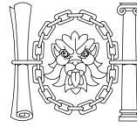




SAMMONS
Architectural
LIMITED



Chartered Institute of
Architectural Technologists

10 Cawdry Buildings
Fountain Street
Leek, Staffordshire,
ST13 6JP
Tel / fax 01538 386002

e-mail info@sammonsltd.co.uk

GREY BELT STATEMENT

LPA REF : SMD/2023/0520

APPELLANT : MRS G HEATH

**ADDRESS : LAND ADJACENT TO THE FIRS,
SUTHERLAND ROAD, LONGSDON,
STAFFORDSHIRE, ST9 9QD**

**PROPOSAL : OUTLINE CONSENT FOR THE
ERECTION OF A SINGLE DWELLING WITH
MEANS OF ACCESS CONSIDERED AND ALL
OTHER MATTERS RESERVED**

DATE : JANUARY 2025

JOB No. : 2023-2835

1.0 INTRODUCTION

1.1 This Grey Belt statement sets out the appellants' case in respect of an appeal under S78 of the Town & Country Planning Act 1990 (as amended) against the refusal by Staffordshire Moorlands District Council to grant outline planning consent for the erection of a single dwelling with means of access considered and all other matters reserved on land adjacent to The Firs, Sutherland Road, Longsdon.

1.2 It is acknowledged that national planning policy has been updated since the time of the appeal submission. The purpose of this statement is to provide the Planning Inspectorate with commentary on the site in the context of the Government's most recent amendments (December 2024) to the National Planning Policy Framework with specific reference to the Government's Grey Belt and Green Belt policies with context on how these changes affect the appeal proposal. This statement should be read alongside the Planning Appeal Statement and all other accompanying documents, which were submitted and set out the main case for the appeal.

2.0 APPEAL SITE & SURROUNDING AREA

2.1 The appeal site comprises of an irregular shaped parcel of land which lies on the western side of Sutherland Road between two residential properties, Selwyn to the north and The Firs to the south. Extending to some 829 sq metres it currently contains a number of domestic outbuildings as well as a static caravan and it is currently used for domestic purposes in conjunction with The Firs. The topography of the land falls away gradually in an east to west direction across the site and more steeply north to south.

2.2 The appeal site is bounded to the west by a timber post and rail fence with a drystone/brick retaining wall with hedgerow to the north. To the road is a drystone wall with a hedgerow behind with a drystone wall to the south forming the boundary between the application site and the adjacent dwelling The Firs. For the purposes of the Development Plan the application 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 THE APPEAL PROPOSAL

3.1 The appeal scheme sought outline consent for the erection of a single dwelling. Means of access was sought as part of the application with all other matters reserved for subsequent approval. The submitted layout plan shows the provision of a modest dwelling

which would have a simple rectangular plan form that would be positioned towards the front of the site following the building line of the dwellings to either side. Access would be taken from the existing arrangement in the south eastern corner of the site with off road parking spaces and manoeuvring space to the side. Gardens would be provided to the front and rear of the proposed dwelling with existing boundary treatments retained.

4.0 GREEN BELT & GREY BELT POLICY ASSESSMENT

4.1. The National Planning Policy Framework (NPPF) sets out the Government's planning policies for England and how these are expected to be applied. On 12 December 2024, the Ministry of Housing Communities and Local Government (MHCLG) updated the NPPF. This included a selection of updates including regarding councils' housing supply, the Green Belt, and the introduction of the Grey Belt.

4.2 Chapter 13 of the NPPF sets out the importance and protection of the Green Belt, which has a fundamental aim of preventing urban sprawl and keeping land open. The Staffordshire Moorlands Local Plan does not contain a specific Green Belt policy although policy SS 10 deals with the "Other Rural Areas Strategy" which comprise the countryside and Green Belt outside of the development boundaries of the towns and larger villages and the open countryside surrounding the smaller villages. This policy confirms that "these areas will provide only for development which has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside." It goes on to state that the council and its partners will achieve this through the following actions:

1. Meet housing requirements and specific needs by: Restricting new build housing development in the countryside to that which has an essential need to be located in the countryside in accordance with Policy H 1; Allowing the conversion or replacement of an existing rural building in accordance with Policy H 1; Allowing extensions or additional domestic outbuildings to existing dwellings provided they are appropriate in scale and design and do not have a detrimental impact on the existing dwelling and the character of the rural area. The Council will assess schemes having regard to the original dwelling, in cases where cumulative change has occurred; Allowing suitable development which would secure the future conservation of a heritage asset in accordance with Policy DC 2; Allowing rural exceptions housing (in accordance with Policies H 1 and H 3); Allowing community facilities where that need cannot be met in a settlement within the hierarchy. In such cases the development should be in a sustainable location close to an existing serviced settlement.

2. Sustain the rural economy by: Enabling the limited expansion or development of business for employment uses where a rural location can be justified Supporting the diversification of existing farm enterprises Supporting the development of appropriate ICT and new means of communications to enable homeworking and small businesses reliant on e-technology;
3. Enhance and conserve the quality of the countryside by: Giving priority to the need to protect the quality and character of the area and requiring all development proposals to respect and respond sensitively to the distinctive qualities of the surrounding landscape; Limiting uses which generate a substantial number of regular trips in areas that are not well served by public transport; Ensuring renewable energy schemes are of an appropriate scale, type and location; Recognising and conserving the special quality of the landscape in the Peak District National Park (in accordance with Policy DC 3); Encouraging measures which protect and enhance the biodiversity, geological resources and heritage of the District.
4. Regenerate underused major developed areas in the countryside including: Bolton Copperworks, Froghall and Anzio Camp, Blackshaw Moor (in accordance with policies DSR 5 and DSR 6). Development of these areas shall be complementary to and not undermine the role of the towns and larger villages nor shall it undermine wider strategic objectives. It shall also avoid or minimise environmental impacts and congestion and safeguard and enhance natural and cultural assets. Facilitating the appropriate redevelopment of other major developed areas where the proposed development brings positive benefits to the area and any resultant environmental or highways concerns could be adequately addressed and minimised. Such proposals will be expected to provide supporting information that demonstrates clearly that the redevelopment will complement the overall development strategy for the District.
5. Enhance tourist opportunities by: Supporting sustainable tourism developments and measures in the Churnet Valley in accordance with Policy SS 11 and the Churnet Valley Masterplan SPD; Allowing for small-scale tourism developments in other areas (in accordance with policy E 4); Establishing strong linkages between recreational and tourist resources; Recognising and developing the close linkages to the Peak District National Park.
6. Maintain the Green Belt within Staffordshire Moorlands. Strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government policy.

4.3. On 5 December 2024, MHCLG published the Local authority green belt statistics for England: 2023 to 2024 which confirmed that there was no net change in the area of land designated as Green Belt in the Staffordshire Moorlands.

4.4. Paragraph 143 of the NPPF states that the Green Belt serves the following five purposes:

- 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.

4.5. Once established, Green Belt boundaries should only be altered where exceptional circumstances are fully evidenced and justified through the preparation or updating of plans, per paragraph 145 of the NPPF. Therefore, currently, the only mechanism through which to alter Green Belt boundaries is through the local plan preparation, examination, and adoption process.

4.6 Accordingly, this planning application does not seek to remove land from the Green Belt or alter the Green Belt boundaries established within the plan; rather, it seeks to justify the development despite its Green Belt location.

4.7 When considering a planning application in the Green Belt, substantial weight is given to any harm to the Green Belt, including harm to its openness. However, footnote 55 of the NPPF states that this is not in the case of development on grey belt land, where development is not inappropriate.

4.8 The NPPF states that, generally, development in the Green Belt is inappropriate unless one of the exemptions set out at paragraph 154 applies. This includes, at 154 (e), limited infilling in villages.

4.9 The appellant strongly contents that the appeal proposal constitutes limited infilling in a village for the reasons set out in the Planning Appeal Statement already submitted.

4.10 Further to the above, within the December 2024 update to the NPPF, the abovementioned 'Grey Belt' was introduced into national policy. Grey Belt land is defined in Annex 2 of the NPPF as "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.

4.11 It is not considered that this site and or this development strongly contribute the purposes (a), (b), or (d) of paragraph 143 of the NPPF. Additionally the site itself does not fall within a Special Protection Area nor any of the areas or assets of particular importance listed at footnote 7. Thus, it may be concluded that the site is Grey Belt land.

4.12 Paragraph 155 states that for the development of homes, development in the Green Belt should not be regarded as “inappropriate” where it meets certain conditions, which are addressed in turn below:

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; The development will utilise Grey Belt land and would not fundamentally undermine the purposes of the Green Belt across the area of the plan. Therefore, this condition is satisfied.

b) There is a demonstrable unmet need for the type of development proposed. The above, for applications involving the provision of housing, includes cases where a LPA cannot demonstrate a five year housing land supply, per footnote 56. As stated at paragraph 6.38 of the Planning Statement, the Council can only demonstrate a 3.58 year housing land supply. Furthermore, it is considered that the tilted balance set out at paragraph 11 (d) and footnotes 7 – 8 is engaged through the Council’s lack of a housing land supply. Overall, therefore, it is considered that the requirements of NPPF paragraph 155 (b) are satisfied.

c) The development would be in a sustainable location, with particular reference to paragraphs 110 and 115 of this Framework; The site is considered to be in a sustainable location, in line with paragraphs 110 and 115 of the NPPF. The appeal application was not refused on highways grounds with regard to either of these paragraphs (or their former versions in the previous revisions of the NPPF). The development is acceptable in this regard and this condition is therefore met.

d) Where applicable the development proposed meets the ‘Golden Rules’ requirements set out in paragraphs 156-157 below. Further analysis of paragraph 156 of the NPPF confirms that the Golden Rules apply to major developments. This scheme is not a major development, as it provides a known number of dwellings which is less than 10, in line with the definition within the Town and Country Planning (Development Management Procedure) (England) Order 2010 (as amended). Therefore, this condition is not applicable to the proposed development. Finally, it is reaffirmed that the development is not a major development released from Green Belt and, therefore, the details of the Golden Rules and affordable housing thresholds, set out at paragraphs 67 – 68, footnote 30, and 156 – 157 of the NPPF do not apply to the proposed development. Accordingly, the proposed development should not be regarded as inappropriate development in the Green Belt, in accordance with paragraph 155 of the NPPF.

4.13 The very special circumstances applied in favour of the development and the above further reinforce the acceptability of the proposed development since, in the planning balance, less weight shall be given to the protection of the Green Belt, since this is now not considered inappropriate development.

5. CONCLUSIONS

5.1 This Grey Belt Statement has reviewed the Green Belt and Grey Belt policies set out within the NPPF in the context of Staffordshire Moorlands local plan and housing supply. Notably, the Council cannot demonstrate a five year housing land supply and, therefore, the tilted balance set out at footnote 8 of the NPPF is engaged.

5.2. The site is considered to be Grey Belt land, which is land in the Green Belt which does not strongly contribute to the Green Belt's key purposes.

5.3. The proposed development is not inappropriate development in the Green Belt, in line with paragraph 155 of the NPPF.

5.4. The proposal would positively contribute towards the Council's supply of housing in the short-to-medium term, which is a benefit of a high order, without being inappropriate development in the Green Belt. All other matters have been addressed within the Planning Statement to confirm the acceptability of this scheme.

5.5. Overall, this Statement has found that the proposed development does not undermine the fundamental aim or five purposes of the Green Belt and should be acceptable in this location. The Government have made clear commentary on their aims to build on poor Green Belt land – land which is within the Grey Belt. Having reviewed the relevant policies, it is considered that this site is a perfect example of a site the Government are looking to utilise to build the homes we need, in line with Chapter 5 of the NPPF. Staffordshire Moorlands District Council like many LPAs which have do not have an up-to-date Development Plan or adequate housing land supply, face scrutiny at their housing delivery; including within the previous appeal decision which described the current situation as a “chronic shortage of housing delivery”. This development, which provides housing in the short to medium term and provides social and economic benefits to the community, shall be of substantial benefit and have positive impacts on the Council's overall housing supply. We strongly feel that the changes to the NPPF in relation to the ‘grey belt’ and the governments strong desire to provide more homes in all locations, lend significant support to this proposal. It will assist the Council in providing a further home to meet the current chronic undersupply of new homes in a highly sustainable location.