitutes an exemplar form of sustainable development that will make a substantial contribution towards reducing carbon emissions within the District. The scale, massing and design of the development is comparable to the existing dwellinghouse and redevelopment of the application site would result in a net loss of built development and a positive enhancement of the site and surrounding area through the removal of a number of unsympathetic additions and outbuildings which are harmful to the character and appearance of the area by virtue of their inappropriate size, scale, form, design and materials. The proposed dwelling would be in keeping with the character and appearance of the surrounding area and represents an appropriate contemporary design solution that will accord with the objectives of the recently updated National Planning Policy Framework in delivering high quality, beautiful and sustainable buildings (paragraph 126 refers). The proposal furthermore raises no concerns with regards to residential amenity, highway safety or biodiversity. The proposal is therefore in accordance with policies

SS1, SS10, H1, SD3, DC1, DC3, NE1 and T1 of the Staffordshire Moorlands Local Plan, and guidance contained within the National Planning Policy Framework and SMDC Design Guide SPD.