

DELEGATED DECISION REPORT

SMD/2025/0107
Valid 30/04/2025

HILL VIEW FARM TOWER
HILL ROAD
MOW COP

REPLACEMENT FARM
DWELLING

(FULL - MINOR)

MAIN ISSUES

- Impact on the Green Belt
- Impact on character and appearance

DESCRIPTION OF SITE

A bungalow and its curtilage built as a farm worker dwelling in the early 1990s under planning permission 90/01168/OLD.

The old planning permission has been reviewed, and it does not include a condition that would have the effect of removing householder permitted development rights under Part 1, Sched 2 of the GPDO. It is, however, subject to a condition that restricts occupancy to a person solely or mainly employed in agriculture. The approved plans show surface water draining to a soakaway to the north of the dwelling.

The application relates to a low ridge dual-pitched bungalow to the southern west of Hillview farm within the open countryside. It is located outside the nearest settlement boundary of Biddulph, 550m east of Mow Cop, accessed via a private track north of Hill Road. The access road wraps around the application site which has a triangular form. Apart from the farmstead it is associated with, there are no other immediate neighbours. The property is predominately rendered white, except for two small side extensions that are in red brick. It has a moderately sized garden to the north of the site. It is surrounded by open countryside to the north, south and west of the site. To the northeast there are a number of agricultural buildings associated with the farm. The existing footprint is 180sq.m. For the purposes of planning policy considerations, the application site is located within the Green Belt.

The applicants are the proprietors of the one land title that includes the dwelling and its curtilage (centrally located within the ownership), 16ha of surrounding farmland, and the farm sheds to the northeast of the dwelling.

PROPOSAL

This repeat application proposes to replace the existing 3 bed single storey bungalow with a larger four bed dormer bungalow with a full pitch roof. It follows a previous attempt that was refused planning permission. With this application the proposed replacement is of a reduced size and the applicant's agent points to alternative enlargements that might be made to the dwelling as permitted development without planning permission.

The replacement dwelling would occupy a similar positioning within the plot and have the same orientation. The north facing elevation would present a gable projection with patio glazing at ground floor and running into the apex above. There would be a series of dormer windows, each with full pitch roofs, on the north and south (front and rear) roof slopes.

Revised plans have been submitted reducing the number of dormer windows, reducing the extent of glazing in the projecting gable, and showing two parking spaces to be provided on a strip of hardstanding to the front of the dwelling.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS2 Settlement Hierarchy
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
DC3 Landscape and Settlement Setting

Design Principles for Development in the Staffordshire Moorlands (SPG)
Space About Dwellings (SPG)

Staffordshire Moorlands Design Guide (SPD)

Landscape Character Assessment

Biddulph Neighbourhood Plan

DES1 Design
DES2 Public Realm, Car Parking and Movement
INF2 Sustainable Drainage
NE2 Urban Edge

National Planning Policy Framework

Section 13 Green Belt

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

83/11929/OLDDC Details of agricultural dwelling. APPROVED.
90/01168/OLD Erection of bungalow. APPROVED.
SMD/2023/0377 Replacement farm dwelling. REFUSED.
SMD/2024/0501 Proposed Rear and side extension and provision of new ancillary building. COLP. REFUSED.

CONSULTATIONS

Publicity

Site Notice expiry date: 25th June 2025

Neighbour consultation period ends: 25th June 2025

Press Advert: N/A

Public Comments

None

Town / Parish Comments

Biddulph Town Council: Recommend Refusal. No details for site layout or landscaping, no details of garages/parking. Difficult to establish compliance with Neighbourhood Plan policies NE1, NE2 and DES2. The significantly larger footprint of the building may impact drainage, so details of the mitigation against this would be required to judge compliance with INF2.

United Utilities

No further comment to make. It is the applicant's responsibility to investigate the existence of any pipelines that might cross or impact their proposed site and also to demonstrate the exact relationship between United Utilities' assets and the proposed development.

Staffordshire County Council Highways

The proposal is for a replacement farm dwelling. The current 3-bedroom dwelling will be replaced with a 4-bedroom dwelling.

The property will be sited approx. 200m from the adopted highway

Access to the property will be via the existing private track to Hill View Farm.

Staffordshire Moorlands Parking Standards state: Detached/Semi-detached property of 4 or more bedrooms will require 3 spaces (2.4 x 4.8m each space) for residents and visitors.

The submitted plans do not identify parking, I therefore require a plan detailing a parking area sufficient in size (2.4m x 4.8m each parking space) to accommodate parking for 3 vehicles.

No objection subject to condition requiring details of parking provision for three vehicles to be provided for approval.

OFFICER COMMENTS

Impact on the Green Belt

The site is in the Green Belt where development is inappropriate and, by definition, harmful unless it is provided for by one of the exceptions that appear on the closed lists at Chapter 13 of the NPPF. Any harm to the Green Belt should be attributed 'substantial weight' and planning permission shall not be granted unless there are other considerations, amounting to 'very special circumstances', that clearly outweigh the harm to the Green Belt and any other harm resulting from the proposal.

One of the exceptions is for the replacement of a building providing the new building is in the same use and is not materially larger than the building it replaces.

In this case the replacement building would be in the same use, but it would be materially larger. Front and rear elevations would be wider, there would be a gable projection creating a roughly L shape footprint, there would be dormer windows extending from the roof slope, and it would provide an additional fourth bedroom. In

total the replacement dwelling, as revised, would have a footprint that is 36% larger and a volume that is 30% greater. The resulting dwelling would be notably and, therefore, materially larger than the building it would replace. The development would be inappropriate in the Green Belt and there would, by definition, be harm to the Green Belt. Substantial weight is attached to that harm.

Design and Impact on Character and Appearance of the Rural Area

The existing dwelling is a bungalow that is simple and traditional in form and character. It has a full pitch roof, four evenly spaced windows across the width of its elevation, and an inglenook chimney – appropriate to its rural, isolated location in an open slope and valley farmland landscape.

The revised plans have reduced the number of dormer windows proposed on both the front and rear elevations. This presents a less 'regimented' and dominant arrangement and each dormer would present traditional form and character with narrow proportion and peaked full pitch tiled roof.

However, the replacement dwelling would in other respects introduce design elements that would be at odds with traditional vernacular and the character and appearance of the isolated rural location, and be more harmful to the character and appearance of the area:

- a flat roof section to the side of the dwelling would appear as a tacked-on addition like that of a PD extension and not relate well to the main form and arrangement of the dwelling.
- a large expanse of glazing in a projecting gable that would create a lantern effect at night and present a prominent element of contemporary architecture in a rural landscape.
- present proportionately wide, or elongated, front and rear elevations. And,
- across the elevations present an incoherent and uncoordinated arrangement of fenestration that would possess differing sizes and designs and lack balance and proportion across the elevations.

The town council express some concern over the level of detail provided in the proposed layout plan. The application proposes the provision on a replacement dwelling on a very simple layout arrangement that would be based essentially on the preexisting garden and plot layout and arrangement of the existing dwelling. The proposal is to retain existing trees within the garden and hedgerow boundary that encloses the plot. Further detail or supplementary planting would seem unnecessary and would do little to conceal or mitigate the harms identified above.

Overall, the development would be harmful to the character and appearance of the area and would appear as a prominent intrusion in the landscape. The proposed development would not comply with the Council's Design Guide SPD and the Design Principles SPG. There would be conflict with policies SS10, H1, DC1 and DC3 of the SMDC Local Plan; DES1, DES2 and NE2 of the Biddulph Neighbourhood Plan; and the terms of the NPPF.

Other Considerations

The PD fall back

Turning then to considerations that might outweigh the harm to the Green Belt and the other harm that would result from the proposal, the applicant's agent points to the type of side or rear extension that could be carried out to the dwelling without planning permission, permitted by the General Permitted Development Order. The planning permission to provide the farm workers dwelling in 1991 was not subject to a condition that removed the rights to extend under the GPDO.

To that extent the order provides a 'fall back' and it is likely that a person frustrated in their attempts to gain planning permission for a larger home would then make it larger under permitted development allowances. Permitted by Part 1, Sched 2 of the GPDO, the home could be enlarged significantly with, normally flat roof, additions to the side and rear walls in a manner that would not necessarily be visually pleasing or coherent.

However, in this case, the replacement dwelling that is proposed, would not present a scheme of enlargement that would arrive at an obviously better design solution than that which might be achieved as permitted development. Some of the size increase would be absorbed within the main form of the dwelling and a coherent design but as discussed above, it would include elements that would not be as successful or pleasing in the rural setting. Moreover, it would in respect of the flat roof element to the side elevation, possess an element that would, in any event, appear as an addition made under PD allowances.

It is not clear therefore, that considerations relative to the 'PD fall back' should weigh in favour of a permission for the proposed replacement dwelling or, indeed, that it amounts to a matter that clearly outweighs the harm that would result from the inappropriate development in the Green Belt and the other harm that would result from the proposal.

Personal circumstances and needs of the applicant

Moreover, it is of note that the existing dwelling is a farm worker dwelling subject to a condition that limits occupancy to a person solely or mainly employed in agriculture. In 1991, the applicant, at that time, had demonstrated that a dwelling of this size and function was essentially required for the financial and functional operation of an existing agricultural enterprise, a permission was therefore, exceptionally provided in this Green Belt location.

The dwelling was purchased by the current applicant in 2023; he was not employed in agriculture and did not have agricultural business interests. The applicant is a director of a local skip hire company that was incorporated in 2012. Shortly before buying the property the applicant incorporated a new business filed with the SIC code 01621 'farm animal boarding and care'. It is said that the applicant is no longer involved in the day-

to-day activities of the skip business and is now only engaged in cattle farming, currently circa 70 head of cattle – he does not however, have any incorporated business filed with a 014 CIS code (animal production).

The question of whether the applicant currently complies with the existing dwelling's occupancy condition is not for determination with this application, he has not previously applied for the condition to be lifted or sought a legal determination relative to the lawfulness of his occupancy.

However, the application proposes the provision of a new and larger dwelling in a location where the existing dwelling was only exceptionally provided. To that extent, it is reasonable for the Council to expect that the application revisits the question relative to agricultural need and demonstrates that the new larger dwelling is necessary for the financial and functional needs of existing agricultural enterprise on the site, and following from that, he would comply with the same or similar occupancy condition.

Rather than convincingly demonstrate such a case, there is in fact evidence to indicate that the applicant has occupied the site for purposes other than agricultural employment and that he does, indeed, still have day to day involvement with the skip hire business:

- Activities on site at Hill View Farm indicate that the applicant is still operationally involved in the skip business. From the date of his purchase and occupation there has been a growing collection of skips on the yard to the north of the house. 2025 aerial photographs show that ground works have broken into the field parcel to the rear/north of the yard and this area is now used for further skip storage
- Richard Taylor Ltd operates an agricultural supplies business from the site it is assumed that the business occupies one of the existing farm buildings and part of the yard and that the applicant receives rent from this occupant
- The filed SIC code for the registered business seems ambiguous (farm animal boarding and care) other codes would have been more convincing in respect of agricultural reason or need to occupy the dwelling (eg. 014 or 015)

The application does not demonstrate an agricultural justification for the existing dwelling to be replaced and for a new and larger dwelling to be provided on the site. Overall, the personal circumstances and needs of the applicant are not matters that amount to 'very special circumstances' and clearly outweigh the harm to the Green Belt and the other harms that would result from the proposal.

Highway Safety

The highway authority points to the increase in bedroom numbers and a substandard provision of parking spaces within the curtilage. The applicant has addressed the comments with a site plan that shows two parking spaces on the driveway strip to the front of the dwelling and an ability to park additionally in the farm yard area to the rear (under their ownership) it is also apparent that a third car could park on the driveway hardstanding if required and that if it became necessary further parking provision could easily be provided within the curtilage of the dwelling. The farm access track provides turning and manoeuvring space. The dwelling is 200m from the adopted highway at the end of a farm track, the replacement dwelling would not result in a highway danger from cars parking on the roadside or reversing into the carriageway.

There would be no conflict with policy T1 of the SMDC Local Plan 2020, DES2 of the Biddulph Neighbourhood Plan, or the terms of the NPPF.

BNG

The application claims BNG exemption as a self/custom build dwelling. The dwelling currently provides the applicant's home and, as a proposed replacement there is no doubt over the developer's intention in these regards.

Drainage

The applicant's agent has confirmed that the soakaway arrangements to the north of the plot, approved with the permission for the existing dwelling, are intact and that surface water from the replacement dwelling and plot would continue to drain, sustainably, to the existing soakaway. The dwelling already has a septic tank that would be replaced and upgraded on a like for like basis to be compliant with current building regs. There would be no conflict with policy INF2 of the Biddulph Neighbourhood Plan.

CONCLUSION / PLANNING BALANCE

The proposed replacement dwelling would result in inappropriate development and harm to the Green Belt. It would be in the same use as the building it would replace but would be materially larger. The development would not therefore, be provided for by any of the exceptions that appear at Chapter 13 of the NPPF.

The proposed development would also, introduce design elements that would be at odds with vernacular architecture and the rural character of the area. The development would be harmful to the character and appearance of the area and result in a prominent intrusion in the landscape. There would be conflict with the policies of the SMDC Local Plan and the Biddulph Neighbourhood Plan that are listed above, and the Council's design SPD and SPG.

There are no other considerations that amount to 'very special circumstances' that would clearly outweigh the harm to the Green Belt and the other harms that would result from the proposal:

- The proposed replacement dwelling would not provide a design solution that would be obviously better than a scheme of enlargement that might otherwise be achieved under the 'fall back' of permitted development allowances; and,
- the applicant has failed to demonstrate an agricultural justification for the existing dwelling to be replaced and for a new, larger dwelling to be provided on the site and, overall, the applicant's personal circumstances and needs do not demonstrably outweigh the harms.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Ben Hurst

Recommendation Date:

X *Jane Curley*

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council