

DELEGATED DECISION REPORT

SMD/2024/0400
Valid 25/10/2024

PLAYING FIELDS HOLT
LANE
KINGSLEY

ERECTION OF 10NO.
BUNGALOWS: 5NO. FOR THE
OVER 55S AND 5NO.
STANDARD MARKET

**(FULL PLANNING - SMALL-
SCALE MAJOR APPS)**

MAIN ISSUES

- Whether or not the proposal amounts to inappropriate development in the Green Belt
- The principle of the development
- Affordable Housing
- The impact on the provision of sports and community facilities
- The impact on the character and appearance of the area including trees
- Impact on residential amenity
- Impact on highway safety.
- Biodiversity

DESCRIPTION OF SITE

The site is on the eastern edge of Kingsley village with the smaller village of Kingsley Holt a short distance to the south-east. The Development Boundary of Kingsley runs along the western boundary of the site. As the site is outside of the Development Boundary it is deemed to be in the “countryside” in the Local Plan. It is also in the Green Belt. It lies to the north of a small cul-de-sac development of four bungalows (Calvin Court) on the north side of Holt Lane, a country lane connecting Kingsley to Kingsley Holt. The cul-de-sac development is also in the Green Belt and was recently built on the site of former youth club buildings. The application site comprises open grassland that was formerly a football pitch in connection with the former youth club but is now disused and the goal posts have been removed. It is accessed via the new cul-de-sac albeit fenced off from the turning head at the end by post and rail fencing but there is a five bar gate. The site is on raised ground higher than the ground levels of the new bungalows. Houses on Haste Hill Avenue lie to the west (within the Development Boundary). Open land and fields lie to the north and east. The application site includes land to the east side of the new cul-de-sac, up to Holt Lane. The land to the other side of Holt Lane (to the south) is also open land and fields. The site is also within the Churnet Valley.

There are a number of trees along the west, east and south boundaries of the site. The north boundary is relatively open with no real vegetation along it and has post

and rail fencing separating it from the fields, allowing clear views into the open countryside to the north.

There are three Public Rights of Way crossing the site. These enter the site at the north boundary and head east, south-east and south.

The site has an area of 0.9 hectares according to the application form.

PROPOSAL

This is a full planning application for ten bungalows. The existing cul-de-sac to the south would be extended to provide access to the new dwellings, forming a longer cul-de-sac development ending with a new turning head adjacent to the north boundary and with five dwellings on each side of the road with one detached and four semi-detached dwellings on each side. The detached units would have three bedrooms whilst the semi-detached units would have two. All of the units would be available on the rental market and with five reserved for the over 55s age group. An area adjacent to the south boundary would be reserved as a landscaped green open space around the existing Public Rights of Way that cross the site, with new tree planting. This area would be separated from the new housing by a new hedgerow which would run along the rear boundaries of the row of five units to the east of the new cul-de-sac and a new hedge would also be added to the north boundary separating the development from the fields.

The new bungalows would have a similar design to those to the south with red bricks, a grey tiled pitched roof and side gables.

The applicant is offering the following contributions to local parks as part of the proposal:

- Kingsley Park – Funds to improve the existing football pitch and for additional play equipment and picnic benches - £5000.00
- Kingsley Holt Park - Funds to improve the existing football pitch and for additional play equipment and picnic benches - £5000.00

The application includes a Preliminary Ecological Assessment (PEA), Biodiversity Net Gain (BNG) Report with Metric baseline calculations, a Tree Report, Energy & Sustainability Statement, Building for Life Statement and draft Heads of Terms (for a S106 Agreement towards the provision of over-55s housing and playing fields/parks facilities contributions).

The application is a resubmission of a previous scheme of seven market rental bungalows on the eastern part of the site which was refused planning permission in February 2022 for the following reasons (SMD/2021/0826):

1. The application site is in the Green Belt. Policy SS10 'Other Rural Area's Strategy' of the Council's Local Plan (adopted September 2020) requires strict control over inappropriate development in the Green Belt. The government planning guidance contained in the National Planning Policy Framework (NPPF) in paras 149 - 150 sets out the forms of development which are not inappropriate development in the Green

Belt. It does not include new-build dwellings and the particular housing development applied for does not accord with any of the other exceptions listed in those paragraphs. The proposal is therefore deemed to be inappropriate development in the Green Belt and is therefore deemed to be harmful to its openness. Inappropriate Development should only be allowed where very special circumstances, considered to outweigh the harm to the Green Belt, have been demonstrated. However, no such very special circumstances exist. The proposal is therefore contrary to Section 13 of the NPPF and Policy SS10 of the Council's adopted Local Plan which also resists ""non-affordable"" new-build housing in the countryside.

2. The development, by virtue of the location of the site, shape of the site and the number of dwellings proposed, would lead to a prominent intrusion into the open countryside which contributes positively to the rural setting of the village and which would harm the rural character and appearance of the surrounding area and would also harm the wider rural landscape within this part of the Churnet Valley. The proposal would therefore not comply with policies SS8 'Large Villages Strategy', SS10, SS11 'Churnet Valley Strategy', H1 'New Housing Development' or DC3 'Landscape and Settlement Setting' of the Council's Local Plan (adopted September 2020).

3. The development would lead to the loss of a football pitch which despite being redundant could potentially be re-used and the application does not provide for a replacement pitch or a contribution towards a replacement pitch in local areas of need for such facilities. The proposal would therefore result in detriment to the outdoor recreational needs of local communities in conflict with Policy C2 'Sport Recreation and Open Space' of the adopted Local Plan and Section 8 of the NPPF.

4. The application has insufficient information to demonstrate that a safe vehicular access to the development is possible and is therefore considered to be detrimental to highway safety contrary to Policy T1 'Development and Sustainable Transport' of the Local Plan.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

SS10 Other Rural Areas Strategy
SS11 Churnet Valley Strategy
SS12 Planning Obligations and CIL
H1 New Housing
H3 Affordable Housing
C2 Sport Recreation and Open Space
DC1 Design Considerations
DC3 Landscape and Settlement Setting
NE1 Biodiversity
NE2 Trees, Hedges and Woodland
T1 Sustainable Transport

National Planning Policy Framework (Dec 2024)

Section 5 (Housing), 8 (Communities), 12 (Design), 13 (Green Belts) and 15 (Natural Environment).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2021/0826: Outline application with all matters reserved for the erection of 7no 2-bedroom bungalows. Refused in Feb 2022.

CONSULTATIONS

Publicity

Site Notice expiry date: 3.12.24

Neighbour consultation period ends: 3.12.24

Press Advert: 8.11.24.

Public Comments

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

- Breach of Green Belt policy
- The site was not considered suitable for housing, locally, during the formation of the 2020 Local Plan.
- Loss of football pitch would could be re-used and no other similar facilities in Kingsley or Kingsley Holt
- Would cause flooding of adjacent properties
- Harm to wildlife
- Intrusion into countryside in a prominent position i.e. harm to appearance of the area
- Loss of footpaths/area for walkers
- Inadequate local village services/shops
- Increase in road congestion on Holt Lane
- Loss of a valuable green open space
- Presence of industrial waste
- Overlooking of adjacent properties due to raised ground levels

Town / Parish Comments

KPC reviewed the application and concluded that there are no grounds for a formal objection. However, Cllr. Lucas voted against with the majority supporting the application with the following conditions implemented:

- Implementation of a Section 106 agreement.
- Adequate measures to address drainage.
- Assurance that the proximity of new dwellings does not interfere with the

- curtilage of neighbouring properties.
- Attention to the existing footpath to ensure accessibility and safety.

Local Highways Authority

No objection subject to conditions. The following comments were provided:

Access is through the recently constructed Calvin Court development approved under SMD/2018/0511.

Visibility splays were established under that development, have been provided and are acceptable.

It is not clear if the access is to be adopted as highway. This should be clarified. Either way technical approval will be required for the access road. Testing of the access for the original 4 dwellings will likely be required.

Site is in a sustainable location with footways to Kingsley and Kingsley Holt. Bus stops are sited within 100m of the site.

10 new dwellings on this site could not be considered to have a severe effect on the operation of the highway.

As noted in the submitted Transport Statement, a Travel Plan is not required for a development of this scale. The proposal to provide a travel pack containing information on travel alternatives to all new residents is positive and should be provided.

Current records show that there were no Personal Injury Collisions on Holt Lane within 215m either side of the property access in the previous five years.

Environmental Health

No objection subject to conditions normally applied to new housing on greenfield sites.

SCC Local Flood Authority (LFAA)

Requires further information to demonstrate the development can be sustainably drained and therefore recommends that the application is not approved.

Severn Trent Water

Recommends a condition requiring a foul and surface water drainage scheme be submitted for approval.

SMDC Housing Officer

No housing needs survey or supplementary evidence has been submitted to suggested an unmet housing need in the Kingsley Parish.

Having reviewed the proposal, which proposes no affordable housing, this does not align with the affordable housing exemption outlined in the NPPF or Policy H3 'Affordable Housing' of the Local Plan.

Staffordshire & Stoke on Trent Integrated Care Board

Please accept this response as confirming that there are no material comments to make in connection with this case.

Staffordshire Wildlife Trust

SWT recommends a holding objection on this application until the following queries are resolved:

- The PEA states that there are buildings, built linear features and other developed land within the site. These are not included on the on-site habitat baseline in the statutory biodiversity metric tool with calculations. These need to be added to the metric calculation tool.
- The built linear features should be included on the habitat map.
- Please supply completed habitat condition assessment sheets so that we can check these against the metric.
- Please clarify the further bat surveys needed to assess the operational impacts on bats mentioned in 4.2.3 of the PEA.

SCC Schools Organisation

No education contribution required.

Sport England

An objection was raised. Sport England commented as follows:

A lack of use of a playing field, or part of, should not be taken as necessarily indicating an absence of need in an area. Such land can retain the potential to provide playing pitches to meet current or future needs.

Sport England's policy is to oppose the granting of planning permission for any development which would lead to the loss of, or prejudice the use of:

- all or any part of a playing field, or land which has been used as a playing field land remains undeveloped, or
- land allocated for use as a playing field

unless, in the judgement of Sport England the development as a whole meets with one or more of five specific exceptions.

The development will result in the loss of playing field land which has been marked out for an U15/16s football pitch. It is noted that the playing field site is no longer served by car parking and changing rooms, following the residential development on the ancillary facilities which served the site.

The Council's Playing Pitch Strategy (PPS) 2017 is out of date with it being over five years old and no review being undertaken to establish if the findings are still relevant. As such, it is unclear what the up-to-date playing pitch supply and demand issues are for the Authority and the sub area the site is located within.

Based on the above, it is unclear whether there is a need to protect the site or whether any shortfalls in provision could be addressed through off site contributions i.e. pitch quality issues increasing the capacity of site to address shortfalls.

It should be noted that in consultation with the Football Foundation (responding on behalf of the County FA) that they to note that the PPS needs updating with there being an increase in team numbers within the sub area the site is located within. There has also been a variation in team numbers between the age groups.

The applicant has also not submitted any details to demonstrate that the playing field is surplus to requirement. As such, it has not been demonstrated that Sport England Exception Policy E1 and NPPF paragraph 103a has been met. The applicant has also not proposed replacement playing field provision equivalent in quantity and quality in line with Sport England Exception Policy E4.

The applicant has indicated that they are willing to mitigate for the loss of the U15/16s football pitch at the site, though they would like to understand what improvements have been made to existing sites in the last 2 years (application MD/2021/0826 at the site which was refused). The applicant also states that if contributions are sought then this should be directed to pitch improvement to both playing fields at Kingsley and Kingsley Holt, as opposed sites that are 3.5 miles away.

In consulting the Football Foundation (FF) on the proposed mitigation, the governing body comment that according to Staffordshire FA affiliation data there are no teams playing in Kingsley and the suggested sites for grass pitch improve are recreational play areas with no pitches marked out. These sites could only potentially provide 5v5 or 7v7 football, so would not compensate for the loss of the pitch at the application site. Therefore the FF and Staffordshire FA deem that works at the proposed mitigation sites would not be a sensible use of funds. The FF suggest that possible alternative sites include Thorley Drive 2 Adult 11v11 (3.2 miles from site), Churchill Road Adult 11v11 (2.3 miles from site) and Ipstones Memorial Hall Adult 11v11 (2.9miles from site).

The Planning Statement appears to state that there could be a contribution figure of £5,000 each at the Kingsley and Kingsley Holt sites for pitch works, additional play equipment and picnic benches, is this correct? This falls below the cost of replacing the pitch proposed to be lost. No details have been provided as to the extent of pitch works proposed (and maintenance) at the mitigation sites and what impact this would have on the capacity of the site to help address playing pitch shortfalls. It is also unclear whether the schemes would be deliverable with it not being on land owned by the applicant. Account should also be had to comments made by the Football Foundation as to the appropriateness of the mitigation site in meeting shortfalls identified within the PPS 2017 (albeit out of date) and its suggested alternative sites.

SMDC Service Commissioning (Leisure & Parks)

Playing Pitch

This application is relating to 10 new bungalows and the main point of interest from our perspective is the loss of a playing field which has historically been used for football. The current Playing Pitch Strategy (PPS) is out of date, as it dates from 2017. Work is underway to produce a new PPS, but this will not be completed until the middle of 2025, at the earliest.

The site was not listed in the 2017 PPS. The previous changing facilities and car park, which served the site were demolished and built on with four new bungalows, following an approved planning application in 2018. It is understood that the football pitch has not been used (at least formally) since before this change.

The 2017 PPS did not highlight a shortfall of grass football pitches in the rural areas (which Kingsley would be considered), but it did show a shortfall in Cheadle for both adult and mini 7v7. The report also identified a future shortfall in the Cheadle area for adult, youth 11v11, mini 7v7 and mini 5v5.

The County Football Association (FA) has supplied current team data and compared with 2017 there has been an increase in adult, youth and mini football in rural areas and in youth and mini in Cheadle.

There are two football pitches near to the site, both sites offer recreational football opportunities. Neither of these sites are identified in the 2017 PPS document and the condition is not known.

The County FA has confirmed that there are no affiliated teams registered in Kingsley.

Conclusion

Having taken all the evidence into account and given the current condition of the playing field we do not think it provides a realistic opportunity for any football teams to utilise. The lack of parking on-site would lead to cars being parked on the roadside which is not feasible or safe. With no team's currently identified in the Kingsley area the two existing pitches, although not marked out, do provide recreation opportunities.

We would therefore accept that a financial contribution towards existing or new grass pitches in either Kingsley or Cheadle would be more beneficial. An offer of £10,000 has been made by the developer and in this instance, we would accept that offer given the criteria for its allocation as above.

Parks and Open Space

We would be looking to request contributions for Parks and Open Space. This would be used at either of the two nearest sites being Kingsley Holt Park and Kingsley Park. The contribution would be towards the on-going maintenance of the parkland and children's play equipment.

1. Parks & Gardens - **£752.00** (£75.20 x 10)
2. Equipped children's play - **£748.00** (£149.60 x 10)

Wider considerations

Using the sports facilitator calculator from Sport England the development would be considered for contributions towards new built facilities. Plans to improve the local leisure centre (MyActive Cheadle) and 3G pitch are currently being discussed. These considerations are shown below:

1. Sports hall - **£3,994.00**
2. 3G sports pitch - **£639.00**

Active Design

The site is situated between the villages of Kingsley and Kingsley Holt and as such there are opportunities for access to local amenities within a short distance. The town of Cheadle is approximately 3 miles away and offers a much wider range of shops and local amenities – although walking to Cheadle is difficult given the lack of highway pavement.

There are plentiful opportunities for short walks staying to the country lanes and longer walks using the footpath network, leading to fantastic countryside.

The size of the site doesn't lend itself to any on-site provision for active design.

SMDC Waste Collection Service

No issues regarding waste collections.

SCC Minerals & Waste

"No comments on this application."

Staffordshire Police (Designing Out Crime Officer)

Staffordshire Police have no issues with the principle of development at this location, but the inclusion of measured recommended in the consultation response could considerably contribute to a feeling of security and safety on the part of future residents as well as physically aiding security and safety.

SCC Public Rights of Way

It was firstly commented that the rights of way crossing the application site were shown incorrectly on the plans.

On receipt of a revised site plan showing the formal routes of the footpaths, the following comments were made:

The Definitive Map of Public Rights of Way for Staffordshire shows three public rights of way crossing the application site. From the submitted information, it appears one of the routes (Footpath No 3 Kingsley) will be directly impacted by the proposed development.

The following should be brought to the attention of the applicant and noted in the planning consent if granted:

Public Footpath No's 1, 2 and 3 Kingsley Parish run across the application site.

Public Footpath No's 1 and 2 should not be directly impacted by the development but Public Footpath No 3 will be.

NPPF 100. states that: Planning policies and decisions should protect and enhance public rights of way and access, including taking opportunities to provide better facilities for users, for example by adding links to existing rights of way networks including National Trails.

It is essential that this route is diverted in order to fulfil the aims of the application. Failure to do so will most probably lead to the obstructing of a public right of way. The granting of planning permission does not constitute authority for any interference with the public right of way and associated items - or its obstruction (temporary or permanent).

Peak & Northern Footpaths Society

We note that the PROWs Kingsley 1,2,3,& 4 may be affected, and that it intended to apply for a Diversion Order.

Guidance should be taken from ROW Circular (1/09) especially Paragraph 7.8

which states that, "any alternative alignment should avoid the use of estate roads for the purpose wherever possible and preference should be given to the use of made up estate paths through landscaped or open space areas away from vehicular traffic".

Should a temporary or permanent obstruction be unavoidable, then no development should take place until a Diversion Order has been confirmed, and the diversion route, with a satisfactory surface and adequate width and marking, is available for public use

Use of the PROW, and the safety of users must not be affected by the development, nor during the work taking place.

Ramblers

A suitable diversion of "Kingsley 3" footpath would be required.

CPRE

An objection has been raised as it does not consider very special circumstances have been demonstrated particularly regarding local needs or affordable housing and that the proposal conflicts with one of the purposes for including land in the Green Belt, in this case, the loss of the green gap between Kingsley and Kinglsey Holt. CPRE also mentions that public footpaths will be affected and there is insufficient information relating to drainage, safe access, landscaping and ecological impacts.

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. The redevelopment of "previously developed land" (PDL) is listed, but

contrary to the applicant's claims that the site is PDL (or "brownfield") due to it being part of a former youth centre, the actual application site comprises open land (a football pitch) with no buildings. "Recreation grounds" are specifically excluded from the NPPF definition of PDL. The Council therefore considers this is "greenfield" land i.e. not PDL or brownfield.

The recent update to the NPPF (December 2024) has introduced 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; and

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. This is also consistent with the Council's Green Belt Review (2015) which assesses the area of Green Belt to the south of Kingsley as not

contributing towards the three purposes above. 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.

It is considered the site does have a significant contribution towards purpose (c) i.e. development on this site would encroach into the countryside. Open land exists on two sides of the site, to the north and to the east. The Green Belt Review also considered the wider Green Belt in general to the south of Kingsley did make a “contribution” to this purpose and therefore overall this area of the Green Belt did make a “contribution” to the overall purposes of including land within the Green Belt. The proposal would push development out into open land towards the north and would also be in the form of an eastward encroachment of development from long established housing on Haste Hill Avenue where the Development Boundary has been drawn. The previous application for seven dwellings on this site was refused partly because it was deemed to amount to a “prominent intrusion” into the countryside i.e an encroachment into the countryside.

Overall, the proposal would not comply with para 155(a).

Para 155(b) requires there to be a demonstrable unmet need for the type of development proposed. The proposal would not conflict with this because there is a deemed undersupply of housing in the District. The NPPF requires authorities to demonstrate a five year supply of housing and there is currently a 3.51 year supply.

Para 155(c) requires development to be in a sustainable location. This test is deemed to be complied with as the site is on the edge of large village and within a safe and short walking distance of services such as a primary school, food shop, public transport and other community facilities.

Para 155(d) requires development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157. These paras state that for “major” development (i.e. for housing, ten units or more), contributions (‘Golden Rules’) should be made towards:

- a. affordable housing in accordance with Development Plan policies;
- b. necessary improvements to local or national infrastructure; and
- c. the provision of new, or improvements to existing, green spaces that are accessible to the public. New residents should be able to access good quality green spaces within a short walk of their home, whether through onsite provision or through access to offsite spaces.

With regard to a) affordable housing, the relevant Development Plan policy is Policy H3 of the Local Plan which requires that residential developments of 10 dwellings or more such as this should provide 33% affordable housing. This should include a mix of social-rented, intermediate and in some cases Starter Homes (normally made available at 30% less than market value). No affordable units are put forward in the application. In order for the proposal to fully comply with Paras 156 and 157 an additional 15% of units need to be “affordable” above the Local Plan requirement. Therefore 48% (rounded up to half the units applied for) would need to be affordable. However, this application does not put forward any policy-compliant affordable housing. All the houses would be available at market rental values (including the ones reserved for the over 55s age group). Therefore the proposal would not comply with Para 155(d) as it is not line with paras 156 and 157.

Para 156 b) requires necessary improvements to local or national infrastructure. Although none are proposed it is not considered that such improvements are needed i.e. the road network is capable of accommodating a development of ten additional small dwellings and there is no contribution required towards schools as no family dwellings are proposed.

Para 156 c) requires the provision of new, or improvements to existing, green spaces that are accessible to the public. This has been complied with via proposed contributions towards improvements to the two nearest parks as set out in a submitted Heads of Terms.

The proposed development does not fall under any of the categories of development in paras 154 and 155. The proposed development is therefore inappropriate development in the Green Belt, which is by definition harmful to the Green Belt and should not be approved unless “very special circumstances” exist that are considered to clearly outweigh the harm to the Green Belt. Para 153 says that substantial weight should be given to any harm. In this case in addition to definitional harm there is harm to openness. Para 142 confirms that one of the essential characteristics of the Green Belt are their openness and permanence. There is also harm to the purpose of including land in the Green belt as outline above. The totality of the Green Belt harm is very significant.

The applicant has put forward “very special circumstances” in the form of housing suitable for the elderly, including five units set aside for over 55s and also puts forward contributions of £10,000 towards improvements to two nearby playing fields, one in Kingsley and one in Kingsley Holt. The applicant claims there is a high demand for suitable housing for the elderly but this is a District wide and nationwide trend due to an ageing population. There is no evidence put forward of a particular significant need or demand in Kingsley. Furthermore, such a demand can be met via the large-scale provision of new housing on large housing land allocations in the Local Plan and even on windfall sites within the Development Boundaries of nearby villages and towns, particularly Cheadle, a town just two miles away (for example, 36 x 2-bed bungalows have recently been built and another six approved at Turners Pasture).

With regard to the playing fields contributions, although this is welcomed, it is not considered that this would provide sufficient compensation for the loss of an actual football pitch. This has not been used since the four adjacent bungalows were built on the site of the youth centre and changing rooms buildings. But there is no evidence that an absence of demand for it would exist at same stage in the future. Sport England has objected to its proposed loss and together with the Council's Leisure Services (despite not specifically objecting to the loss of the pitch unlike Sport England) outline an increase in team numbers within the sub area that the site is located within and a variation in team numbers between the age groups. The pitch is suitable for U15/U16 matches, whereas the pitches in Kingsley and Kingsley Holt are suitable for 5-a-side and 7-a-side games, so therefore the proposal would lead to the loss of a larger pitch in the Parish. There is also a recognises a shortfall of suitable pitches in nearby Cheadle (within the "sub area").

Overall, it is not considered that the very special circumstances put forward would clearly outweigh the identified level of harm to the Green Belt. Furthermore, the lack of policy compliant affordable housing further weighs substantially against the benefits of the proposal put forward as "very special circumstances" and the absence of affordable housing is another reason for the refusal of the application.

For all of these reasons the proposal is contrary to Policies SS10, H3 and the NPPF. It is not acceptable in principle

Loss of playing pitch

The loss of the football pitch is also in itself another reason for refusal, as with the previous application for seven dwellings which Sport England also objected to. The proposal remains contrary to Policy C2 of the Local Plan.

Developer contributions

With regard to the impact on other community facilities, SCC Schools/Education does not consider a contribution is required towards local schools. The dwellings put forward are aimed at couples and over-55s rather than families. The Leisure/Parks Section of the Council has asked for £1500 towards open space/playing fields improvements and children's play equipment and this is covered in the £10,000 pledged by the applicant.

Design and impact on the character and appearance of the area

With regard to the impact on the character and appearance of the area, the previous application for seven dwellings was refused due to the impact on the landscape and rural village setting. This new scheme also similarly encroaches into the open countryside to the east and north of the current village development boundary and existing adjacent development. It would have an urbanising impact on a part of the village which has a fairly rural character and appearance leading to overall harm to the character and appearance of the area including rural village setting and therefore should again be refused for the same reason as previous.

Although the design of the bungalows is not dissimilar to the four immediately adjacent, this is a much larger site which encroaches deeper into the countryside. The layout is considered to be poor. It is heavily engineered and suburban for this edge of countryside location as illustrated in the submitted CGI's. The road seemingly leads nowhere with no focus or punctuation. There are other issues in that the houses on the east of the access are inward facing. Although hedging is shown to define the gardens, there is likely to be pressure for fencing by the eventual occupants in order to provide secure, private gardens. This would present a harsh and unfortunate new settlement edge which would be visible from the diverted Public Footpath. Management of boundary hedges in different ownership is always problematic. It is unclear who or how the open space in which the footpath would sit would be managed and maintained in the future

With regard to residential amenity, the proposed developments largely complies with the Council's Space About Dwellings SPG. For example, the distances between the rear walls of the bungalows and the rear walls of the existing houses to the west on Haste Hill Avenue meet the standards and there is therefore deemed to be no loss of privacy or overlooking concerns. Some of the garden lengths are slightly below the standard but this is compensated by the overall size of the gardens, significantly in excess of 65 sq.m area standard. The internal space for each of the proposed bungalows also meets the floorspace thresholds as set out in the governments Nationally Described Space Standards (relating to 2-bed, 4-person bungalows and 3-bed, 6-person bungalows), as does the bedroom dimensions. Overall, the scheme would not lead to any harms to the residential amenities and living conditions of the existing residents of the area or the eventual occupants of the proposed dwellings.

Some of the new bungalows would be close to the mature trees along the west boundary of the site. Within the site, there are 2no category B trees, 5no category C trees, 1no category B tree group and 1no category C group. One of the category C trees will be removed. This category of tree is deemed to have limited worth or amenity value and lifespan and so its removal is not in itself objectionable. Category B trees are regarded as having more significant value. Two of those trees (which are adjacent to the west boundary are proposed to have their crowns cut back 2m and raised and this is also not objectionable.

Notwithstanding the fact that the Councils space standards are met, the design is considered to be poor layout is considered to be poorly designed for this rural village location

Highways and access

With regard to highway safety, whereas the previous application for seven dwellings was refused on highway grounds, this was due to the application not providing sufficient demonstration that the increase in vehicle movements predicted could be safely accommodated onto Holt Lane. This new application has the sufficient information and the local highways authority conclude that the visibility splays at the existing access which serves the four existing bungalows is also sufficient for ten additional bungalows. In other words, the level of visibility along Holt Lane for drivers using the access is satisfactory and would not be detrimental to highway

safety. The predicted increase in vehicle movements as a result of the proposal would lead to any detriment to Holt Lane and this road is of sufficient quality to accommodate the increase in traffic safely.

Biodiversity

With regard to ecological value of the site, a Biodiversity Net Gain (BNG) is required under changes to legislation in 2024. A BNG Report and Preliminary Ecological Assessment Report has been submitted with the application and significant additional planting and other ecology measures are proposed to aim to achieve this. However, Staffordshire Wildlife Trust (SWT) state that insufficient details have been provided to calculate the current biodiversity value of the site, which appears to exclude built features and disagree with the figure given by the applicant. Therefore it cannot be established if BNG would be achieved. SWT also require further details of what bat surveys would need to be undertaken. On this basis, SWT has raised a Holding Objection to the application. As there is insufficient information to determine if the ecological value of the site would be protected and enhanced, this would therefore be contrary to Policy NE1 of the Local Plan and this should form another reason for refusal.

Flood Risk

With regard to flood risk, the LLFA have objected to the application on the basis of insufficient drainage information being provided for this greenfield site. They were not consulted on the previous application as this was not a Major application. In the absence however of a satisfactory drainage design there is conflict with Policy SD5 and the NPPF.

No issue is raised by Severn Trent Water

Public footpaths

Finally, with regard to the public footpaths crossing the site, it is noted that one of the paths would be directly blocked by the development. However, an area of landscaped open space is proposed adjacent to the east boundary of the site, close to the path route. The application drawings also show this path diverted onto the new green area of open space. I consider this to be a satisfactory alternative. A licence would be required for its diversion. A condition can be added requiring details of how the open land to the east through which footpath is diverted would be managed and maintained in the future in the event of an approval being given.

CONCLUSION / PLANNING BALANCE

The proposal would amount to inappropriate development in the Green Belt which is therefore by definition harmful to the openness of the Green Belt. The harm is not outweighed by any very special circumstances put forward by the applicant which include such benefits as housing for over 55s and contributions towards improvements to local playing fields. The absence of any affordable units as required by Policy H3 of the Local Plan counts against the benefits of the scheme and also the loss of a football pitch which would not be replaced or compensated for by the playing fields contributions. There are also further harms including to the rural character and appearance of the area which contributes positively to the rural setting

of the village and to the wider rural landscape which would be encroached into by the development. There is also insufficient information to demonstrate that the ecological value of the site would be protected and enhanced. A Biodiversity Net Gain is required for this development. Overall, the proposal would not comply with the Council's Local Plan or the government planning guidance contained in the National Planning Policy Framework (NPPF) and like the previous application for housing on this site in 2022, should be refused.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Chris Johnston

Recommendation Date: 15.1.25

X 

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council