

PLANNING, DESIGN & ACCESS STATEMENT

**PROPOSAL : OUTLINE PLANNING APPLICATION FOR A SINGLE
DWELLING**

**ADDRESS : LAND OFF BASFORD VIEW, CHEDDLETON,
STAFFORDSHIRE, ST13 7HJ**

APPLICANT : MRS PEGG

DATE : OCTOBER 2024 JOB No. : 2023-2850

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1.0 INTRODUCTION

1.1 Sammons Architectural Ltd have been appointed by Mrs Pegg to prepare and submit an outline planning application for a single dwelling on land off Basford View, Cheddleton. The application is in outline with means of access sought. Matters of scale, appearance, layout and landscaping are all reserved for subsequent approval. The application is accompanied by a location and block plan, proposed site plan and preliminary ecological report and baseline biodiversity net gain assessment all of which should be read in conjunction with this statement.

1.2 This statement analyses the site, the proposal and the policy context within which it is made. Thereafter it provides justification for approval of the proposed development primarily on the basis that the scheme would be in accordance with adopted Development Plan policies as it represents an appropriate form of infill development within a sustainable edge of village location without harm or detriment to the character and appearance of the surrounding area. Furthermore, it is not considered that the proposed development would be prejudicial to residential amenity, detrimental to highway safety or harm any established ecological interests.

2.0 SITE DESCRIPTION

2.1 The application site comprises of a broadly rectangular parcel of land which lies on the northern side of Basford View. Extending to some 740 sq metres it was formerly used as an allotment and is now overgrown. Remnants of its former use are visible within the site with a dilapidated timber shed, polycarbonate sheeted garden store, timber, wheelbarrows, watering cans, post and rails being located within the north eastern corner of the site. The land rises gradually in a northern direction. Immediately to the west of the application site lies Southfield, a detached bungalow which sits in a large rectangular plot. Abutting the eastern boundary lies a number of detached garages and outbuildings which serve a short row of terraced properties which run in a north to south direction on this side of the lane. To the south of the application site, on the opposite side of Basford View, lie open agricultural fields. A detached dwelling has recently been approved to the south east of the site under application reference SMD/2022/0465 on the basis of brownfield redevelopment. The application site is accessed via a track which joins onto the Leek Road (A520) a short distance to the west and vehicular access is currently provided within the centre of the roadside frontage. A substantial hedgerow forms the frontage boundary with a lower hedgerow to the western and northern boundaries. A post and wire fence encloses the site to the east.

2.2 For the purposes of the Development Plan the site lies within the North Staffordshire Green Belt but in a location that is considered sustainable in terms of its proximity to services and public transport.

3.0 PROPOSAL

3.1 This is an outline application which seeks consent for the erection of a single dwelling. Means of access is sought as part of the application with all other matters reserved for subsequent approval. The submitted layout plan shows the provision of a modest 'L' shaped dwelling with an attached garage which would be set towards the front of the site. The existing vehicular access point would be retained albeit widened and the existing roadside frontage boundary removed and replaced with a low height mixed native species hedgerow as shown on the submitted plan. In addition to the attached garage a dedicated off road parking and manouvering space would be provided to the western side of the dwelling. A small patio area would be provided around the perimeter of the proposed dwelling with the remainder laid to grass.

4.0 POLICY

4.1 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.

4.2 The National Planning Policy Framework (NPPF) was revised in December 2023 and is an important material consideration in determining planning applications. Paragraph 82 which deals specifically with rural housing states that “in rural areas, planning policies should be responsive to local circumstances and support housing developments that reflect local needs, including proposals for community led development for housing. It goes on to state at paragraph 83 that “to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. Planning policies should identify opportunities for villages to grow and thrive, especially where this will support local services. Where there are groups of smaller settlements, development in one village may support services on a village nearby.

4.3 Fact Sheet 10: New Homes in Rural Areas (updated January 2024) acknowledges that “new homes in rural areas can help local people to stay in the areas where they want to live as well as support the economic and social well-being of the community”.

4.4 Whilst the recently revised NPPF does not change the statutory status of the Development Plan which in this area comprises of the Staffordshire Moorlands Local 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 and that for decision making this means approving development proposals that accord with the Development Plan without delay unless material considerations indicate otherwise.

4.5 The most relevant policies of the adopted Staffordshire Moorlands Local Plan are considered to be SS1 (Development Principles); SS2 (Settlement Hierarchy); SS3 (Future Provision and Distribution of Development); SS8 (Larger Villages Area Strategy); SS10 (Other Rural Areas Strategy); H1 (New Housing Development); DC1 (Design Considerations); DC3 (Landscape and Settlement Setting); NE1 (Biodiversity and Geological Resources) and T1 (Development and Sustainable Transport). For the sake of brevity these policies are not quoted in full but they are referred to where appropriate in the following section.

4.6 In addition to the above the application has had regard to the council's Housing Land Supply Statement which sets out the Local Authority's performance in respect of the delivery of new housing.

5.0 ASSESSMENT

5.1 As set out above this application seeks outline planning permission for the erection of a single dwelling on land off Basford View, Cheddleton. The key issues are considered to be:

- The Principle of development in particular whether the proposed development constitutes an appropriate form of infill development;

- The effect on the openness and visual amenity of the Green Belt and the purposes of including land within it;
- Amenity;
- Means of Access;

Principle of development

5.2 For the purposes of development the site lies within the North Staffordshire Green Belt. As such there are tighter controls on what form of development can be permitted and new build residential development is considered to represent inappropriate development unless very special circumstances apply or it is one of a number of exceptions.

5.3 Policy SS1 of The Staffordshire Moorlands Local Plan states that the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands; this echoes the stance of the NPPF. The Local Plan aims to deliver a wide range of development including a mix of types and tenures of quality, affordable homes, to meet the needs and aspirations of the existing and future communities, quality local services, including leisure and community use, access to services and a well designed environment.

5.4 Policy SS8 of the Local Plan relates to the 'Larger Villages Area Strategy' and states that these settlements shall retain and enhance their role as rural service centres, providing for the bulk of the housing requirement of the rural areas and also for employment needs of a scale and type appropriate to each settlement having regard to infrastructure capacity and character. This will be achieved by a number of actions, including:

- Increasing the range of available and affordable house types, including for first time buyers and families
- Allocating a range of deliverable housing sites with good accessibility to services and facilities
- Supporting the development of housing windfall sites within the village boundaries, subject to wider Local Plan policies
- Allowing for rural exceptions housing in appropriate locations on the edge of settlements (in accordance with Policy H1). This will be additional to the housing provision for the rural areas
- Giving consideration to limited infilling on the edge of settlement boundaries, subject to the criteria set out in Policy H1

5.5 Policy H1 of the Local Plan states that "outside of the development boundaries, limited infill residential development of an appropriate scale and character for the Spatial Strategy will be supported, provided that:

- The development will adjoin the boundary of a larger village and be well related to the existing pattern of development and surrounding land uses, or;
- The development is well related to the existing pattern of development of a smaller village and will not create or extend ribbon development or lead to sporadic pattern of development; and
- 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.

Policy SS10 of the Local Plan confirms that strict control will continue to be exercised over inappropriate development within the Green Belt, allowing only for exceptions as defined by Government Policy.

5.6 The NPPF is more up to date and should therefore be afforded more weight than Local Plan Policy SS10. The Government attaches great importance to Green Belts and the construction of new buildings within the Green Belt should be regarded as inappropriate development and that

inappropriate development is by definition harmful to the Green Belt unless it is one of the exceptions listed in the NPPF or unless very special circumstances apply (paragraph 152).

5.7 One of the exceptions listed in the NPPF (para 154(f)) is "limited infilling in villages. The key question is therefore whether the proposed development constitutes limited infilling and whether the application site is located within the village. Both of these criteria must be met for development to constitute an exception under para 154(f) of the NPPF.

5.8 It is important to note that the terms limited infilling and villages are not defined either in the Framework or the Local Plan Policy. In order to assess the site's status as an infill plot, one must first, understand the established definition of "infill". A commonly used definition of this is small scale development that fills a gap in an otherwise largely built up frontage. In the absence of any more compelling alternative it would appear appropriate to rely on that definition. Such a definition was accepted by the appeal Inspector who permitted two dwellings as infill development in the Green Belt at 26 Brickfield Street, Padfield, Glossop (see appendix 1).

5.9 Allied with this is the Oxford English Dictionary definition of infill as "Buildings constructed to occupy the space between existing structures" assessment of limited infilling must be a planning judgment based on the merits of the site and its context on a case by case basis.

5.10 The application site lies within a loose ribbon of built development on this side of the lane. Southfields, a large detached bungalow sits within a large curtilage immediately abutting the western boundary. Immediately to the east lies a number of detached outbuildings and garages which serve the short row of two storey terraced properties beyond. The road frontage of the application site is about 27m wide, which is significant smaller than that of Southfields (61m) and the recently approved plot on the opposite side of the road (34m) and is clearly capable of providing small scale infill development. The proposal is for a single dwelling, which as attested by the indicative layout plan, is limited in scale, on a modest plot which has built development adjoining both side boundaries. Furthermore the proposed development would be well related to the existing pattern of development and would comprise of the development of the last remaining plot on this side of the lane.

5.11 As the application seeks outline consent only and layout and scale are matters reserved for later consideration the indicative site plan shows that the new dwelling would be positioned within the established building line. Given the mix of housing types and sizes in the locality it is considered that the siting shown on the indicative site plan demonstrates that the erection of a single dwelling on the site would preserve and reinforce the existing ribbon pattern of development that prevails within the locality. With careful attention to detailed design matters, including a high quality landscape framework to visually integrate the scheme with open land to the north and south, it would be possible for a single dwelling to be provided which would retain a spacious feel and greenery to the streetscene and keep a visual connection with the wider landscape. As such the new proposal would respond to local character and add to the overall qualities of the area. Having regard to the above it is considered that the proposed development qualifies as limited infill given that it seeks consent for a single dwelling and the site's sustainable location in an established area of development.

5.12 The second qualification criteria requires the development to be "in a village". In assessing a recent application on the other side of Basford Lane the planning officer in their report to committee stated that "Cheddleton has a clearly defined settlement boundary which is further to the south of this site, the edge of the boundary runs along Station Road."

5.13 The High Court judgement in *Julian Wood v The Secretary of State for Communities and Local Government and Gravsham Borough Council* (see appendix 2) is particularly relevant in this regard. This made clear that in considering the question of limited infilling, a village boundary as

defined in the Local Plan would be a relevant consideration, but not necessarily determinative and that a common sense “on the ground” view should be taken as to the physical extent of a village.

5.14 This approach is reflected in an appeal decision at Grove Road, Knowle (APP REF: APP/Q4625/W/17/3188046 attached at Appendix 3) and more recently at Byron Lane, Knowle (APP REF: APP/Q4625/W/17/3191758, also attached at Appendix 4).

5.15 It should also be noted that there is no reference in paragraph 154(f) of the Framework to a local plan, its designation of settlements or to settlement boundaries. In other words, the term “village” need not necessarily be the same as the settlement boundary given that local circumstances can vary and much depends on the situation on the ground.

5.16 In considering a recent application for a dwelling on the opposite side of Basford View (SMD/2023/0477) the council stated that the “boundary of the application site is some distance away from the settlement boundary, a large undeveloped field and rising land levels provides a clear physical and visual break between the two areas. Therefore as well as being outside of the settlement boundary the site is not “read” as being part of the village and the scheme does not comply with the NPPF infilling allowance.”

5.17 Whilst it is accepted that the village boundary as drawn within the Local Plan excludes the application site it is considered that it is considered to be functionally, visually and socially related to the village. The council’s viewpoint above is taken from Station Road, looking north but an entirely different picture is presented taken from the north looking south. The street sign denoting the reduction in speed limit from a 40mph speed zone to a 30mph for entering the village is located significantly further north than the application site and positioned on the northern side of The Hollies access road which lies some 240m north of Basford Lane junction. Indeed the actual sign welcoming you to Cheddleton Village is positioned on the southern side of The Hollies access road. The speed camera is also positioned north of the access Basford View. All of these village functions are located further north than the application site. Entering the village along the A520 from Leek it is suggested that the buildings forming part of Hollies Farmhouse on the left denote the start of the village with White Gables and Wall Bank Terrace adding to the built environment. Basford View has been developed on a piecemeal basis with a number of permissions granted for dwellings over the late 70’s and through the 1980’s and 90’s. More than 20 properties are clustered around the entrance and along Basford View and they form a ribbon of development which lies on the northern side of Station Road. It is the gables and roofscapes of these which you see on the approach to the village and they indicate the start of the village. On the ground therefore the site is clearly located within the village and is experienced as part of the overall settlement of Cheddleton and there is not clear sense that it lies in an area divorced from it.

5.18 The application for residential development on the opposite side of Basford View was debated extensively at planning committee (application SMD/2020/0477) with a number of members showing support for the scheme on the basis that it was clearly part of the village and that if “you asked people living at Basford View if they were part of the village they would consider themselves to be so.”

5.19 The Local Plan’s vision for the Rural Areas is that they will have viable, attractive villages and smaller settlements which will continue to foster appropriate, sensitive growth and vitality to support rural living and work. The larger villages will be the rural centres for services, facilities and jobs acting to sustain the rural areas. Cheddleton Village is identified as a larger village and as such they are recognised as being vital to the rural areas particularly in terms of providing for local housing and rural employment needs. The loss of local population through lack of housing opportunities is recognised. Environmental benefits will also ensue as a consequence of delivering a new dwelling in a location where local day-to-day facilities can be accessed on foot, bicycle and via public

transport. The village is fortunate enough to have a regular bus service operating with routes to the neighbouring towns and villages of Leek and Werrington and the city of Stoke on Trent. The proposed development would therefore be located in a sustainable settlement and there is more than a reasonable prospect that any future occupiers of the site will not be solely reliant on the car as their sole means of transportation to access services and facilities as they will be able to access them by a range of other transport modes. In determining the appeal for application SMD/2020/0477 (appeal Ref: 3272703) the Inspector concluded that the “site was in a sustainable location” and in paragraph 16 confirmed that the “proximity of the dwelling to the services and facilities in Cheddleton village also has the potential to result in some modest social and economic benefits for the local community.” Such environmental benefits also weigh in favour of the proposed development.

5.20 In this respect the proposed development would clearly represent infill development in the village and as such is not inappropriate development in the Green Belt. Furthermore it would not result in an isolated home in the countryside. The principle of residential development on the site is therefore considered to be acceptable in principle.

5.21 The Local Authority has a long history of housing under-supply and consequently the social benefits of this proposal in contributing towards that housing land supply carry further weight in favour of the proposed development. The Local Authority’s most recently published housing land supply statement (April 2023) confirms that the District has a deliverable supply of 3.58 years against a requirement to demonstrate a five year deliverable housing land supply. Indeed, the Local Authority was only able to demonstrate a five year deliverable supply of housing for a period of around 7 months. The proposal will also make a valuable contribution towards meeting the Local Authority’s shortfall in housing land supply.

5.22 In determining an appeal at Park Lane, Knypersley (APP REF: APP/B3438/A/14/2223274 – Appendix 5) the Inspector held that the provision of a single dwelling was “a significant benefit of the scheme” and that “it is clear that the lack of a 5 year supply is a significant consideration to be weighed in favour of the proposed development”. In the summing up of that appeal the Inspector concluded that “there is conflict with development plan policies but, I have concluded that the underlying aims of the policies would not be compromised. There would also be some harm to the openness of the Green Belt. Set against this harm is the benefit of the new home that would be provided. In my judgement, this is sufficient to tip the balance in favour of the proposed development and I will therefore allow the appeal”.

5.23 The proposal will also derive benefits of to the local economy, both to local tradesmen during the construction phase, and though the expenditure associated with the creation of one additional household. The Local Authority’s ‘Quantifying the Economic Impact of Development’ Report confirms that each new house constructed in the District generates 4.3 jobs within construction or the associated supply chain. Such economic benefits lend significant weight in favour of the proposed development. The same report also confirms that for each new dwelling constructed within the District, there will be a minimum initial one-off spend (in addition to the construction of the dwelling) of £5,000, with a subsequent annual spend of £9.388 per year. Such economic benefits lend further significant weight in favour of the proposed development.

The effect on the openness and visual amenity of the Green Belt

5.24 The NPPF confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and confirms that their essential characteristics is their openness and permanence. Paragraph 143 of the Framework then goes on to identify the five purposes of Green Belt, being:

- ‘to check the unrestricted sprawl of large built-up areas;

- to prevent neighbouring towns merging into one another;
- to assist in safeguarding the countryside from encroachment;
- to preserve the setting and special character of historic towns; and
- to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.'

5.25 Legal precedent is clear that where development is found not to be inappropriate, it should not be regarded as harmful to openness. This was established by the judgment in Lee Valley Regional Park Authority, R (on the application of) v Epping Forest District Council & Anor (Rev 1) [2016] EWCA Civ 4040 (see Appendix 6) which found that

"The distinction between development that is "inappropriate" in the Green Belt and development that is not inappropriate" (i.e. appropriate) governs the approach a decision-maker must take in determining an application for planning permission. **"Inappropriate development" in the Green Belt is development "by definition, harmful" to the Green Belt - harmful because it is there - whereas development in the excepted categories in paragraphs 89 and 90 of the NPPF is not (my emphasis).**

5.26 It continues:-

"The difference in approach may be seen in the policy in paragraph 87. It is also apparent in the second sentence of paragraph 88, which amplifies the concept of "very special circumstances" by explaining that these 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".

5.27 This finding has since been applied in determining appeals. An example is provided in the appeal decision at Snitterfield where the Inspector (APP REF: J3720/W/16/3167715 Appendix 7); resolved that:

"Case law has established that, if development is found not to be inappropriate, it should not be regarded as harmful either to openness or to the purposes of including land in the Green Belt. Hence there is no need for me to consider the effect of the proposal on the openness of the Green Belt".

5.28 A further example is provided by the Inspector in the case at Timber Ridge, Woburn Lane, Aspley Guise (APP REF: APP/P0240/W/17/3185864 - Appendix 8) which relates to an infill development at Here the Inspector noted

"Although the Council states that the development would compromise the openness of the Green Belt, case law has determined that where development is found to be "not inappropriate" when applying paragraphs 89 or 90 of the Framework, it should not be regarded as harmful either to the openness of the Green Belt or to the purposes of including land in the Green Belt. In view of this there is no need for me to consider the effect of the development on the openness of the Green Belt."

5.29 By virtue of comprising of limited infilling within the village framework it is contended that the proposal is not inappropriate in accordance with the exceptions set out in Paragraph 154 of the Framework and, as such, inherently respects the purposes of the Green Belt. It is notable that the Framework deliberately and expressly allows for "limited infilling" within Green Belt villages and it would be illogical for this allowance to be made were it to conflict with the aims and purposes of the Green Belt.

5.30 Whilst the provision of residential development would result in some loss of openness to what is effectively a green and undeveloped site it is considered that any loss of openness would be minimal as it would be mitigated to a large degree by the presence of houses and field boundaries in the wider area. Although layout, appearance and landscaping, are details reserved for later consideration it is considered that the nature of the site is such that a sensitive detailed design and appropriate landscaping of the proposed dwelling could overcome any possible unacceptable affect on the openness and visual amenity of the Green Belt. There would be no material harm to the visual amenity of the Green Belt and the proposed development would therefore be compliant with adopted Development Plan policies. It should be noted that the council came to a similar conclusion in terms of openness when considering application SMD/2022/0465 for a new dwelling on the neighbouring plot.

Amenity

5.31 Due to the outline nature of the application, no dwelling design details have been submitted. However it is clear from the illustrative plan that a dwelling could be designed which would not have any adverse overbearing/overlooking impact upon neighbours.

Means of Access

5.32 Paragraph 114 of the NPPF states that amongst other things "In assessing sites that may be allocated for development in plans, or specific applications for development, it should be ensured that (a) appropriate opportunities to promote sustainable transport modes can be – or have been – taken up, given the type of development and its location; (b) safe and suitable access to the site can be achieved for all users." Paragraph 115 states that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe. This approach is reflected in the adopted policies of the adopted Local Plan.

5.33 This application seeks approval for means of access at this stage. The application site currently benefits from an existing double width gated access point which currently lies largely within the frontage of the plot. The proposed development seeks to retain this access point but widen it to improve access which would lead to a tarmacadam parking area with associated turning space. The existing tall hedgerow along the boundary frontage will be removed and replaced with a lower height mixed native species hedgerow. On this basis it is considered that adequate off road parking and turning facilities can be provided within the site and the access would be capable of providing sufficient visibility to drivers entering or existing the site. There would therefore be no significant conflict with Local Plan policies or guidance contained in the NPPF.

6. 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.

6.2 The proposed development represents appropriate infill development within a sustainable edge of village location and no significant demonstrable harm would arise in respect of the proposal in relation to the character and appearance of the area, highway safety or residential amenity. The LPA is therefore respectfully requested to approve outline planning permission for a single dwelling on land off Basford View, Cheddleton subject to any planning conditions it may feel are necessary.

7.0 DESIGN & ACCESS STATEMENT

USE

The application proposes the use of the application site for residential purposes. The application is in outline within means of access considered. All other matters are reserved for subsequent consideration. This form of development is considered to reflect the nature and character of existing development which surrounds the site.

AMOUNT

The application site is modest in size and therefore will constrain the amount of development. Whilst the application is in outline it is anticipated that the proposed development would be for a single dwelling.

LAYOUT

Whilst layout is not for consideration at this stage the submitted site plan shows the provision of a dwelling which would have a 'L' shaped plan form set towards the front of the plot with gardens to the side and rear and parking to the side.

SCALE

Whilst scale is a matter which is reserved for later consideration it is considered that the development would be two storey in order to respond and reflect the form and character of the neighbouring development and provide a natural transition from the dormer bungalow to the west to the two storey cottages to the east

LANDSCAPING

The site is located within a rural setting and benefits from substantial existing mature landscaping and it is not considered that any additional landscaping over and above that appropriate to a domestic setting will be required. Landscaping is a matter for subsequent consideration and will be dealt with accordingly at a later date in any subsequent application.

APPEARANCE

Appearance is a reserved matter that would be appropriately dealt with in a detailed application.

ACCESS

The proposed development would be served by a new vehicular access directly off Basford View. The site is located on the edge of Cheddleton village and public transport links are easily accessible to the Staffordshire Moorlands as well as the neighbouring city of Stoke on Trent.