

DELEGATED DECISION REPORT

SMD/2024/0270
Valid 12/06/2024

LAND ADJACENT TO
BRANDON HOUSE FARM
TOWN END ROAD
FOXT

FORMATION OF NEW
VEHICULAR ACCESS TO
SERVE DWELLINGHOUSE
APPROVED UNDER
APPLICATION SMD/2021/0156

(FULL - MINOR)

MAIN ISSUES

The impact on the character and appearance of a Conservation Area.
The impact on highway safety.

DESCRIPTION OF SITE

The site is within the small village of Foxt and to the south-east of Town End Road, the main road which runs through the village. It lies to the south of a short dead end land off Town End Road, which also turns south along the east boundary and leading to Brandon House Farm, a historic farmstead with a listed building, which lies to the south of the site. There are also dwellings on the other side of the lane to the east. There is a field or paddock to the west of the site separating it from Town End Road. Within the site is new-build stone two-storey dwelling at an advanced stage of construction and also part of the paddock to the north of it, up to the lane, where there is an existing field access, currently used as the construction access for the new dwelling. The site and paddock to the north is enclosed by a traditional dry stone walls. There are large boundary trees to the north, east and south-east corner of the site. There are a few smaller trees along the west boundary. The site is in a Conservation Area.

PROPOSAL

This is a full planning application for a new access to the dwelling under construction. The previous approvals were for a dwelling with shared access, taken from the existing driveway to Brandon House Farm to the south, which is connected to the dead end lane to the east and would have involved the removal of a section of dry-stone boundary wall marking the south boundary of the site and the north boundary of Brandon House Farm. The intention is to remove the shared access arrangement by full retaining the boundary wall and providing a new access across the paddock to the north of the new house connected to the lane to the north where there is an existing field access and gate. This would run along the west boundary of the paddock, passing adjacent to the trunks of a row of small upright trees and then enter the site at the north-west corner where it would then turn and run along the north elevation of the house, through a previously approved garden area and then lead to the east side of the house where the previously approved parking and turning area is located, which would be retained as previously approved but with

access to the Brandon House Farm driveway blocked off by the current dry stone boundary wall.

The new driveway would have a special surface, an “Aco Groundguard”, a grid-like plastic matting, “laid with site won soil infill and seeded with N12 Acid Soils meadow mix from Naturescape or similar” according to the drawings. Further details and a picture of this type of surface is shown in the applicants Planning, Design and Access Statement. This surface will be used from the existing field access gate all the way up to the previous approved parking and turning area which will have an approved gravel finish. However, the part of the new driveway within the curtilage will be seeded with an “amenity grass mix” as opposed to the “meadow mix” on the paddock section of the drive.

The section of new drive between the edge of lane and the field access gate (i.e. the roadside grass verge) will be bound tarmac (as required by the local highways authority) but with a stone setts strip marking the edge of the lane and the edge of the Aco Groundguard surface for appearance reasons.

There are no other changes to the previous approved plans. The remainder of the paddock area, shown edged in blue (denoting land outside the application site but within the same ownership), will remain as a paddock or field.

The trees along the western edge of the paddock will be retained. The field gate (a standard metal 5-bar typical field gate) will be replaced but no drawings have been provided of this.

The route of the proposed new access is currently being used as the construction access for the new house which currently has a non-bound hardstanding surface.

The application was also accompanied by a Heritage Statement. Later in the process, Biodiversity Net Gain (BNG) details and drawings were submitted in August 2024 along with Biodiversity Metric calculations followed later on in September 2024 by amended BNG drawings and a BNG Summary Report which put forward proposed BNG measures including the creation of a wildflower meadow in the paddock area and new shrub planting as shown in a Proposed Habitat Map dated 23.9.24. On 9th October 2024, corrected BNG Metric calculations along with a corrected BNG Summary Report were submitted.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffs Moorlands Local Plan (adopted September 2020)

DC1 – Design Considerations
DC2 – The Historic Environment
T1 – Sustainable Transport

NPPF (Revised December 2023)

Sections 12 (Design) and 16 (The Historic Environment).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

NMA/2023/0009. Non Material Amendment to SMD 2021/0156 (including windows and levels details). Approved.

DOC/2022/0083: Discharge of Condition for the landscaping scheme (Cond 3). Approved.

SMD/2022/0147: Garden store and greenhouse. Approved.

SMD/2021/0156: Erection of dwelling. Approved.

SMD/2020/0219: Erection of dwelling. Refused. Appeal dismissed.

CONSULTATIONS

Publicity

Site Notice expiry date: 23.7.24

Neighbour consultation period ends: 23.7.24.

Press Advert: 27.6.24 (Affecting a Conservation Area).

Public Comments

Letters of support have been received from nine local addresses.

Town / Parish Comments

Ipstones Parish Council considered the above application at the latest meeting on 18th July 2024 and decided to support approval of the development for the following reasons:

- The original shared access route would cause damage to existing features in the conservation area, flagstones etc. It would also lead to damage to a tree with a TPO.
- Vehicles using the original shared route are likely to damage verges on the approach and at the turning in point.
- The proposed access was an existing field gate access point and used during construction.
- Proposed access is on to a wider road and would appear to be a safer access point.

Local Highways Authority

No objection subject to condition requiring the first 5m of the access to be in a bound surfaced material.

Conservation Officer

No objection.

Staffordshire Wildlife Trust

Original response to BNG information submitted in August 2024:

Following the receipt and review of the documents relating to Biodiversity Net Gain, we would request that any habitat maps use UK Habs methodology and be resubmitted in the correct format. In addition, we would request a plan for how those created habitats will be managed.

Response to the receipt of the additional information (including the BNG Report and revised drawings) requested above, in September 2024:

We have a HOLDING OBJECTION and require further clarification and amendments.

1. The BNG report lacks a local designated sites and species search or an Ordnance Survey grid reference for the location of the site.

2. The post-intervention map is not comparable to the Metric, so the main issues here are:

- The map shows that lowland meadow and modified grassland are going to be created, and these habitats are not in the metric, therefore there is a discrepancy.*
- The Metric is suggesting that the existing other lowland acid grassland and other neutral grassland will be enhanced, which is not shown on the post-intervention map - therefore there is a discrepancy here.*
- The Metric is also suggesting that the existing unvegetated/bare ground areas will have other lowland acid grassland created which isn't shown on the map.*

Response to the corrected report and Metric calculations received in October 2024:

Following a review of the updated Small Sites Metric (SSM) we wish to remove our HOLDING OBJECTION.

OFFICER COMMENTS

The new access is designed to blend in with the grass paddock area in which it would run through via a grid matting which allows grass planting to grow through, similar to grasscrete but less solid and visually intrusive. One benefit of the new access is the retention of a section of traditional boundary stone wall which was proposed to be removed to provide the approved shared access to the new dwelling. The Conservation Officer does not object to the proposal.

The new access would pass adjacent to trees along the western boundary, which the applicant claims will be retained but were approved to be removed. The approved landscaping drawings do show some of those trees removed. Even if the new access did result in harm to the trees, this is not objectionable as these are small insignificant poor quality specimens with no real crown spread and were identified in the Tree Report with previous applications as being category "C" or "U" trees i.e. poor quality with a very limited lifespan.

The new access route within the curtilage, would pass through an approved garden area for the house, to the north of it, to reach the approved parking area. This is not objectionable as this part of the new access is not prominent from the lane and there

would still be ample garden space for the new occupants, to the west side of the house. The area around this section of the access is approved to be landscaped and the BNG drawings would show this section to be flanked with new shrub planting designed to achieve a "Biodiversity Net Gain" (BNG) for the overall site.

Recent changes in legislation require "minor" proposals to achieve BNG (of at least 10% of the current biodiversity value of the site) from April 2024. It was decided later on in the application process that this scheme would be required to provide this because it would lead to the loss of over 25 sq.m of potential habitat (in this case, grassland in the paddock area). This is lost already due to it being surfaced over to provide the construction entrance to the new dwelling. However, BNG calculations must take account of any degradation which has taken place within the last 2 years.

The new measures imposed include the creation of a wildflower meadow in the remainder of the paddock area and new shrub planting. Staffs Wildlife Trust is satisfied that amended BNG plans would lead to the required BNG and removed its initial Holding Objection (based on inconsistencies between the measures detailed, how they were shown on the drawings and the calculations) to the proposal.

The new biodiversity measures can be achieved via the standard conditions including the statutory condition.

The proposed access would have a safe design and the access point onto the lane is in a safe position in the road with good visibility for drivers entering and existing the access. It is not considered the new access would compromise highway safety and the local highways authority raise no objection to the application.

CONCLUSION / PLANNING BALANCE

The proposal would not harm the character and appearance of the Conservation Area, would not be detrimental to highway safety and would lead to a Net Biodiversity Gain with the safeguard of conditions. The proposal therefore complies with the Council's Local Plan and the government planning guidance contained in the National Planning Policy Framework (NPPF).

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston

Recommendation Date: 11.10.24

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

