

DELEGATED DECISION REPORT

SMD/2022/0465
Valid 16/08/2022

LAND AT BASFORD VIEW
CHEDDLETON

PROPOSED ERECTION OF A
DWELLING.

(FULL - MINOR)

MAIN ISSUES

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

DESCRIPTION OF SITE

The application site is in the countryside a short distance to the north of the development boundary of Cheddleton and comprises a vacant square shaped plot, perhaps a former paddock, but with two small detached single garage buildings/outbuildings placed together in the south-west corner of the site. It lies to the south of the end of a track which joins onto Leek Road (A520) a short distance to the west. The access is off the end of the track, which then becomes a public footpath which runs along the north boundary of the site. To the north of the access and to the other side of the track and public footpath is a row of five terraced Victorian dwellings which lie perpendicular to the track and path. There is a detached dwelling to the east of the site with an access off Station Road. There is a field to the west and south sides, with modern agricultural storage building next to the south boundary of the site. The access track has a number of other dwellings either side, closer to the main road. The site slopes downwards gently towards the east. The west, east and south boundaries are marked by rows of trees which are particularly large on the east and south boundaries. There is more scrubby vegetation on the north boundary. The site is in the Green Belt.

PROPOSAL

This is a full planning application for a one double bedroom bungalow with floor dimensions of 7 x 8 metres and a height of 5.0 metres. It would have a brick and tiled roof form. It would be placed on the same siting as the two garage buildings which would be demolished. There is already a bound surfaced driveway up the garages which would be retained for car parking.

The application is accompanied by a Planning Statement and a brief "Arboricultural Report" written by the applicant which states the following:

"The proposed dwelling is not within the root protection area and SMDC

Landscape Officer Steve Massey has confirmed that it was not necessary to submit an arboricultural report to BS5837 as the hedge/trees are leylandii which are not worthy of retention so will be replaced with a native hedge."

The original proposal put in with this application was for a 3-bed two-storey brick and tile dwelling on a similar siting but this has been replaced by the 1-bed bungalow.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffs Moorlands Local Plan (adopted September 2020)

- SS10 Other Rural Areas Strategy
- H1 New Housing
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- T1 Development and Sustainable Transport
- NE2 Trees, Woodland and Hedgerows

NPPF (Revised July 2021)

Sections 5 (Housing), 12 (Design) and 13 (Green Belts).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2020/0447: 1no. affordable dwelling. Refused and appeal dismissed.

SMD/2020/0089: 1no. dwelling. Refused.

CONSULTATIONS

Publicity

Site Notice expiry date: 25/10/22.

Neighbour consultation period ends: 25/10/22.

Press Advert: N/A.

Public Comments

Letters of objection have been received from three local residents and the following points are raised:

- The proposal would exacerbate parking problems on the private road which would also be blocked by construction vehicles during the build.
- The design is not in keeping with the other houses in the area.
- Harm to the Green Belt and does not comply with Green Belt policy.
- The site is not previously developed as most of it is green.
- Safety risk to pedestrians at the end of the public footpath.
- The access road is unmade and the proposal would lead to further damage at the expense of the residents

-The access onto the main road is unsafe.

Town / Parish Comments

Objection on the grounds of inappropriate development in the Green Belt and no very special circumstances.

Local Highways Authority

No objection. The site is located on Basford View which is a private single-track road with some passing places and serving several residential properties. Basford View's junction with the A520 Principal Road has a speed limit of 30 mph and a speed camera along this stretch. The junction is wide enough to accommodate vehicles accessing, egressing and passing at this point, allowing traffic to exit the A520 unhindered. It is therefore suitable to accommodate the additional traffic generated by the new development off the private road.

Leek Road (A0520) is a primary route connecting Stafford and Stone to Leek. There is a bus service from Hanley to Leek with a bus stop within a 5-minute walk of the site providing public transport to Leek (approx.3 miles) and Hanley (approx. 7 miles).

Environmental Health

No objection subject to standard conditions for a single dwelling on this type of site.

OFFICER COMMENTS

The site is in the Green Belt and the strategy for the countryside, Policy SS10, requires strict control over inappropriate development in the Green Belt. Paras 149 and 150 of the NPPF list the forms of development which are exceptionally not inappropriate in the Green Belt and therefore, by definition, not harmful to its openness.

The list includes "village infill" development. The first application for a dwelling on this site in 2020 (SMD 2020 0089) attempted to demonstrate that the site should be considered to be a village infill plot as there are buildings to the north, south and east. However, the application was refused as the Council disagreed that this constituted a village infill plot not least because the site is not within a "village" and the particular proposal did not fall under any of the other categories of development which was "not inappropriate". Another application later in the year proposed an "affordable" dwelling on the plot as the NPPF lists in paras 149 and 150, "limited affordable housing for local community needs under policies set out in the development plan" as not being inappropriate development in the Green Belt. However, the development plan, the SMDC Local Plan, requires that affordable housing should be within the built-up parts of villages and that a demand/need for affordable units in the area would also need to be demonstrated, under the Local Plan Affordable Housing Policy and it was considered that as well as being outside of a village, no such affordable housing need in the area had been demonstrated and therefore the application was again refused for being contrary to Green Belt

policy. The appeal against the refusal was also dismissed by the Planning Inspectorate.

This new application has supporting information claiming that as the proposed dwelling would be located in part of the site where buildings are located, the proposal would amount to a redevelopment of previously-developed or “brownfield” land. The NPPF in para 149 lists the “limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development” as not being inappropriate development in the Green Belt.

The development currently on site comprises two solid detached domestic garage buildings and a hardcore driveway leading up to them. This falls under the NPPF definition of “previously developed land”. The proposal would therefore be acceptable under Green Belt policy if the proposed dwelling did not amount to a greater impact on the openness of the Green Belt than the current development of two garages and a hardstanding.

The original scheme which looked to replace the two garages with a dwelling on a similar footprint was deemed to have a greater impact because what was proposed was a two-storey dwellinghouse of much larger scale and in particular much greater height than the garage buildings and this was deemed to therefore be inappropriate development, harmful to the openness of the Green Belt and therefore unacceptable.

The amended scheme significantly reduced the scale and height of the dwelling to that of a one-bedroom bungalow. The garages occupy a footprint of 46 sq.m. The amended dwelling would occupy a footprint of 56 sq.m. The dwelling would still be higher than the garages but not substantially so and would retain a single-storey with pitched roof form, just like the garages. As the dwelling would be in the same part of the site which was previously developed and will not encroach beyond the parameters of the garages footprint and immediate surrounding hardstandings (the scope of the existing development has been shown on an additional plan), I consider that the proposed redevelopment of the brownfield part of the site, as shown on the amended plans, would not lead to a greater impact on the openness of the Green Belt.

This view is consistent with a recent planning decision on a very similar proposal to replace a domestic detached garage with a small dwelling in another part of the Green Belt in the District, between Stockton Brook and Brown Edge. The garage is on a plot next to a dwelling facing Willfield Lane. The case involved an outline application, with all matters reserved (SMD/2022/0058), to replace the garage with a dwelling and this was approved with a condition that requires the proposed dwellinghouse and any parking/turning areas to be sited wholly within the brownfield parts of the site (i.e. the garage and hardstanding to the front of it).

The above permission also requires the new building to not be “materially larger” than the current building on site to be replaced. As stated above, with this current application at Basford View, I do not consider the proposed bungalow would be “materially larger” based on its footprint and height.

I therefore consider the amended proposal would not be inappropriate development in the Green Belt and therefore would not be harmful to its openness and would therefore comply with Section 13 of the NPPF.

With regard to the overall principle of a new dwelling in this particular location, aside from the Green Belt policies, Policy SS10 and Policy H1 would resist new market-value dwellings in the open countryside. Policy H1 does allow new dwellings on the edge of large villages or within infill plots in small villages under some circumstances but the site would not fall under either of those categories. However, the NPF states in para 11 that where a development plan is not “up to date”, approval should be given to sustainable new housing unless this would lead to adverse harms considered to outweigh the benefits of the new housing.

The Council’s Local Plan is currently considered to not be up to date because the Council cannot demonstrate a five year housing land supply, as required in the NPPF to address housing need. Policies S10 and H1 with regard to housing delivery therefore now have limited weight in making decisions on housing proposals. This therefore triggers para 11 of the NPPF and a judgement needs to be made as to whether any adverse harms identified would outweigh the benefits of a new 1-bed dwelling in this location. This is known as the “tilted balance”.

With regard to the benefits, the site, despite being in the countryside, is in a sustainable location, within a safe walking distance of a large village and therefore shops, services and public transport which reduces the reliance on travel by private transport and hence help to reduce emissions. There is also a particular shortage of small units of accommodation in the District and what is proposed is a 1-bed bungalow. There is also an economic benefit to local shops and services which in villages, rely in support from an increased population and there is also a benefit to the construction industry. The social and economic benefits are admittedly limited but with regard to any identified significant harms with the proposal, this is discussed as follows:

With regard to the visual amenities of the area, the site is very well screened by trees and vegetation on all four sides which would screen the development and all possible domestic paraphernalia arising from a 1-bedroom dwelling on the land around it. The replacement of garage buildings with a bungalow would not have significantly additional harmful impact on the character and appearance of the area, which also contains a number of sporadic dwellings despite the rural character of the area and would not lead to harm to the landscape. The bungalow is also well designed with traditional features and appropriate materials which respect the surrounding buildings which by enlarge are rather mixed in terms of design. There is no extension to the hard-standing and a condition can be imposed to ensure that boundary vegetation, which in any case is not protected by a TPO or worthy of a TPO, is retained or replaced by an approved landscaping scheme. The proposal would not harm the visual amenities of the area.

With regard to residential amenity, the bungalow would be placed a sufficient distance from neighbouring dwellings. None of the proposed windows would face other windows within a distance of 27 metres and this would therefore accord with

the Council's Space About Dwellings standards. The bungalow would also provide 50 sq.m of internal habitable space which complies with the Nationally Described Space Standards threshold for 1-bedroom dwellings with a double bedroom. There is also sufficient outdoor garden space for the occupants. The proposal would not harm the residential amenities of either existing residents of the future occupant(s) of the site.

The site does not possess any significant ecological value and the garage buildings do not appear suitable to house protected species such as bats. There may be bats using the trees but these can be retained via a condition.

The comments of the objectors are notes in respect of highway safety and parking considerations. However with regard to highway safety, a 1-bedroom bungalow in a sustainable location is unlikely to lead to a significant increase in traffic and there is also adequate parking provision on the driveway. It is safe to reverse out of the site without harming the public highway as the access road is private and there are areas to turn within it to allow access onto the main road in forward gear. Although the junction with the main road is not ideal, the insignificant increase in traffic would not lead to a significantly increased safety risk and the local highways authority do not object to the application.

With regard to the tilted balance, it is considered that the sustainability, social and economic benefits of the proposal, despite being fairly limited, are not outweighed by any adverse environmental or other harms. Therefore, in line with the NPPF, the amended scheme should be approved.

CONCLUSION / PLANNING BALANCE

The amended proposal would not harm the openness of the Green Belt or the visual and residential amenities of the area. The site is in a sustainable location for a new dwelling and the social and economic benefits would not be outweighed by any environmental harms. The proposal would therefore comply with the NPPF including para.11.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston

Recommendation Date: 20.12.22

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council