

DELEGATED DECISION REPORT

SMD/2024/0172
Valid 23/04/2024

BERRISFORD BARNES
SYTCH ROAD
BROWN EDGE

**DEMOLITION OF EXISTING
BUILDINGS, CONSTRUCTION
OF TWO DWELLINGS AND
ASSOCIATED WORKS TO
INCLUDE A COMPREHENSIVE
LANDSCAPE SCHEME**

(FULL - MINOR)

MAIN ISSUES

- Principle
- Green Belt
- Impact on visual amenity
- Impact on residential amenity
- Amenity of future occupier
- Highways
- Drainage
- Ecology

DESCRIPTION OF SITE

The application site relates to a plot of land located in Brown Edge. The site is located outside of the development boundary on designated Green Belt land. The site benefits from an existing access off Sytch Road. The site is currently occupied by a range of buildings associated with the existing horticultural nursery and livery uses on the site which, are to be cleared from the site to accommodate the proposed development.

PROPOSAL

Consent is sought to demolish all of the buildings on site and erect two detached four bedroomed bungalows. The bungalows differ in size and design but both will be constructed in red brick, with Staffordshire blue roof tiles, windows and doors will be upvc. Each bungalow benefits parking from a driveway for a number of vehicles. To the rear each bungalow would benefit from its own private garden.

Included in the development is a landscaping scheme including planting of trees, hedges, shrubbery and the installation of a pond.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan

SS 2 Settlement Hierarchy

SS 10 Other Rural Areas Strategy

H 1 New Housing Development

DC 1 Design Considerations

DC 3 Landscape and Settlement Setting

NE 1 Biodiversity and Geological Resources T 1 Development and Sustainable Transport

Supplementary Planning Guidance

1. Space About Dwellings
2. Design Principles for Development in the Staffordshire Moorlands

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide

National Planning Policy Framework

Including sections;

2. Achieving sustainable development
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. making effective use of land
12. Achieving well-designed places
13. Protecting Green Belt land
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

Shared access (SMD/2020/0549: Retention of two stable block comprising of 3no. stables and 2no. tack rooms- Refused)

SMD/2022/0372- ERECTION OF 3NO. DETACHED DWELLINGS AND ASSOCIATED WORKS INCLUDING DEMOLITION OF EXISTING HORTICULTURAL AND EQUESTRIAN BUILDINGS- Refused

CONSULTATIONS

Publicity

Site Notice: expired

Neighbour consultation period: expired

Public Comments

Six Letters of representation have been received objecting to the development for the following reasons:

- Development is excessively obtrusive and inconsistent with the architectural character of the surrounding properties.
- Unauthorised development on the site already
- Traffic problems because of the poor access.
- Development is harmful to the local landscape and wildlife
- The development is inappropriate in the GB
- The dwellings appear to be as tall as a regular two storey house
- Loss of privacy to Double Gates
- Bat activity on the site
- Prow has been obstructed by the owner.

Town / Parish Comments: none received

Coal Authority: No objection subject to conditions.

Severn Trent Water: No objections and no drainage condition required.

AES Waste: No issues

Staffordshire Wildlife Trust: General response giving checklist of matters to consider.

Environmental Health: No objection subject to conditions

Staffordshire County Council Highways: No objection subject to conditions

OFFICER COMMENTS

Principle of Development

The application site is close to but outside of the development boundary for Brown Edge and is also located within the Green Belt.

The settlement hierarchy (Policy SS2) for the District states that in Other Rural Areas the open countryside where development is normally unacceptable and green belt where further development is generally inappropriate. Within these areas there are some groups of houses and hamlets which are not identified as 'smaller villages' because of their predominantly open character and loose-knit nature. They also contain major developed areas which may be suitable for appropriate development or redevelopment.

Policy SS10 states that the decisions should aim to maintain the Green Belt within Staffordshire Moorlands. Strict control will continue to be exercised over

inappropriate development within the Green Belt allowing only for exceptions as defined by Government policy.

Policy H 1 states that for new housing developments in the borough when development is located in the Green Belt, national Green Belt Policy will apply.

As such the principle of the development is based on whether the development is considered an acceptable form of development in the green belt.

Green Belt

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 a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are:

- e) Limited infilling in villages; and
- f) limited affordable housing for local community needs under policies set out in the development plan (including for rural exception sites) and
- g) limited infilling or the partial or complete redevelopment of previously developed land (PDL), whether redundant or in continuing use (excluding temporary buildings), which would:
 - not have a greater impact on the openness of the Green Belt than the existing development; or
 - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

The NPPF defines PDL as land which is or was occupied by a permanent structure, including the curtilage of the developed land (although it should not be assumed that the whole of the curtilage should be developed) and any associated fixed surface infrastructure. However it specifically excludes land that is or was last occupied by agriculture or forestry buildings. The applicant sets out that part of the site is in use as a horticulture nursery, with livery stables elsewhere. However, there is no evidence to suggest that the site has been lawfully used for any retail/selling of plants to members of the public. As such the site appears to have been used in part for horticulture purposes, and therefore the land would not be regarded as previously developed land.

The existing site is occupied by a several structures with some being permanent buildings, one polytunnel and one caravan. These structures are scattered around the site with some areas remaining free from structures specifically at the centre of the site. For this reason when viewed from the access track and within the site, the site remains relatively open with clear views of the land beyond the site boundary

The development proposes to demolish all buildings and erect 2 dormer bungalows with associated parking, and private amenity space.. In terms of the proposed developments impact on the openness of the green belt, individually the proposed dwellings are much larger in footprint, height and size than each of the existing structures. In addition parked cars are to be expected to the front of each dwelling. Dissimilar to the existing site the majority of the site would be occupied by the dwellings and their curtilages including large gardens to the rear. The paraphernalia associated with a residential use would also have some impact on the openness of the green belt. For this reason, the development would have a substantial harm and a greater impact on the openness of the greenbelt than the existing development.

The applicant contends that the development of the site would amount to infill development and therefore would meet paragraph 154 (g) of the NPPF. Whilst the NPPF does not provide a definition of “infill” it is commonly held to be a gap within an otherwise built-up frontage. The site lies to the rear of properties along Sytch Road, a linear row of houses, with open fields to the south and west. Although the proposal adjoins dwellings to the north east, the majority of the western, north west and southern boundaries would adjoin open fields and would not adjoin any built up development. Only a small part of the northern boundary would adjoin the Brown Edge settlement boundary. However, the site extends well beyond the rear boundary of the settlement, and therefore to develop the land for 2 dwellings would not reflect the pattern of development in the immediate area. Therefore, it considered that the plot does not amount to infill development. As such the development would not meet paragraph 154 (g) of the NPPF.

The development does not propose to provide affordable housing to meet local needs and therefore the development would not meet the exception test under paragraph 154 (e) or Policy H1.

As such the principle of the development is considered unacceptable. There are policies in the Framework which identify when development will be regarded as inappropriate development. In this case, the development, in principle would not comply with green belt policy. It would have a significantly greater impact on the openness of the green belt when compared to the existing development and would not meet any of the exception tests under paragraph 154 of the NPPF. Accordingly, the proposals would amount to inappropriate development in the green belt, which by definition is harmful, and should only be approved in very special circumstances. The applicant has not presented any very special circumstances.

Impact on character of the area

Policy DC 3 states that the Council will protect and, where possible, enhance local landscape and the setting of settlements in the Staffordshire Moorlands by:

1. Resisting development which would lead to prominent intrusion into the countryside or have a significant adverse impact on the character.

Policy DC 1 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.

The application proposes the erection of two bungalows following the demolition of existing structures on the site. In terms of the design of the bungalows the development is considered to have an acceptable design.

However, the development is considered to lead to prominent intrusion into the countryside and have a significant adverse impact on the landscape character for the reasons detailed below.

The application site is physically contained on two sides by gardens to existing dwellings on Sytch Gate. The remaining sides immediately bounds the wider rolling countryside and is defined by a low post and wire fence. The narrow entrance gives the site a moderate level of seclusion and separation from the built-up form of the settlement. From long distance views the proposal would be read against the built form of the settlement and backdrop of higher ground. Consequently, the visual effect of the protrusion into the countryside would be low when viewed within this wider rural landscape setting.

Nonetheless, the site is also visible from short and medium distance public vantage points. From a private road off Hammond Avenue the site would be very prominent in the view. At present the site is occupied by buildings that are relatively low level and are not intrusive when viewed from this road. However, the proposed development results in the erection of two large dormer bungalows which would result in greater harm to the openness of the Green Belt and short and medium distance landscape views. To overcome this reason for refusal the application proposes a landscaping scheme to the eastern and southern boundary of the site to screen the development from Hammond Avenue. The landscaping scheme has to be significant in order to screen the bungalows because of their size. Unfortunately, a scheme of this scale looks obtrusive because of the lack of natural landscaping on the existing site. The introduction of hedging, trees and shrubbery in the layout that is proposed would look unnatural and would be an obvious addition to the landscape that would be detrimental to the landscape given its unnatural appearance.

How well the landscaping would screen the development is unknown and on the instance that the landscaping fails to screen the site the intrusion of the dwellings would be seen throughout the year. The site would also be visible from the public footpath when approaching the site from the south. When viewed from the private road and the footpath it is considered that the visual effect of the development would extend the built form of the settlement further into the countryside, of detriment to the visual amenity of the area.

For the reasons given, the site is not a suitable location for residential development, having regard to the considerable harmful effect it would have on the character and appearance of the area.

Amenity

Policy DC 1 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. Specifically

protecting 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.

The neighbours with the most potential to be affected by the development is Ringinglow and Double Gates a pair of semi detached dwellings. The application proposes the erection of two dwellings with Plot 1 being the closest to these neighbours. Plot 1 is a dormer bungalow and a separation distance of 21m is achieved between the side elevation of this proposed dwelling. A ground floor window is proposed on the side elevation facing these neighbours but as there is an existing hedge forming a boundary this window would not overlook these neighbours. As Plot one is a dormer bungalow and the separation distance is achieved the development would not result in any unacceptable loss of light to warrant refusal of the application. None of the dormer windows would face these neighbours.

Plot 2 is sited further south than plot 1 and as a result Plot 1 separates this dwelling from these neighbours. Therefore Plot 2 would have negligible impact on neighbour amenity.

Rose House is sited a sufficient distance away from both plots as not to result in detrimental harm to the occupiers of this dwelling. The plot may experience greater disturbance from vehicular movements but this would not be significant enough to warrant refusal given the site only introduces two additional dwellings.

Amenity of Future Occupier

Each dwelling will have a gross internal floor area of no less than 124sqm and therefore meets the minimum standards set out within the DCLG Technical Housing Standards for a four bedroomed, eight-person dwellinghouse as required by Policy H1.

The occupants of the dwellings will benefit from a private amenity space that enables them to have reasonable enjoyment of their garden with a degree of freedom from unwanted social contact. Similar to the assessment on neighbour amenity the application properties would not be unduly affected by any loss of privacy due to the separation distance between the proposed dwelling and the nearby residential receptors.

Highways

The dwellings will be served by an existing access off Sytch Road. The highway authority has not required any modifications to the existing access. Although concerns have been raised regarding traffic and the suitability of the access in the absence of a highway objection the development could not be refused for this reason. Each plot would benefit from 3 parking spaces which is sufficient for a 4 bedroomed dwelling. As such the development is considered to have an acceptable impact on highway safety subject to conditions.

Drainage

The development proposes to discharge foul drainage not a sewage treatment plant and land drainage soakaway system for surface water. Limited information has been submitted in relation to these details and therefore a condition would be attached to the permission requiring a drainage scheme to be submitted.

Ecology

Policy NE1 in the Staffordshire Moorlands Local Plan Adopted September 2020, expects that 'all development where possible seeks to deliver a net gain in biodiversity proportionate to the size and scale of the development.

The application is supported by the submission of a preliminary ecological appraisal and a activity survey undertaken following the recommendations of the appraisal. Both the appraisal and the survey made recommendations that seek to deliver a net gain. The landscaping details propose new trees and shrubs. In addition to this biodiversity enhancements for bats and birds, restrictions on lighting, and a landscaping scheme incorporating biodiversity enhancement features is recommended. Subject to conditions requiring these details to be submitted it is considered that the development would have an acceptable impact on ecology.

A biodiversity metric has been submitted which shows that the proposal will achieve a 66.5% BNG net gain on site in terms of habitats and a 3663.5% net gain in hedgerow units. The proposal meets the statutory requirements of 10% and this can be secured by condition.

The application is supported by a landscaping scheme that would achieve a net gain on the site. This would be considered a benefit to the site however for the reasons mentioned previously within the report. The location and intensity of the scheme is inappropriate in this location.

CONCLUSION / PLANNING BALANCE

The proposal represents inappropriate development in the Green Belt and as such this present a clear reason for refusing the development to which 'substantial weight' should be attached. There would need to be very special circumstances by way of other considerations sufficient to outweigh the in-principle harm and any other harm.

Overall, the benefits of the scheme- new housing would not off set the substantial weight given to the harm by reason of inappropriateness in the Green Belt.

OFFICER RECOMMENDATION : Refuse

Case Officer: Rebecca Bowers

Recommendation Date: 8th October 2024

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council