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PLANNING STATEMENT

PROPOSAL : DEMOLITION OF AGRICULTURAL OUTBULDINGS AND ERECTION OF DETACHED DWELLING, WITH ASSOCIATED CURTILAGE, PARKING AND HARD AND SOFT LANDSCAPING WORKS

ADDRESS : NEW HOUSE FARM, LUZLOW LANE, BAGNALL, STAFFORDSHIRE, ST9 9JZ

APPLICANT : MR D CONNOR

DATE : APRIL 2024 JOB No.: 2019-2465

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INTRODUCTION

1.1 This statement is submitted in support of a full planning application for the demolition of agricultural outbuildings and erection of a detached dwelling with associated curtilage, parking and hard and soft landscaping works at New House Farm, Luzlow Lane, Bagnall, Staffordshire. The application has been submitted by Sammons Architectural Ltd on behalf of Mr Connor and is accompanied by drawing numbers 2019-2465-16A, 2019-2465-17A, 2019-2465-28B, 2019-2465-29, 2019-2465-30, 2019-2465-31, 2019-2465-32 a structural survey undertaken by RePlan and Design Ltd (November 2022) and a Bat Activity Survey Report undertaken by Elite Ecology (October 2022), all of which should be read in conjunction with this report.

1.2 Permission was granted on the 13th March 2023 under application reference DET/2023/0001 under Schedule 2 Part 3 Class Q of the Town & Country Planning (General Permitted Development) (England) Order 2015 (as amended) for the change of use of an existing building into a single dwelling with associated building operations. A copy of the decision notice is attached at Appendix 1 to this statement and the approved drawings have been included as part of this application. The dwelling approved under the Class Q application would comprise of an open plan kitchen / living room with master bedroom, two further bedrooms and a family bathroom.

1.3 The Class Q application included the provision of dedicated amenity and parking areas. The permission was granted subject to a number of conditions relating to the submission of a Construction and Environmental Method Statement, hours of construction, contamination, landscaping, material details, parking arrangements and demolition of attached buildings.

1.4 Rather than utilising the existing building, it is felt that the form of the development can rather be improved upon greatly as a form of betterment and that much improved energy standards can be achieved through new build than conversion. Consequently full planning permission is now sought for the demolition of the existing agricultural buildings and the redevelopment of the site to provide a single detached dwelling using Class Q permitted development as the fallback position. From established case law of Mansell v Tonbridge and Malling BC [2017] EWCA Civ 1314, the Court of Appeal has upheld a judgement that Class Q permitted developments can be properly taken into account as a fallback position where an alternative form of development is proposed which is a clear possibility. The support for this argument is set out in more detail in section 5 of this statement.

2 APPLICATION BUILDING AND ITS SETTING

2.1 New House Farm is a working small holding which extends to some 10 acres. It lies on the western side of Luzlow Lane and comprises of a two storey detached brick farmhouse, which has been extended, and a range of agricultural outbuildings to the north. A new portal framed agricultural building approved in May 2023 under application reference SMD/2023/0019 is currently under construction to the north of the application site.

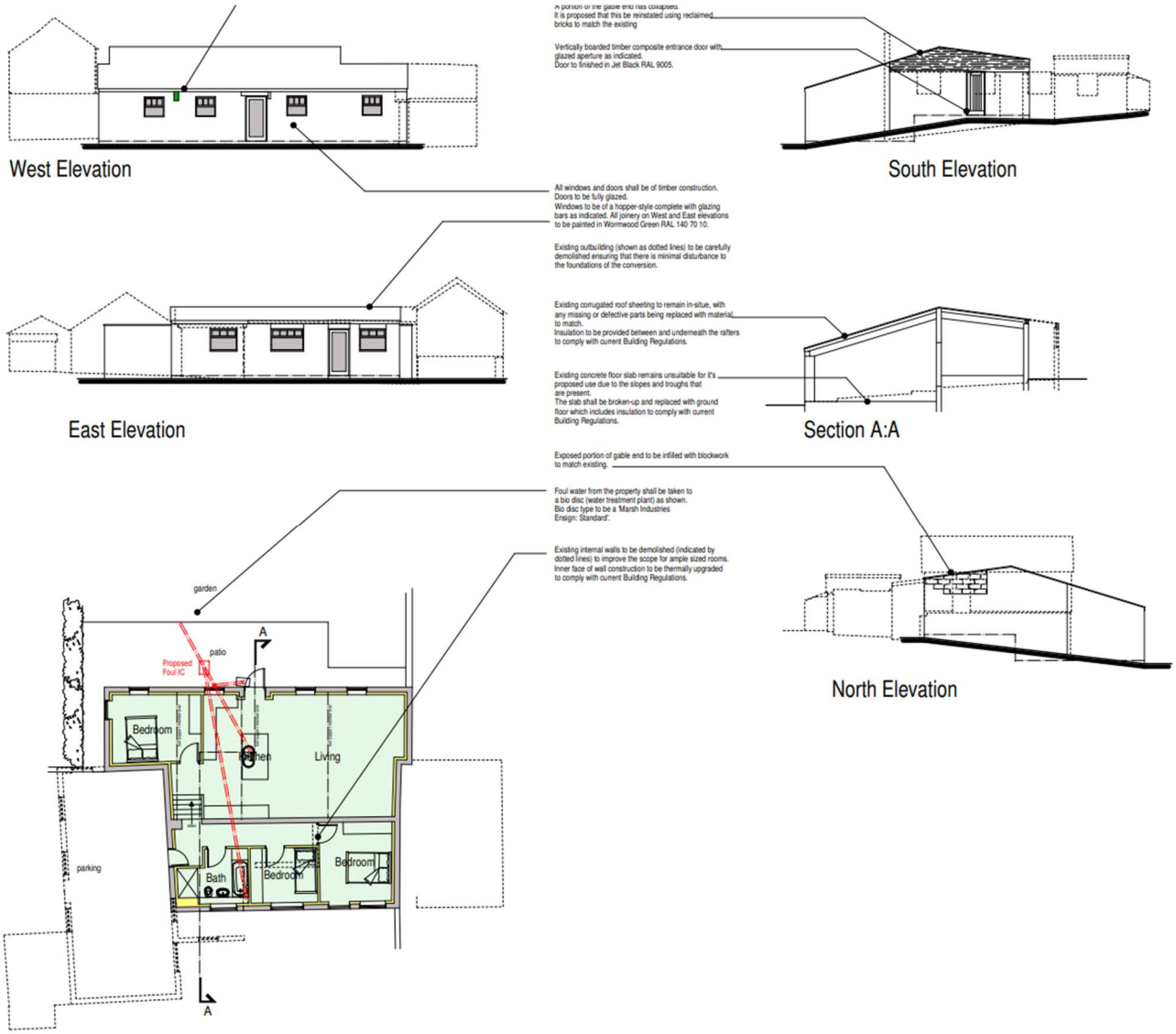
2.2 The application building comprises of a detached agricultural building constructed from a mix of red facing brickwork and concrete block walls under a sheeted roof. The site lies in

an attractive rural area which is characterised by loose sporadic scatterings of dwellings and small farmsteads. For the purposes of the Development Plan the application site lies in the North Staffordshire Green Belt.

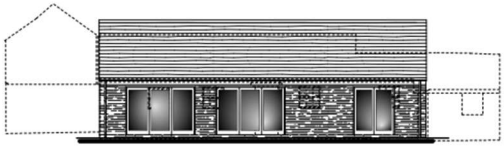
3. THE PROPOSED DEVELOPMENT

3.1 This is a full application which seeks consent to demolish the existing agricultural buildings and redevelop the site to provide a single dwelling with associated curtilage, parking and hard and soft landscaping works.

3.2 The proposed dwelling would be very similar in terms of size, scale, form and design to that previously approved under the Class Q scheme and would be located on the same footprint as the Class Q development and contain the same level of accommodation as previously approved (open plan kitchen / lounge with three bedrooms and a bathroom. If the applicant implemented the approved Class Q the completed development would look like the following:

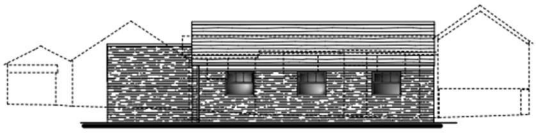


3.3 The dwelling proposed as part of this application would, if approved, look like the following.



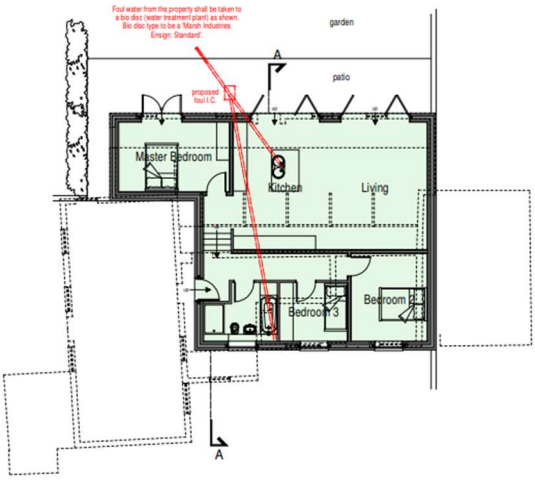
West Elevation

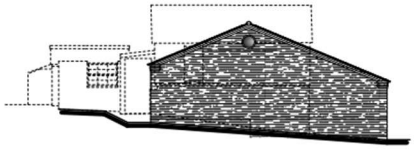
South Elevation



East Elevation

Section A:A





North Elevation

3.4 The proposed dwelling would comprise of a single storey unit which would have a footprint of 123 sq metres and a floor area of 106 sq metres. With an eaves height of 2.4m and a ridge height of 5m it would have an overall volume of 426.22 cu metres. By comparison the scheme approved under the prior approval application would provide a dwelling with the same footprint of 123 sq metres but slightly larger floor area of 112 sq metres. At 2.46m to the eaves and 4.4m to the ridge the overall volume of the unit would be 387.75 cu metres.

3.5 The existing access off Luzlow Lane which serves the application buildings was approved, subject to improvements under the Class Q application. This application proposes to use the same access and implement the previously approved improvement works. The application site is marginally larger than that previously approved and allows for the provision of small yard area to the south of the proposed dwelling and a garden area to the

north of the proposed parking area between the eastern elevation of the proposed dwelling and the roadside boundary. The previously approved garden to the west will be retained as part of this scheme.

3.6 The proposal would sit well within its surroundings and has taken its overall form and appearance from that of the existing building and that which has been previously approved under the Class Q application. The use of traditional local materials will ensure that it has a traditional appearance which is in keeping with its surroundings and quickly assimilated into the landscape.

4.0 PLANNING POLICY

4.1 Section 38(6) of the Planning and Compulsory Act 2004 and paragraph 47 of the National Planning Policy Framework (NPPF, 2023) requires that applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise.

4.2 The National Planning Policy Framework (NPPF) which was revised in December 2023 sets out the Government's planning policies for England and how these should be applied. It is the Government's clear intention that the document should be considered to be a material consideration and as such carries particular weight where development is not addressed by planning policies in the existing Development Plan.

4.3 Whilst the recently published NPPF does not change the statutory status of the Development Plan as the starting point for decision making it does provide guidance to LPA's and is a material consideration in determining planning applications. The NPPF confirms that at the heart of the guidance is a presumption in favour of sustainable development (para 11) and that for decision making this means approving development proposals that accord with the Development Plan without delay unless material considerations indicate otherwise. The NPPF also sets out requirements in respect of housing delivery and securing high quality design. The following are considered to be the most relevant chapters:-

- Chapter 2 - Achieving Sustainable Development
- Chapter 12 - Achieving Well Designed Places
- Chapter 13 - Protecting Green Belt Land
- Chapter 14 – Meeting the Challenge of Climate Change, Flooding and Coastal Change
- Chapter 15 - Conserving and Enhancing the Natural Environment

4.4 The Development Plan for the Staffordshire Moorlands comprises of the Staffordshire Moorlands Local Plan which was adopted 9th September 2020. The most relevant policies contained therein are considered to be:

SS1 Development Principles
SS2 Settlement Hierarchy
SS10 Other Rural Areas Strategy
SD1 Sustainable Use of Resources
SD2 Renewable / Low Carbon Energy
SD3 Sustainability Measures in Development 33
H1 New Housing

DC1 Design Considerations
NE1 Biodiversity
T1 Transport

4.5 For the sake of brevity these policies are not quoted in full but they are referred to where appropriate in the following section.

5.0 KEY PLANNING ISSUES

5.1 The key issues for consideration in the determination of this application are therefore considered to be:-

- The principle of development and whether the proposal is inappropriate development in the Green Belt;
- If the development is inappropriate development, where the harm is clearly outweighed by any other considerations so as to amount to the very special circumstances necessary to justify it;
- Impact on openness and the five purposes of Green Belt
- Design and appearance and amenity
- Sustainability
- Highway safety
- Ecology

The principle of development and whether the proposal is inappropriate development in the Green Belt

5.2 For the purposes of planning policy consideration the application site lies within the Green Belt. Both the Council's Core Strategy and the NPPF restrict Green Belt/open countryside developments. Core Strategy policies SS1 and SS1a highlight the importance of sustainable development. Policy SS10 states that the areas within the Green Belt will only provide development which meets an essential local need, supports the rural diversification and sustainability of rural areas and promotes sustainable tourism or enhances the countryside.

5.3 The National Planning Policy Framework clearly states that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open (para 142). Paragraph 143 sets out the five purposes Green Belt designation serves. These are: 1. To check the unrestricted sprawl of large built-up areas; 2. To prevent neighbouring towns from merging into one another; 3. To assist in safeguarding the countryside from encroachment; 4. To preserve the setting and special character of historic towns; and 5. To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

5.4 Chapter 13 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" (para 152). Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness and any other harm, is clearly outweighed by other considerations (para 153). Paragraph 154 of the NPPF clearly sets out that "a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt" although a number of

exceptions are listed. None of the exceptions apply to the application scheme and it is therefore considered that the proposal constitutes inappropriate development in the Green Belt.

> *If the development is inappropriate development, where the harm is clearly outweighed by any other considerations so as to amount to the very special circumstances necessary to justify it*

5.5 Planning law requires that decisions on planning applications comply with the planning policies set out in the adopted development plan unless material considerations state otherwise (my emphasis). In this particular case the "fallback position" resulting from the extant Class Q permission to convert the agricultural building into a single detached dwelling is a material planning considered that supports the proposal and should be afforded significant weight.

5.6 The weight to be attached to a "fallback" option has been well defined by numerous court cases including but not limited to Spackman v SOS & Thamesdown BC, Snowden v SOS & City of Bradford MC, Gwinnell v SOS & LB Islington etc, Simpson v SOS and Medway Council and R (on the application of Zurich Assurance Ltd (t/a Threadneedle Property Investments) v North Lincolnshire Council and Mansell v Tonbridge and Malling BC.

5.7 These cases identify that the weight to be attached to a 'fallback' option increases commensurately with the likelihood of that scheme being implemented if an alternative option, requiring planning permission, is refused. In addition, the case law also identifies that any alternative application option should result in no greater harm than would result from the implementation of the fallback alternative.

5.8 These issues are encapsulated in the comments of Mr George Bartlett QC with regard to the Simpson case, where he stated thus:

"The essence of any fallback position is that although the proposed development might have an adverse effect, if planning permission were withheld, other uses or operations with adverse effects but not requiring planning permission could also be carried out, so that in the final evaluation the proposed development ought to be judged acceptable in view of what might occur if permission for it was refused (see Snowden v Secretary of State for the Environment). A fallback position has two elements that need to be established before it can be brought into the evaluation and used to justify the grant of permission. The first is the nature and content of the alternative use or operation. The second is the degree of likelihood of the alternative being carried out."

5.9 The Zurich case (and the judgement of Justice Hickinbottom) has refined the second of these considerations – i.e. relating to the likelihood of the alternative development taking place – and makes clear that such prospect only needs to be more than 'merely theoretical' to be given weight as a material consideration, as demonstrated below:

"The prospect of the fallback position does not have to be probable or even have a high chance of occurring; it has to be only more than a merely theoretical prospect. Where the possibility of the fall back happening is "very slight indeed", or merely "an outside chance", that is sufficient to make the position a material consideration…"

5.10 In the case of Mansell v Tonbridge and Malling BC the Court of Appeal confirmed the legal considerations in determining the materiality of a fallback position is a material consideration when considering a proposal for a new house or houses, provided that, there is a realistic prospect of such development going ahead, concluding that the clear desire of the landowner to develop, and maximise the value of the site was sufficient to demonstrate there was a real prospect of the Class Q fallback in this case.

5.11 In this instance the applicant has had professional plans produced and has commissioned a Planning Consultant. This supports the intention of implementing the approved Class Q scheme if this application is unsuccessful. There is therefore a clear desire and intention to develop the site, establishing the “real prospect” of development required by the Mansell case for the fallback to apply. In this regard, it is evident that the prospect of the fallback development permitted by application DET/2023/0001 being undertaken is more than merely theoretical such that it can be considered to amount to ‘very special circumstances’ that weigh heavily in favour of the proposal.

5.12 In addition the Mansell case considered the benefits of a new development over the conversion of an existing building and concluded that in certain cases where an application for planning permission may result in a better scheme in terms of design than a prior approval scheme should be a material consideration. The key rationale for this development is to provide a higher quality and more coherent development that is more sympathetic to the site’s rural surroundings.

5.13 The design of the new build will be very similar to the Class Q permission in terms of location, footprint, size and design with the exception of a small increase in the overall ridge height and minor alterations to the layout of the external amenity space and boundary treatments. In this case the proposed development, as can be seen in the plans submitted will provide a tangible visual improvement to the site. The proposed dwelling would result in a simplified plan form and roof arrangement. The changing of the existing monopitched element on the east facing gable to a more appropriate dual pitched roof would also result in a more traditional and vernacular building which is an improvement in design terms. It will also reduce the overall bulk and massing of this element especially when viewed from the adjacent highway. The design of the proposed dwelling and the materials proposed are of a high quality and are reflective of and sympathetic to its rural surroundings as well as being in keeping with the local vernacular. The agricultural nature of the site and surroundings have informed the design of the proposed dwelling to create a unique scheme with strong rural character. Overall the design is of much higher quality than would be achieved through the conversion of the existing agricultural building which would otherwise result in a more constrained and less sympathetic form of development in this location.

5.14 In addition the demolition of the existing agricultural buildings and their replacement with a new dwelling provides the opportunity to improve the sustainability credentials of the build far in excess than those which could be achieved through the conversion of the existing building under the Class Q approval. The prior approval application only includes those building operations that are reasonably necessary to convert the building. As stated within the supporting statement for application DET/2023/0001 these works included minor and localised rebuilding of the upper part of the gables on both the northern and southern elevations, replacement windows and doors, insulation to the underside of the existing roof and internally to the walls, replacement concrete floor slab, demolition of internal wall partitions where required, replacement timber wall plates where these are exposed and provision of rainwater goods. It is not within the scope of Class Q to allow re-building with modest standard cavity walls and all of the works proposed within the Class Q are retrofitting the building. Furthermore, the there are no proposals for on plot renewable energy generation through the Class Q and as such there are no measures to off set the energy demand of the future dwelling. Overall the sustainability credentials of the completed Class Q conversion would fall significantly below new build standards, particularly those required by Policies SD1, SD2 and SD 3 of the adopted Local Plan.

5.15 In comparison the proposed dwelling will achieve the required energy efficiency standards for residential development and therefore provide clear benefits in comparison to the approved Class Q application. New build homes have energy efficiency built in as they are designed and delivered according updated and evolving building regulations. New builds also use new

technologies and materials and are built with environmentally conscious practices to support and encourage natural biodiversity. As a result of this improved efficiency, new build homes use significantly less energy than their older counterparts. 85% of new build homes were awarded an A or B Energy Performance Certificate (EPC rating) last year whilst only 4 % of existing dwellings reached the same energy efficiency standard. In addition the scheme proposed as part of this application provides for maximisation of solar gain through floor to ceiling windows on the south facing elevation and the provision of solar panels to the south facing roof slope. An air source heat pump is also proposed as well as an electric vehicle charging point. Again, these matters weigh significantly in favour of the proposal. The current proposal offers an opportunity for a more comprehensive and coherent redevelopment of the site. Furthermore, the proposal has a realistic prospect of such development going ahead, these points together are a significant material consideration that weigh in favour of the proposed development.

Impact on openness and the five purposes of Green Belt

5.16 The five purposes of Geen Belt are set out in paragraph 5.3 of this statement above. It is not considered that the proposed development would conflict with any of these. The proposed dwelling would comprise of a single storey unit which would have a footprint of 123 sq metres and a floor area of 106 sq metres. With an eaves height of 2.4m and a ridge height of 5m it would have an overall volume of 426.22 cu metres. By comparison the scheme approved under the prior approval application would provide a dwelling with the same footprint of 123 sq metres but slightly larger floor area of 112 sq metres. At 2.46m to the eaves and 4.4m to the ridge the overall volume of the unit would be 387.75 cu metres. Whilst the proposed dwelling would be marginally larger than that approved as part of the Class Q application it is not considered that this would be material or have any harmful effect on the openness of the Green Belt having regard to the fact that the overall footprint of the dwelling would be reduced and the improvements to the overall design and appearance of the scheme which would be achieved.

Design, Appearance and Amenity

5.17 The NPPF is clear that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what planning and development process should achieve. Pragraph 131 states that the creation of high quality, beautiful and sustainable builds and places is fundamental to what the planning development process should achieve. It goes on to state that planning policies and decisions should ensure that developments:

(a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
(b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
(c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
(d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;
(e) optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks, and;
(f) create places that are safe, inclusive and accessible and which promote health and well being, with a high standard of amenity for existing and future users.

5.18 Policy H1 of the Local Plan relates to 'New Housing Development' and states that 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. 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.

5.19 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. 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. In all cases the development will not lead to a prominent intrusion into the countryside or have a significant adverse impact on the character and appearance of the countryside

5.20 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

- be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area;
- 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;
- 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;
- provide for safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use;
- new developments to be well integrated for car, pedestrian and cycle use as well as other sustainable transport links;

5.21 In addition to the above the adopted SMDC Design Guide SPD provides further detailed guidance aimed at securing the delivery of high quality design within the District. The content of this document has been taken into consideration in the preparation of the application.

5.22 The proposed dwelling encompasses a high-quality design that takes its design cues from the existing and surrounding built development and guidance set out within the adopted Design Guide SPD. The proposed dwelling exhibits a horizontally proportioned, ground hugging form that incorporates strongly defined eaves and ridge lines with a balance of proportions between the overall shape of the walls and the openings contained therein resulting in a high solid to void ratio. It has a pitched roof to reflect traditional Moorlands vernacular with a dominant roofline emphasised by gables. For these reasons the design of the proposed dwelling is considered to be in keeping with Moorlands vernacular as defined by the Design Guide SPD and will secure the delivery of high-quality design on the site whilst reflecting the design of the dwelling permitted under Class Q. The proposed dwelling will be constructed from brickwork walls under a tiled roof. The proposed dwelling will have three bedrooms and meets the technical housing standards-nationally described space standards. Privacy and amenity standards are the same as the Class Q consent and the proposed scheme will result in a visually attractive scheme that positively contributes towards the vernacular of the Staffordshire Moorlands area. The proposed design of

the development is therefore held to meet the requirements of policies SS1, H1 and DC1 of the Local Plan and guidance set out within the Design Guide SPD.

Sustainability

5.23 The application site does not lie within any defined settlement boundary within the settlement hierarchy for the District. It is therefore considered to lie within a countryside location. However the application building, farmhouse and barns form a discernible group. This arrangement of buildings is relatively common and the form of development within the vicinity of the application site is characterised by sporadic and dispersed groups of farmhouses and their outbuildings.

5.24 Notwithstanding its relatively rural location the application site lies just over 1km to the north of Werrington, a large designated settlement, which provides a range of shops, services, and employment opportunities. The new single house would be in as sustainable a location as the previously approved dwelling and the adjacent farmhouse. There is a distinct difference between a home in the designated open countryside and a really isolated home in the countryside and sustainability is not just reliant on location. In economic terms there would be benefits relating to the construction of the house, payment of council tax and ongoing patronism of local businesses and services once occupied.

5.25 The proposed development would also result in a new dwelling at a time when the council cannot demonstrate a 5 year housing land supply and there would be no negative impacts on the social or economic threads set out in the NPPF. The proposed new dwelling and its residents will help support local facilities, bus route, shops nearby and thus local employment. In conclusion therefore whilst the site may lie outside any identified settlement it is not considered that the physical location of the application site itself, makes it so unsustainable as to render it unacceptable in this particular location. The fact that it already has permission for an almost identical house under Class Q also weighs in its favour.

Highway Safety

5.26 Paragraphs 114 and 115 of the NPPF states: Plans and decisions should take account of whether: the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe is reflected in Local Plan Policy T1 Development and Sustainable Transport.

5.25 Access to the proposed dwelling is gained from the public highway via an existing access arrangement which has already been considered as part of the Class Q application and accepted. The application proposes to utilise the access approved under the class Q application for the proposed dwelling. As with the Class Q proposal having regard to the established use of the application building and the fact the application proposes the creation of a single dwelling, it is not considered that the proposal would give rise to any material intensification of the use of the existing vehicular access. Adequate parking and turning facilities are provided within the site and on this basis it is not considered that there would be any detrimental impact on highway safety.

Ecology

5.27 The application is accompanied by a Bat Activity Report undertaken by Elite Ecology (October 2022). This confirmed that the application building contained roosts for common pipistrelles and brown long eared bats. An EPS licence from Natural England would therefore be required. A number of mitigation measures are proposed in the report and it is considered that these can be secured via a suitably worded planning condition. Subject to the imposition of such a planning condition it is considered that the requirements of Local Plan Policy NE1 and guidance contained within the NPPF are complied with.

6.0 Conclusion

6.1 The NPPF states that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. It goes on to state that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. It also states in the NPPF that where proposals accord with the development plan they should be approved without delay, and where policies are out-of-date permission should only be refused where there is significant and demonstrable harm to outweigh the benefits of the development.

6.2 The proposed dwelling would constitute inappropriate development in the Green Belt however consent granted under the prior notification application DET/2023/0001 permits the existing barn to be converted into a residential dwelling and is deemed to be a material planning consideration. The case of Mansell v Tonbridge and Malling Borough Council, heard at the Court of Appeal, concluded that the availability of permitted development rights can be properly taken into account as a fall back position where some alternative form of development scheme is then proposed. The Framework indicates that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in ‘very special circumstances’.

6.3 The strong fall-back situation provided by the extant planning approval as well as improvements to its overall form and design by the use of sensitive materials significantly weighs in favour of the development to outweigh the identified harm to the Green Belt. Whilst the proposed new dwelling would be of a marginally different form and design to the conversion of the barn there would be significant betterment arising from the development through a better conceived design rather than the visual impact from the conversion of a building that was not designed for residential purposes and the positive enhancement through the removal of several other inappropriate buildings on the site and rationalisation of built development. Special circumstances have been demonstrated to justify the proposed development. Furthermore, the proposal will not derive any significant issues in respect of highway safety nor will it be prejudicial to residential amenity or biodiversity. Overall the design, scale and impact of the proposed development is considered to be reasonable, and given the fall-back position and in view of case law, the application is considered to be acceptable and meets the requirements of policies SS1, SS10, H1, DC1, NE1 and T1 of the Staffordshire Moorlands Core Strategy and guidance contained within the National Planning Policy Framework.