

DELEGATED DECISION REPORT

SMD/2024/0479
Valid 25/10/2024

LAND AT BASFORD VIEW
CHEDDLETON

**OUTLINE APPLICATION FOR
A SINGLE DWELLING WITH
ALL MATTERS OTHER THAN
ACCESS RESERVED**

(OUTLINE - MINOR APPS)

MAIN ISSUES

- Whether or not the proposal amounts to inappropriate development in the Green Belt
- The principle of the development
- The impact on the character and appearance of the area
- Impact on residential amenity
- Impact on highway safety.
- Biodiversity

DESCRIPTION OF SITE

The site is in the open countryside between 100m and 150m to the north of the Development Boundary of Cheddleton. It comprises a square shaped plot of scrubby unkempt open grassland on the north of Basford View, a narrow private shared access cul-de-sac which connects to Leek Road, A520 about 150m to the west. A field gate off the narrow lane provides access to it. The site is contained by boundary hedgerows and trees. It was formerly used as an allotment according to the applicant and there are a couple of small sheds but these are not very visible from the lane. To the west side of it is a modern red-brick bungalow. To the east are garages belonging to a row of five Victorian terraced dwellings which lie further to the west. There are open fields to the north. To the south lies small agricultural/horticultural or allotment type plots with outbuildings. Further to the south is open fields which separate Basford View from the built-up part of the village, mainly consisting of industrial/commercial buildings and warehouses. The site is in the Green Belt.

PROPOSAL

This is an outline planning application with details of access also to be determined, for one new dwelling. All other matters i.e. Scale, Design/Appearance, Siting/Layout and Landscaping i.e. the Reserved Matters, would be reserved for a future Reserved Matters planning application in the event that outline permission was granted for the dwelling. However, an indicative drawing has been submitted which shows a detached dwelling with side attached garage close to the front/south boundary. The access would re-use the existing field gate access which would be widened and hard-surfaced to form a parking area.

The application includes a Preliminary Ecological Assessment (PEA), Biodiversity Net Gain (BNG) baseline calculations and a Planning, Design and Access Statement.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

SS10 Other Rural Areas Strategy
H1 New Housing
NE1 Biodiversity
NE2 Trees, Hedges and Woodland
T1 Sustainable Transport

National Planning Policy Framework (Dec 2024)

Section 5 (Housing) and 13 (Green Belts).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None relevant for this site although there have been applications for a dwelling on two of the plots on the opposite side of the lane to the south including, most recently SMD 2023 0477 for a one dwelling on the site directly opposite to the south, which was refused and also SMD 2023 0407 on a plot further to the east which was approved (this is one of a number of applications for a dwelling on the same site).

CONSULTATIONS

Publicity

Site Notice expiry date: 3.12.24
Neighbour consultation period ends: 3.12.24
Press Advert: N/A

Public Comments

Letters of objection have been received from two nearby residents and the points raised are as follows:

- Harm to the Green Belt – it is not “infill” development
- Unsuitable access road which will be further damaged and cause further parking problems
- Poor visibility at the proposed access
- Concerns over hedges and trees being removed
- Harm to wildlife as the site is overgrown

Town / Parish Comments

Cheddleton Parish Council Object as it falls in the greenbelt and no exceptional circumstances not being an affordable dwelling with poor access via a single track.

Local Highways Authority

No objection.

Environmental Health

No response received.

Staffordshire Wildlife Trust

No significant concerns are raised. The PEA puts forward suitable measures. BNG is required but no details are required at this stage.

SCC Archaeology

No objection subject to a condition requiring archaeological investigations.

SMDC Waste Collection Service

No issues regarding waste collections.

OFFICER COMMENTS

The site is in the countryside (those areas deemed to be outside of the Development Boundaries which are drawn around the towns and large villages as shown in the Local Plan) and also in the Green Belt. The Strategy for the Countryside, Policy SS10 states there will be strict control over inappropriate development in the Green Belt. Paras 154 and 155 list the forms of development which are exceptionally, not inappropriate in the Green Belt. The proposal does not fall under any of the criteria in para 154. It is not deemed to be infill development in a village, purely because Basford View is not part of a village. It is completely detached from the nearest village, Cheddleton, by fields and is not within or adjacent to the Development

Boundary. The site is also not deemed to be “Previously Developed Land” (PDL) due to the site being an overgrown allotment site and such sites are specifically excluded from the formal definition of PDL in the NPPF.

The recent update to the NPPF (December 2024) has included a new para 155 which allows in some circumstances, some new limited residential development in Green Belt areas in order to try and address housing need and to help the government reach its national targets for new housing (although the main focus is of course on new housing within developed areas in sustainable locations and on brownfield/PDL land.

It states that new development should not be regarded as inappropriate where:

- a. The development would utilise grey belt land and would not fundamentally undermine the purposes (taken together) of the remaining Green Belt across the area of the plan;
- b. There is a demonstrable unmet need for the type of development proposed;
- c. The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; and
- d. Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157.

With regard to (a), the NPPF definition of “grey belt” is as follows:

“Land in the Green Belt comprising previously developed land and/or any other land that, in either case, does not strongly contribute to any of purposes (a), (b), or (d) in paragraph 143. ‘Grey belt’ excludes land where the application of the policies relating to the areas or assets in footnote 7 (other than Green Belt) would provide a strong reason for refusing or restricting development.”

As stated above, the site is not previously developed land. However, it is also not in an “area” or “asset” which provides a strong reason for refusing development other than it being in the Green Belt.

Para 143 sets out “the five purposes” of the Green Belt, with (a), (b) and (d) being as follows:

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- d) to preserve the setting and special character of historic towns;

In applying this to the application site, it could be deemed that development on this site, due to its location and surrounding development, would not significantly conflict with the above purposes. The site is not adjacent to a large built up area, and although it is close to Leek, to the north, the next nearest town to the south, is Cheadle which is a considerable distance away. It is also not within the setting of a

historic town. Therefore, on this basis, the site could be regarded as being “grey belt”.

However, para 155 also in addition to the site being deemed “grey belt” would also require the development to not fundamentally undermine the “purposes” (taken together) of the remaining Green Belt across the area of the plan i.e. the five “purposes” as listed in para 143, taken as a whole, which are as follows ;

- a) to check the unrestricted sprawl of large built-up areas;
- b) to prevent neighbouring towns merging into one another;
- c) to assist in safeguarding the countryside from encroachment;
- d) to preserve the setting and special character of historic towns; and
- e) to assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Criterion (e) clearly does not apply. However, I do consider that the development of the site would conflict with (c), safeguarding the countryside from encroachment. Although there are existing dwellings on Basford View, the area still has a prevalent rural and open character and appearance, not unlike many other areas of the countryside which typically have a number of sporadically placed dwellings separated by green gaps. The site is within a green gap with dwellings to the west and east but the site is open and the openness extends to the north and south (the land to the south being largely other allotments and agricultural land). The site is not contained by development. The site looks like part of the open countryside and I consider that a new building on the site would therefore amount to an encroachment into the countryside and have an urbanising impact on Basford View. It would therefore conflict with the purposes of including land within the Green Belt when taken together in that it conflicts with the safeguarding of the countryside from encroachment.

With regard to compliance with the rest of para 155, the proposal would not conflict with 155(b) as there is an undersupply of housing in the District, a less than a five year supply of housing land (required by the NPPF) which currently stands at 3.51 years for the District. The proposal would also not conflict with para 155(c) as the site is in a sustainable location with easy and safe access via walking and cycling to village services and public transport in Cheddleton a short distance away. Para 155(d) does not apply as the proposal is not a major application.

However, due to the conflict with para 155(a) as describe above, overall, the proposal would amount to inappropriate development in the Green Belt which by definition in the NPPF, is harmful to its openness and shall not be allowed unless there are “very special circumstances” which are considered to outweigh the harm to the Green Belt. I do not consider that such very special circumstances exist. Therefore the proposal does not comply with Policy SS10 and Section 13 of the NPPF.

The proposal is also in conflict with Policy SS10 in that it is for a new-build market-value dwelling in the countryside i.e those areas outside of the Development Boundaries.

Due to there being no five year housing land supply in the District, the NPPF requires housing proposals to be determined against para 11 of the NPPF, a presumption in favour of sustainable development. However, although the site is in a sustainable location for housing, the presumption in favour of sustainable development does not apply where sites are located within assets of particular importance which includes the Green Belt and where, as in this case the application of relevant policies provides a strong reason for refusal. Therefore the “tilted balance’, where the consideration of whether the social, economic or environmental benefits of the proposal outweigh the harms identified, is not activated.

The overall principle of development is therefore unacceptable.

With regard to other impacts, it is not considered at this outline stage that there would be any obvious significant harms to the visual or residential amenities of the area as this can only properly be assessed at the Reserved Matters stage (with matter such as scale, design, appearance, siting and landscaping being reserved if outline permission was granted).

It is not considered that the development of this site would lead to any ecological harms. Staffordshire Wildlife Trust acknowledge this with reference to the submitted Preliminary Ecological Assessment Report. A Biodiversity Net Gain is required from development on this site and a baseline Metric calculation of the current level of biodiversity is provided. There is nothing to suggest that a policy compliant BNG gain of 10% can’t be achieved on the site through appropriate new native planting and other biodiversity measures to encourage wildlife.

The proposed access is to be determined at this outline stage. The access, utilising an improved and widened existing access is acceptable and no objection is raised by the local highways authority. The private lane leading to the site is narrow and unsuitable but there would be no detriment to highway safety on the main road as visibility at the junction is at an acceptable level to deal with the very limited increase in vehicle movements associated with a proposed new dwelling on Basford View. There is sufficient room within the site to provide parking and turning areas to avoid cars having to be parked on the narrow private lane or the main A road which it leads onto, neither of which are suitable for parked cars.

CONCLUSION / PLANNING BALANCE

The proposal amounts to inappropriate development in the Green Belt and is harmful to its openness. There are also no very special circumstances which outweigh the harm. There are no other harms identified with this proposal, including on visual or residential amenity and a Biodiversity Net Gain can be achieved through new landscaping and other measures. However, the overall principle of development in this location is unacceptable and is contrary to Policy SS10 of the Local Plan and conflicts with Green Belt policy in the NPPF and therefore should be refused.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Chris Johnston

Recommendation Date: 20.12.24

X 

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council