

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

12 November 2020

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| Application No: | SMD/2020/0226 | |
| Location | Land Adj. Sunny View, Foxt Road, Foxt, ST10 2HN | |
| Proposal | Erection of Dwelling | |
| Applicant | Mr Patrick Stimpson, The Heights, Foxt | |
| Agent | Malcolm Sales, Churchill Suite, 51 High Street, Cheadle, Stoke-On-Trent, ST10 1AR | |
| Parish/ward | Ipstones | Date registered: 30 th April 2020 |
| If you have a question about this report please contact: Benjamin Hurst tel: 01538 395400 ex 4127 benjamin.hurst@staffsmoorlands.gov.uk | | |

REFERRAL

The application is before committee at the request of Cllr Gill Heath.

1. SUMMARY OF RECOMMENDATION

REFUSE

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 Foxt is a small village in the countryside it is distinctly rural in character and appearance. On approach from the north or west, the existing development is sporadic and scattered, interspersed by open fields with extensive views of countryside beyond and between, until one arrives in the centre of Foxt at a central cluster of dwellings arranged around an intersection of rural lanes.

2.2 To the north of this cluster, beside the bungalow at Sunnyview, the application site would be provided to the corner of the field that is marked with drystone wall and grass verge to the roadside, significant mature trees have already been removed from the site in advance of the application. This corner of the field provides views across open countryside towards both standalone and clusters of mature trees that punctuate the landscape. The application site has a surface significantly higher than road level and the adjacent plot at Sunny View. From behind the stone retaining wall at roadside the field slopes up to a high point.

3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL

3.1 The application proposes the erection of a single detached bungalow, all details are provided for approval and the applicant seeks full planning permission. The

bungalow would be a large three bedroom property laid out on an L shaped footprint that would present a gable projection to the roadside at the front. It would be built using stone facing materials and plain clay tiles incorporating lintel details above windows and coping stones to roof verges. Submitted site plans and cross sections provide levels details to show how the land would be excavated by a depth of up to 1.5m over most of the plot to provide an access drive into the site with areas of parking and turning for at least three vehicles, and a levelled surface for the foundations of the bungalow. The plot would be enclosed by stone walls and the wall to the roadside front would be retained but reduced to a height of 1.5m.

3.5 The applicant did not seek any pre application advice from the Council regarding the application.

3.6 Details of the application scheme can be viewed at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=128617>

4. RELEVANT PLANNING HISTORY

None directly applicable to the site. The applicant however, points to planning permissions granted for houses in Foxt over the last 3 years:

SMD/2016/0520 Approved 07/04/2017
SMD/2016/0716 Approved 30/01/2017
SMD/2016/0520 Approved 17/02/2017
SMD/2016/0520 Approved 10/08/2017
SMD/2016/0520 Approved 12/12/2017
SMD/2016/0520 Approved 16/02/2018
SMD/2016/0520 Approved 13/06/2018
SMD/2016/0520 Approved 15/01/2020
SMD/2016/0520 Approved 06/03/2020

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The Development Plan comprises of:

- The Local Plan Development Document (adopted Sep 2020)

Adopted Staffordshire Moorlands Core Local Plan - Sep 2020

5.2 The following Local Plan policies are relevant to the application:-

- SS1 Development Principles
- SS9 Smaller Village Strategy
- SS10 Other Rural Area Strategy
- DC1 Design Considerations to protect residential amenity
- DC2 Historic Environment
- DC3 Landscape Character

National Planning Policy Framework (NPPF) revised.

5.10 The following sections of the NPPF are particularly relevant to this application:

2: Achieving sustainable development

12: Achieving well-designed places.

6. CONSULTATIONS

Public response to consultation

6.1 A nearby resident raises objections in two letters which are summarised below:

The site is outside Foxt infill boundary and development in this prominent location would have a significant, detrimental impact on this part of the village. A significant group of mature trees, referred to in the Conservation Area appraisal and evident on 'street view' photographs, were removed from the site before the application was submitted. When the Council were considering adopting boundaries for 'infill allocation' the Parish Council decided, after a meeting that was attended by the applicant and land owner without him declaring an interest, to request a small amendment to the boundary that would include the corner of the field/application site. The 'site options' site assessment form shows how the amendment was dismissed as "NOT SUITABLE: prominent location and would have a significant detrimental impact". Approval would be the thin end of the wedge leading to further applications, creating an urban estate in Foxt.

6.2 A former resident of Foxt submits a letter that neither supports nor objects to the proposal. It simply points out that her own planning application in 2018 for two semi-detached 'affordable' houses was rejected by Foxt Parish Council after the applicant in this case, in his capacity as Parish Councillor, proposed its refusal. She also states that the applicant has already had two successful planning applications passed, neither of which have been built.

6.3 A letter of support has been received from a person that lives outside of the district and has acted for the applicant previously as a planning consultant his comments are summarised below:

In the light of current circumstances this seems a perfectly reasonable application which I hope your Council will support notwithstanding the objections. The applicant has produced a design which will fit unobtrusively into the local landscape and proposes the use of materials both for the dwelling and its environs which are appropriate for this setting. This site does not involve the loss of any assets or areas of particular importance. Nor have I been able to identify any adverse impacts that would significantly outweigh the benefits of providing one additional dwelling to support the existing services in Foxt.

Ipstones Parish Council

6.4 Ipstones Parish Council are in favour of the proposal, they consider it to be infill.

SCC Highway Authority

6.5 No Objection. Revised drawings show the proposed access to be at 7m wide narrowing down to 3.5m, visibility dimensions (2.4m x 43m), the position of the highway verge, and the height of the frontage walls reduced to 600mm. This would be satisfactory.

7. OFFICER COMMENT AND PLANNING BALANCE

7.1 The main issues relate to whether the proposal would comply with the development plan strategy for the provision of housing in the countryside and smaller villages; the impact that it would impose on the character and appearance of the area, highway safety and the residential amenity of existing residents; and whether contribution to housing land supply would be outweighed by any harm.

The Development Plan strategy for the countryside and smaller villages such as Foxt and the approach to housing provision.

7.2 The Council now has an adopted up to date development plan for the area and a 5year supply of housing. A 'tilted balance' approach that may have been engaged when other recent applications have been considered for housing in Foxt, is no longer applicable and the proposal should be determined only in accordance with the new Local Plan.

7.3 Foxt is identified as a 'smaller village' in the list included at SS9 of the adopted Local Plan - a village in the countryside without a defined settlement boundary where generally there would be a presumption against housing development. These are locations that are limited in facility and services and new development on a large scale would be unsustainable in these villages, as it would generate a disproportionate number of additional journeys outside the village and may undermine the spatial strategy.

7.4 However, to support local population and rural employment needs in these areas the development plan strategies provide for an appropriate level of sensitive development to include affordable housing that meets identified need, dwellings that meet the essential needs of a rural worker, and limited infill development – the applicant's own submission points to nine planning permissions that have been granted in the past three years for housing in Foxt. The applicant's proposal would not provide an affordable home against any recognised criteria and there is no essential need identified. To comply with the development plan strategies therefore, the proposed development must qualify as appropriate 'infill' development against the criteria of the policy.

7.5 The work necessary to allocate 'Infill Development Boundaries' in a supplementary 'Development Plan Document' to the old, now superseded, Core Strategy was abandoned and efforts were instead diverted to the new Staffordshire Moorlands Local Plan for the plan period 2016-2031. Rather than introducing boundaries to make allocation for village infill, the new Local Plan strategy (SS9) for the smaller countryside villages, relies instead on criteria based policy that provides for small infill schemes which, in accordance with policy H1, should be limited to development that is well related to the existing pattern of development and will not create or extend ribbon development; and will not lead to a prominent intrusion into the countryside or have an adverse impact of significance to the character of the countryside.

7.6 The existing bungalow at 'Sunnyview' provides a northern edge to a central cluster of development. Beyond that a large open expanse of field marks a change where the existing pattern of development becomes sporadic and scattered, interspersed by significant field parcels. The proposal would provide a new bungalow to the north of 'Sunnyview' where it would encroach into that open field, extend the existing cluster, elongating it to the north toward an increasingly ribbon form. The proposed plot does not form a small gap between existing buildings and the development would not be absorbed within or relate well to the existing development pattern. Between 'Sunnyview' and the cottages to the north there is 140m of open countryside that would have its edges eroded with the introduction of the new bungalow. The proposal therefore, can not be considered under the terms of the new adopted Local Plan criteria, to be for infill development that is provided for or supported by policy. In these regards the development would be contrary to strategy policy SS9 of the Local Plan and undermine the spatial strategy for the District. There are no considerations that would outweigh that conflict with the Development Plan.

Impact on the character and appearance of the area

7.7 Foxt is a small village in the countryside it is distinctly rural in character and appearance. On approach from the north or west the development is sporadic and scattered, interspersed by open fields with extensive views of countryside beyond and between until one arrives at a central cluster of dwellings arranged around an intersection of rural lanes. To the north of this cluster, beside the bungalow at Sunnyview, the corner of the field is marked with drystone wall and grass verge to the roadside. This corner of the field provides views across open countryside towards both standalone and clusters of mature trees that punctuate the landscape. The undeveloped field is important to the setting of the village and the locally distinct character and appearance of the area. Any new dwelling in this location would be intrusive and reduce the scale of those countryside views that make special contribution to the villages setting and locally distinct character and appearance. In these regards the development would be harmful and contrary to policies DC1 and DC3.

7.8 The application site in the corner of the field is at a significantly higher level than that of the roadside and the adjacent plot at Sunny View. From behind the stone retaining wall at roadside the field slopes up to a high point. Cross sections and site plans confirming levels details, confirm that there would be significant excavation to

cut into the sloping ground to provide a building plot. But still the proposed dwelling would have a finished floor level of 11.95m above datum, an additional 1.95m above the road level at the front of the neighbouring dwelling and its driveway. A street scene cross section has been submitted which confirms this and shows how the proposed dwelling would 'sit up' above the neighbour and be overly prominent and dominant against the other dwellings to the south with a roof ridge that would stand proud.

7.9 The proposed dwelling would be built from stone while the nearest neighbours have brick and render elevations. The design of the proposed bungalow, in terms of its scale, proportions, form and arrangement of shape, makes efforts to replicate and reflect those of the adjacent property, albeit the adjacent dwelling is not of any particular design or traditional quality. Overall, however, for all of those reasons discussed above the proposal would be harmful to local distinctiveness, the character and appearance of the area and the setting of the settlement and, as such, contrary to policies SS1, SS9, DC1 and DC3.

Impact on Highway Safety

7.10 Initially the highway authority raised objection to the application and recommend refusal. Manual for Streets states that for a road with a 30mph speed limit, a visibility splay of 2.4m rear of highway for 43m in each direction is require. The only plan submitted by the applicant had not indicated the extent of achievable visibility, the correct position of the highway verge, the location of a telegraph pole, and the relative height of the boundary wall.

7.11 Since then, the applicant has submitted an amended site plan that shows the proposed access at 7m wide narrowing down to 3.5m, the plan states the visibility dimensions (2.4m x 43m) and identifies the highway verge. The height of the walls on the frontage would be reduced to 600mm. The proposed driveway would provide three parking spaces and a turning space. The highway authority has confirmed that such arrangement would be satisfactory and they have effectively removed their objection.

Impact on Residential Amenity

7.12 The new bungalow would be provided with ample rear garden space with a boundary that would line up with that of the neighbour. Rear windows would face open countryside and the property on the opposite side of the road is set back from the roadside, approximately 30m from the plot, behind an island of common land planted with trees and providing highway verge.

7.13 Initially a drawing originally submitted with the application proposed a series of principal windows along the dwelling's side elevation where they would face the adjacent plot with outlook onto the neighbour's property. This approach seemed rather unnecessary given the size and shape of the plot, and an amend plan has since been provided reducing the number of proposed windows on this elevation to a single kitchen window, centrally located with outlook onto the side of the neighbour's garage. The neighbour's property would not be over-looked and their amenity would

not be adversely affected. Overall, the amenity available to existing and future occupiers would be satisfactory and there would be no conflict with policy DC1 of the Local Plan in these regards.

Planning Balance & Conclusions

7.11 The provision of a dwelling in this 'smaller village' location would not comply with the criteria-based policy relative to infill development and it would be at odds with the spatial strategy in the development plan. Development in this location would not be sensitive to local distinctiveness and it would be harmful to the character and appearance of the settlement and its countryside setting.

8. RECOMMENDATION

A. That planning permission be REFUSED for the erection of a bungalow for the following reason(s):

1. The development would undermine and conflict with the Local Plan's spatial strategy for the delivery of housing by providing a dwelling in a relatively unsustainable 'smaller village' rural location that would not be exceptionally provided for by Policy SS9 of the Staffordshire Moorlands Local Plan 2020. In particular, the proposal would not meet the policy criteria in Policy H1 of the Staffordshire Moorlands Local Plan 2020 to be considered as an 'infill development' because it would not be well related to the existing pattern of development; would create and extend ribbon development; would lead to a prominent intrusion into the countryside; and have an adverse impact of significance to the character of the countryside and settlement setting.

2. Any new dwelling in this location would be intrusive and reduce the scale of those countryside views that make special contribution to the villages setting and locally distinct character and appearance. The dwelling would relate poorly to the adjacent neighbour and the other houses in the row because it would be built on a notably higher ground level that would have a form and roof line that would appear above and unduly dominant to its neighbour. In these regards the development would be harmful and contrary to policies DC1 and DC3 of the Staffordshire Moorlands Local Plan 2020.

B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.

