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PLANNING APPLICATIONS COMMITTEE SUPPLEMENT AGENDA

Date: Thursday, 17 September 2020

Time: 2.00 pm

Venue: Virtual Meeting

Please find below the Late Representations Report.

PART 1

12. NOTE - A Late Representations Report will be circulated prior to the meeting i.e. any representations received since this agenda was published.

MARK TRILLO
EXECUTIVE DIRECTOR & MONITORING OFFICER

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PLANNING APPLICATIONS COMMITTEE

Late Representations – 17th September 2020

FILE REF.	SITE AND DETAILS	PAGE NO.
SMD/2019/0720	<p><u>ITEM 6 – Land at Woodhouse Lane, Biddulph Moor</u></p> <p><u>Consultee Comments:</u></p> <p><u>Staffordshire Wildlife Trust</u> Staffordshire Wildlife Trust has been asked to review the above application as part of a service level agreement with Staffordshire Moorlands District Council to provide ecology advice regarding planning and development management functions.</p> <p>Application information reviewed :</p> <ul style="list-style-type: none"> • Location, Site Plan and Landscaping drawing no. 148-05 July 2020 <p>HABITATS No ecological surveys have been submitted to support the application.</p> <p>The proposals would involve the loss of most of the roadside hedge, and grassland within the site. The hedgerow appears to be single species (hawthorn) and not of significant age. The grassland however could have some diversity- some typical meadow flowers and also rushes are visible on aerial and streetview photos. While the proposed landscaping would increase the hedgerow value over time, there would appear to be a potential overall loss of biodiversity.</p> <p>We recommend a grassland survey be conducted and a Biodiversity Impact Assessment carried out in order to ensure biodiversity gain. This may require offsite compensation- ideally within the adjacent field.</p> <p>SPECIES Hedgehogs have been recorded in the area and would need to be protected and mammal access retained. Nesting birds may be active in the hedgerow and clearance work should avoid the bird nesting season. Amphibians could potentially be present or migrate across the site.</p> <p>To minimise biodiversity loss within the site we recommend the landscaping include:</p> <ul style="list-style-type: none"> • The roadside hedge be translocated further back from the road, if practical, or used to form the new northern hedgerow, and further species added. This will result in a more 'instant' mature hedge and can be achieved by cutting the hedge to the ground in winter and moving the rootballs to a prepared trench. The road 	<p>Pages 13 - 24</p>

PLANNING APPLICATIONS COMMITTEE

Late Representations – 17th September 2020

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>verge should be sown or turfed with a wildflower mix or turf.</p> <ul style="list-style-type: none"> • The proposed northern hedge be created with a bank and ditch for extra habitat value, and to add a drainage element. There are flooding issues in area, and current vegetation indicates the field is damp- the soil may not be suited to soakaways in the gardens. Surface water would be better directed to a surface storage/ infiltration feature which can also provide habitat diversity. Further standard trees should be added at intervals- smaller species such as rowan, field maple and damson would be suitable. • Footpath area- a further hedge or climbers alongside the fencing would be more beneficial to wildlife and footpath users. Ideally along the pathway strip, the topsoil should be removed and the area seeded with a meadow mix. • All lawned areas would benefit from addition of short flower mix, which can be mown but adds diversity for bees etc. <p><u>Local Plan</u></p> <p>Following the adoption of Staffordshire Moorlands Local Plan. The Core Strategy policies outlined within the report are no longer relevant to the determination of this application.</p> <p>Staffordshire Moorlands Local Plan Policies relevant to the determination of this application include:</p> <p>SS1 Development Principles SS2 Settlement Hierarchy SS10 Other Rural Areas Strategy DC1 Design Considerations T1 Development and Sustainable Transport NE1 Biodiversity and Geological Resources.</p> <p>Local Plan policy SS1 states that the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvements of the Staffordshire Moorlands. This application follows outline planning consent and as such the principal of residential development has been established.</p> <p>Policy DC1 seeks to secure new development that is well designed and reinforces local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council’s Design SPD. In particular new development should be of a high quality and</p>	

PLANNING APPLICATIONS COMMITTEE

Late Representations – 17th September 2020

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area. Furthermore, development should be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, height, density, layout, siting, landscaping, character and appearance.</p> <p>In respect of amenity. Policy DC1, like it's predecessor, seeks to protect the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution.</p> <p>A detailed analysis of these issues is set out in the report and the proposal is found to be in compliance with local plan policy DC1.</p> <p>Policy T1 states that the Council will promote and support development which reduces reliance on the private car for travel journeys, reduces the need to travel generally and accommodates residual development traffic in in line with the Integrated Transport Strategy. This will be achieved by (of relevance to this application):</p> <ol style="list-style-type: none">1. Ensuring that all new development is located where the highway network can satisfactorily accommodate traffic generated by the development or can be improved as part of the development.2. Considering appropriate parking provision on a case by case basis with recourse to the parking guidance set out in Appendix 8.3. Where appropriate all new development shall facilitate walking and cycling within neighbourhoods and town centres, and link with or extend identified walking or cycling routes. <p>Appendix 8 sets out the number of car parking spaces required for each residential type and states that a residential dwellinghouse containing 4 or more bedrooms must be served by 3 parking spaces (2.4 x 4.8m) for residents and visitors within the curtilage of the dwelling.</p> <p>Adequate off street parking would be provided to meet the parking requirements set out at Appendix 8 of the Local Plan.</p> <p>Policy NE1 states that the biodiversity and geological resources of the District and neighbouring areas will be conserved and enhanced by positive management and strict control.</p>	

PLANNING APPLICATIONS COMMITTEE

Late Representations – 17th September 2020

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>Following the comments received from Staffordshire Wildlife Trust and subject to the extra recommended conditions as set out below it is considered that the proposal would comply with the new Local Plan Policy NE1.</p> <p><u>Amended Recommendation</u></p> <p>Further conditions to be secured via condition:</p> <ul style="list-style-type: none"> • A method statement for clearance and construction to avoid harm to small mammals, birds and amphibians. • Details of gaps to be provided through walls and close boarded fencing to allow the movement of hedgehogs through the development. • Details of bird and bat boxes on/ within the new buildings. 	
SMD/2020/0218	<p><u>ITEM 7 – Goreseydale</u></p> <p>ITEM DEFERRED</p>	(Pages 25 - 36)
SMD/2019/0766	<p><u>ITEM 8 - John Munroe Hospital</u></p> <p><u>ERRATUM</u></p> <p>The summary of recommendation is to approve (box 1) (p37) but the recommendation should be for refusal</p> <p><u>LOCAL PLAN</u></p> <p>Following the adoption of Staffordshire Moorlands Local Plan. The Core Strategy policies outlined within the report are no longer relevant to the determination of this application.</p> <p>Staffordshire Moorlands Local Plan Policies relevant to the determination of this application include:</p> <p>SS1 Development Principles SS2 Settlement Hierarchy SS10 Other Rural Areas Strategy DC1 Design Considerations T1 Development and Sustainable Transport NE1 Biodiversity and Geological Resources.</p> <p>Local Plan policy SS1 states that the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvements of the Staffordshire Moorlands. This application follows outline planning consent and as such the principal of residential</p>	(Pages 37 - 46)

PLANNING APPLICATIONS COMMITTEE

Late Representations – 17th September 2020

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>development has been established.</p> <p>Policy DC1 seeks to secure new development that is well designed and reinforces local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council’s Design SPD. In particular new development should be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area. Furthermore, development should be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, height, density, layout, siting, landscaping, character and appearance.</p> <p>In respect of amenity. Policy DC1 seeks to protect the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution.</p> <p>Policy DC2 relates to ‘The Historic Environment’ and states that the Council will conserve and where possible enhance heritage assets, including their setting in a manner appropriate to their significance. This will take into account the desirability of maintaining and enhancing their significance and will ensure that development proposals contribute positively to the character of the built and historic environment.</p> <p>Protection will be given to designated heritage assets and their settings and non-designated heritage assets as set out in the NPPF. Furthermore the Council will promote development which sustains, respects or enhances buildings and features which contribute to the character or heritage of an area and those interests of acknowledged importance through the use of Conservation Area Appraisals, Design Guidance and Statements, Archaeological Assessments, Characterisation Studies and Masterplanning.</p> <p>Policy SS 10 Other Rural Areas Strategy states that the Council will (inter alia) <i>“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.” As noted in the officer report the proposal is inappropriate development and contrary to NPPF Green Belt policy”.</i></p> <p>A full assessment of the impact on the Green Belt and historic</p>	

PLANNING APPLICATIONS COMMITTEE

Late Representations – 17th September 2020

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>environment as well as the design merits of the scheme is included in the report and it is not considered that those conclusions change as a result of the change to the policy context which is subtle in this case.</p> <p><u>AMENDED PLANS:</u></p> <p>Amended plan referenced 2019-2450-02E has been received to address matters of Green Belt policy outlined in the officer report to Committee.</p> <p>The revised plan further reduces the overall size and massing of the proposed extension. The existing footprint of the buildings to be demolished is 73.3m². The proposed extension would have a footprint of 73m². The volume of the existing buildings to be demolished amounts to 200m³ and the volume of the proposed extension is 1.5m³ greater in size.</p> <p>Taking account of these figures it is not considered that the proposed development would result in greater harm to the openness of the Green Belt and this application is therefore considered to accord with Green Belt policy.</p> <p>As a result of the amended plan the Officer recommendation of the proposed development is now changed to one of Approval.</p> <p><u>AMENDED RECOMMENDATION:</u></p> <p>APPROVE subject to conditions.</p> <p>Delegate authority to the Head of Development Services to formulate suitable conditions.</p>	
SMD/2019/0650	<p><u>ITEM 9 - Land Adjacent To Travellers Rest, Leekbrook</u></p> <p><u>Further representations or consultation responses</u></p> <p>One further letter was received from a previous objector repeating earlier concerns.</p> <p><u>Updated Planning Policy Position</u></p> <p>Following the adoption of the Staffs Moorlands Local Plan (after the Committee report was published), which replaces the Council's Core Strategy Development Plan document, the application is now solely determined against the new Local Plan and the NPPF.</p>	(Pages 47 - 62)

PLANNING APPLICATIONS COMMITTEE

Late Representations – 17th September 2020

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>The new Local Plan policies relevant to the case are as follows:</p> <ul style="list-style-type: none"> SS1 Development Principles SS1a Presumption in Favour of Sustainable Development SS10 Other Rural Areas Strategy SS11 Churnet Valley Strategy SS12 Planning Obligations and Community Infrastructure Levy SD1 Sustainable Uses of Resources SD5 Flood Risk H1 New Housing Development H3 Affordable Housing DC1 Design Considerations DC3 Landscape and Settlement Setting NE1 Biodiversity and Geological Resources NE2 Trees, Woodland and Hedgerows T1 Development and Sustainable Transport <p>At the time of the report being submitted, the application was recommended for refusal solely on the grounds of the impact on the rural landscape in conflict with Core Strategy policies SS1, R1, SS6C, DC1 and DC3 and paragraph 127 of the NPPF.</p> <p>For the reasons which have been set out in detail in the report, the landscape impact is now considered to be in conflict with Local Plan policies SS1, SS10, DC1 and DC3 and the reason for refusal remains.</p> <p>However, more crucially, the principle of housing on the site was not considered to be unacceptable against the NPPF at the time of the report. The NPPF gives significant weight to allowing sustainable new housing where relevant policies of the development plan are considered out-of-date and where a five year housing land supply cannot be demonstrated and such proposals should only be refused where there are adverse impacts identified which are considered to outweigh the benefits of the proposal in providing new housing in an area of undersupply – “The tilted balance”. This was the case with this particular application.</p> <p>Now that the Local Plan has been adopted, replacing the out-of-date Core Strategy and the Council can now demonstrate a five-year housing land supply, the NPPF requires that the proposal be determined against the development plan, in this case the new Local Plan. The planning balance is therefore no longer pre-tilted in favour of approval.</p>	

PLANNING APPLICATIONS COMMITTEE

Late Representations – 17th September 2020

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>In this respect, as the site is not allocated for housing in the Local Plan and is outside of the development boundaries shown in the Local Plan, the principle of providing housing on the site is in direct conflict with the following policies and for the following reasons:</p> <p>SS1 Development Principles SS2 Settlement Hierarchy SS10 Other Rural Areas Strategy H1 New Housing Development</p> <p>Policy SS1 states that the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvements of the Staffordshire Moorlands.</p> <p>Policy SS2 states that “Other Rural Areas” comprises of the open countryside and green belt where further development is generally inappropriate.</p> <p>Policy SS10 restricts new build housing development in the countryside to that which has an essential need to be located in the countryside in accordance with Policy H1. It is not considered the proposal has an essential need to be located in the countryside.</p> <p>Policy H1 states that outside of the development boundaries, limited infill residential development of an appropriate scale and character for the Spatial Strategy will be supported, provided that:</p> <ul style="list-style-type: none"> -The development will adjoin the boundary of a larger village and be well related to the existing pattern of development and surrounding land uses, or; -The development is well related to the existing pattern of development of a smaller village and will not create or extend ribbon development or lead to sporadic pattern of development; and -In all cases the development will not lead to a prominent intrusion into the countryside or have an adverse impact of significance to the character of the countryside. <p>In this respect the proposal fails as it is clearly not a “limited infill” scheme as the site does not lie between two existing forms of development. It also does not adjoin a large village and does not relate well to the existing pattern of development of a smaller village as it is clearly outside of the confines of the built-up part of the village. It is considered the proposal does constitute a prominent intrusion into the</p>	

PLANNING APPLICATIONS COMMITTEE

Late Representations – 17th September 2020

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>countryside and for the reasons already outlined in the Committee report does have an adverse impact on the character of the countryside.</p> <p><u>AMENDED RECOMMENDATION</u></p> <p>Therefore it is recommended that the planning application is refused for the following two reasons:</p> <p><i>1.The application site is in the open countryside and outside of the Development Boundaries as shown in the Council’s Local Plan (adopted September 2020) and is not on land allocated for development in the Local Plan. The proposed housing development is contrary to Local Plan policy SS2 ‘Settlement Hierarchy’ which aims to locate such development within the towns and larger villages of the District and on land allocated for development in order to achieve sustainable development to meet the development needs of the District and states that development in “Other Rural Areas” is generally inappropriate. The proposal is contrary to Local Plan policy SS10 ‘Other Rural Areas Strategy’ which resists new housing development unless it meets an essential rural need as listed in Local Plan policy H1 ‘New Housing Development’. However, the proposal does not fall under any of the categories of development listed which exceptionally allow new housing in the countryside. Furthermore, it does not comply with policy H1 also due to the proposal not being considered by the Council to amount to a limited infill residential development, by virtue of the location and nature of the site and its surroundings. The proposal would be contrary to Local Plan policy SS1, the Council’s ‘Development Principles’ with the overarching key aim of achieving sustainable development and is also not in line with the government planning guidance contained in the National Planning Policy Framework and in particular para.11, Section 2 ‘Achieving Sustainable Development’, Section 5 ‘Delivering a sufficient supply of homes’ and Section 10 ‘Meeting the challenge of Climate Change’.</i></p> <p><i>2.The proposed development would, by virtue of the prominent, open location on rising topography, in a sensitive urban/rural fringe location that acts as a important natural buffer between built up areas, would result in significant and demonstrable harm to the rural landscape and character and appearance of the area. Development of this site is likely to present an uncharacteristic urban form of development that would appear divorced from the settlement of Leekbrook and incongruous in this location. As such this application is considered contrary to Staffordshire Moorlands Local Plan</i></p>	

PLANNING APPLICATIONS COMMITTEE

Late Representations – 17th September 2020

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p><i>(adopted September 2020) policies SS10, DC1 and DC3 and paragraph 127 of the NPPF. The application thereby results in an unsustainable form of development, contrary to Policy SS1 of the Local Plan and Paragraph 11 of the NPPF.</i></p> <p>There are no other issues arising from the proposal as a result of the recent adoption of the Local Plan in view of how the overall proposal is determined against all of the new Local Plan policies.</p>	
SMD/2020/0402	<p><u>Broad Oak Farm – Kingsley Moor</u></p> <p>Objection:</p> <p>A letter of objection has been received stating:</p> <ul style="list-style-type: none"> • The development is in green belt and is not a replacement but a considerable expansion and development . • The access road is appalling and already has considerable traffic due to the applicants other businesses including a building company and shooting field . • The road also enters the A52 on a well known accident black spot on a bend blind from 1 direction. • It will add considerably to the noise nuisance from the site which has increased greatly • There has been considerable building over the past 5 years between Cellar head lights and the applicant much of which has been part of Broad Oak developments strategy .. further development is not commensurate with green belt and continues a series of ribbon developments that are joining cellar head to Cheadle. <p>Local Plan:</p> <p>Following the adoption of Staffordshire Moorlands Local Plan, the Core Strategy policies outlined within the report are no longer relevant to the determination of this application and the new local plan must be given full weight. Staffordshire Moorlands Local Plan Policies relevant to the determination of this application include:</p> <p>DC1 Design E4 Tourism and cultural development SS10 Other Rural Area Strategy SS11 Churnet Valley Strategy DC3 Landscape impact</p>	<p>(Pages 63 - 74)</p>

PLANNING APPLICATIONS COMMITTEE

Late Representations – 17th September 2020

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>T1 Sustainable access and travel NE2 Trees, woodland and hedges</p> <p>The application has been assessed against the new local plan policies throughout the officer report. Although at the time of report preparation these were only “emerging” policies they were nevertheless given significant weight given the stage of production. As noted in the final paragraph of the report <i>“Policies in the emerging Local Plan do not change the position”</i>.</p> <p>Policy SS 10 Other Rural Areas Strategy states that the Council will (inter alia) <i>“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.”</i> As noted in the officer report the proposal is <i>inappropriate development and contrary to NPPF Green Belt policy”</i>.</p> <p>Policy SS11 and Policy E4, like their precedssors SS7 and E3 ecoruage sustainable tourism where the site has good connectivity with other tourist destinations and amenities particularly by public transport, walking and cycling; where the site is in or close to settlements where local services, facilities and public transport. For the reasons set out in the report the proposal does not meet these requirements.</p> <p>Accordingly the recommendation remains one of refusal.</p> <p>Amended Recommendation:</p> <p>The reasons for refusal should be amended to omit reference to the Core Strategy Policies and to change references to the “emerging local plan” to the “adopted Staffordshire Moorlands Local Plan 2020”.</p>	
SMD/2019/0749	<p><u>Land adj. Blakeley Farm, Blakeley Lane, Whiston</u></p> <p>ERRATUM</p> <p>An error on page 4, 6.1 Public response to consultation. The attached representation is reported as an 'objection' whereas the submission states 'not object'.</p> <p><u>LOCAL PLAN</u></p> <p>Following the adoption of Staffordshire Moorlands Local Plan.</p>	(Pages 75 - 84)

PLANNING APPLICATIONS COMMITTEE

Late Representations – 17th September 2020

FILE REF.	SITE AND DETAILS	PAGE NO.
	<p>The Core Strategy policies outlined within the report are no longer relevant to the determination of this application.</p> <p>Staffordshire Moorlands Local Plan Policies relevant to the determination of this application include:</p> <ul style="list-style-type: none"> ▪ SS1 Development Principles ▪ SS1a Presumption in Favour of Sustainable Development ▪ SS10 Other Rural Area ▪ H1 New Housing Development ▪ DC1 Design Considerations ▪ DC2 Historic Environment ▪ DC3 Landscape character <p>As with the previous Core Strategy, policy SS10 of the new local plan gives support in principle for new dwellings in rural area for essential workers where a need can identified. In this case the need has been accepted and therefore, although the Council now has a 5 year supply of housing and the “tilted balance” within the presumption in favour of sustainable development no longer applies, the principle of a new dwelling is accepted.</p> <p>However, the emphasis on protecting the character and appearance of the area, and in particular the setting of heritage assets remains, in accordance with national policy as set out in the NPPF. A full assessment of these issues is set out in the report and the overall concerns remain that the development would be harmful to the character and appearance of the natural environment and the setting of a heritage asset that the need and minimal public benefits would be outweighed. Moreover, the applicant has not satisfactorily demonstrated that the accommodation could not be provided more sensitively either within existing buildings; as a replacement for under used dilapidated buildings; or on space more centrally located within the complex. The scheme therefore remains contrary to the new adopted Local Plan</p> <p><u>Amended Recommendation</u></p> <p>The reasons for refusal should be amended to omit reference to the Core Strategy Policies and to change references to the “emerging local plan” to the “adopted Staffordshire Moorlands Local Plan 2020”.</p>	