

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**12 November 2020**

<b>Application No:</b>	SMD/2020/0349	
<b>Location</b>	Land adjacent to Big Southlowe Farm, Leek Road, Cellarhead	
<b>Proposal</b>	Erection of 8no affordable dwellings	
<b>Applicant</b>	JCM Group Holdings (UK) Ltd	
<b>Agent</b>	Sammons Architectural	
<b>Parish/ward</b>	Cheddleton	<b>Date registered</b> 27.07.2020
<b>If you have a question about this report please contact:</b> Lisa Hooley tel: 01538 395400 ex 4123 lisa.hooley@staffsmoorlands.gov.uk		

## REFERRAL

A call-in request has been received from Councillor Worthington on the grounds that he considers that “there is national and local planning policies to support rural development as this could be considered a rural exception site.”

### 1. SUMMARY OF RECOMMENDATION

<b>REFUSE</b>
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### 2. DESCRIPTION OF THE SITE AND ITS SURROUNDING

2.1 The application site comprises of a rectangular parcel of land which forms part of a larger agricultural field. The site has a roadside frontage of 80m and measures 35m in depth. The site falls on the western side of Leek Road, outside of the defined settlement boundary of Werrington and Cellarhead.

### 3. DESCRIPTION OF THE PROPOSAL

3.1 Full planning permission is sought for the construction of 8no. affordable dwellinghouses with associated private amenity space and on-site parking. Plots 1, 2, 3, 4, 6 and 7 comprise of 3no. semi-detached pairs.

- Plot's 1 and 2 comprise of an open plan kitchen / living area, store and w.c. to the ground floor and 2no. bedrooms and a family bathroom to the first floor.
- Plots 3, 4, 5 and 6 comprise of an open plan kitchen and living area with store and w.c. to the ground floor and consist of 3no. bedrooms and a family bathroom to the first floor.
- Plots 5 and 8 comprise of detached properties with the same internal layout as Plots 3, 4, 5 and 6.

3.2 The units follow a linear pattern of development consistent with the prevailing pattern of development along Leek Road. The submitted layout plan shows that three individual

access points would be created along the road frontage. This plan has since been superseded by drawing number 2019-2404-06C to reduce the number of access to two. This is in response to comments received by the local highway authority.

3.3 The proposed dwellings are to be offered as “Discount Market Sales Housing” and will be sold at a discount of 20% below market value and will be secured in perpetuity via a S106 obligation.

#### **4. RELEVANT PLANNING HISTORY**

SMD/2019/0233 Outline application for the erection of three dwellings with means of access and all other matters reserved - Refused

#### **5. PLANNING POLICIES RELEVANT TO THE DECISION**

5.1 The Development Plan is the Staffordshire Moorlands Local Plan which was adopted in September 2020. The main policies of relevance to the determination of this application are as follows:-

Policy SS1	Development Principles
Policy SS2	Settlement Hierarchy
Policy SS8	Larger village strategy
Policy H1	New housing development
Policy H3	Affordable Housing
Policy DC1	Design considerations
Policy DC3	Landscape and Settlement Setting
Policy NE1	Biodiversity and Geological Resources
Policy T1	Development and Sustainable Transport

National Planning Policy NPPF

National Planning Policy Guidance

#### **6. CONSULTATIONS CARRIED OUT**

Site Notice expiry date: Expired  
Local residents have been notified by letter.

57 representations have been received. 4 make ‘general comment’ and 53 raise objection. The salient points raised :-

- Increased traffic and congestion
- Pressure on existing services
- Inappropriate development in the Green Belt
- Affordable housing already allocated in the local plan
- Objections in previous application still stand
- Impact on wildlife and biodiversity

#### **Parish Council**

– The Parish Council resolved to reject this planning application as it was determined that this was an inappropriate development in the Green Belt; there were no exceptional circumstances submitted to change this. The housing needs assessment was outdated and the Local Plan

has made for provision for affordable houses without the need for this development. An ecological study was undertaken on 2015 recording the biodiversity of this site, there would be a loss of wildlife and habitat if building was to be undertaken in this area. The Parish Council would like to add that this development could not be considered under the grounds of infill.

### **Environmental Health Officer**

No comments received.

### **Local Highway Authority**

Objection on the following grounds: -

- Substandard access onto the A520 – 3.4m being insufficient and requiring 5m
- No turning for plot number 1
- Insufficient information – a plan detailing a vis splay taken from a point 2.4m rear of the highway boundary for 130m.

Comments pending following receipt of revised plan.

### **Alliance Environmental Services**

No issues regarding waste collections.

### **Staffordshire County Council Mineral and Waste**

No comment to make.

### **Severn Trent Water**

As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

## **7. OFFICER COMMENT AND PLANNING BALANCE**

7.1 As with all applications, the LPA is required to determine this application in accordance with the Development Plan, unless there are material circumstances which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations.

7.2 Since the adoption of the new Staffordshire Moorlands Local Plan the Council can demonstrate a 5 year supply of housing. As such the “tilted balance” no longer applies and the application should be determined in accordance with the policies of the new local plan unless material considerations indicated otherwise.

### **Principle**

7.3 This site lies in the Green Belt and falls outside of the defined Werrington / Cellarhead settlement boundary. NPPF Green Belt policy regards the construction of new buildings as inappropriate in the Green Belt, unless it meets one of a number of exceptions listed at paragraphs 145 and 146. This list includes “limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites)”. Inappropriate development is regarded as being harmful to the Green Belt and should not be approved unless there are very special circumstances to outweigh that harm.

7.4 New build housing development which has an essential local need to be located in the countryside is supported by policy SS10, subject to it being in accordance with policy H1. Policy H1 supports the provision of affordable housing which cannot be elsewhere, in accordance with policy H3.

7.5 In the rural areas it is anticipated that the bulk of the provision of affordable houses will be in the larger villages, either on allocated sites or on windfall sites. Policy H3 sets out the expected affordable housing split between starter homes, intermediate housing and social / affordable rent. In or on the edge of villages, small schemes for 100% affordable housing will be permitted on suitable rural exceptions sites which are well related to services and facilities and where a demonstrable need exists with the local area which cannot otherwise be met by other means of provision in the plan.

7.6 The Cellarhead settlement boundary is contained to the west of Leek Road and north of Cellarhead Road and falls approximately 50m to the south of the southern site boundary. As such the site is not within the settlement boundary.

7.5 The settlement boundary is drawn along the southern boundary of Windgather House. Windgather House and no.43 and 45 Leek Road fall outside of the defined settlement boundary. Approval was granted for no.43 and 45 in 2012 and comprised the demolition of a former farmhouse and attached converted barn allowing for the construction of the two dwellings we see there today. This is indicative of the sporadic development along Leek Road, which serves as a transition between the built development of Cellarhead and the rural landscape beyond. 'Kelangie' was also permitted as the redevelopment of a brownfield site (a former scout hut) rather than being part of the original built form of the village. Accordingly, the site does not fall within or adjoin a village boundary.

7.6 Though formal comments are pending from the Councils Affordable Housing Officer, pre-application advice given to the Agent in March of this year advised that in assessing a future application the housing requirement for both Werrington and Cheddleton would need to be considered. An assessment would need to be made on the basis as to whether any identified need could be met through the Local Plan. Since these comments were provided SMDC Local Plan has been adopted and includes a site allocation for 75 units in Werrington which will secure the delivery of 25 affordable housing units. Affordable housing requirements for Cheddleton Parish are served by the Staffordshire Farmers and the former Wetley Rocks School sites.

7.7 Moreover, policy H3 states that unless circumstances dictate otherwise 60% of all affordable dwellings provided on each site will be social / affordable rented housing with the remaining 40% being intermediate / starter homes. "Discount Market Sales" housing would not meet the requirements of policy H3.

7.8 It is for these reasons that it is not considered that demonstrable need exists within the local areas which cannot otherwise be met by means of provision in the plan and is inappropriate development in principle in the Green Belt.

7.9 The proposal would also be harmful to Green Belt openness. Development of the site would result in an extension of existing ribbon development along Leek Road and would result in the coalescence of the built form of Cellarhead with the cluster of individual dwellings within their own grounds to the north including Vicarage Farm, Southlowe Lodge and Kelangie thus in effect extending the settlement of Cellarhead as far as the sharp bend in the A520 to the north. This would in turn begin to encroach on the sense of separation between Cellarhead and the neighbouring village of Wetley Rocks to the north. This site serves as an important visual gap which contributes significantly to the streetscene character as we transition from the built form of development into the countryside and Green Belt beyond. Moreover,

development on this site would result in a prominent visual intrusion into the countryside that similarly fails to respect the site and its surroundings.

7.10 In summary therefore, the proposed development fails to comply with policies SS10, H1 and H3 of the SMDC Local Plan and Section 13 of the NPPF. It is therefore inappropriate development in the Green Belt which would be harmful to its openness and no very special circumstances have been identified to outweigh this harm.

#### Design, Siting and Layout

7.11 Policy DC1 refers to design and seeks to secure development of a high quality that has been designed to add value to the area and respects the site and its surroundings. New development is expected to promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance. Similarly, paragraph 127 of the NPPF requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture. Policy DC3 seeks to protect and, where possible enhance local landscape and the setting of settlements in the Staffordshire Moorlands and resists development which would lead to a prominent intrusion into the countryside.

7.12 For the reasons which have already been set out above, it is considered that the proposal would detract from the local character and quality of the area and would be intrusive within the countryside and landscape. Accordingly it fails to accord with it is considered that this application fails to comply with policies DC1 and DC3 of the Local Plan and paragraph 127 of the NPPF in this regard.

7.13 The proposed dwellings are traditional pitched roof designs of brick and tile construction and incorporate details such as stone quoins, stone heads and cills, brick eaves and chimneys, all of which details enhance the character of the proposed properties. The proposed dwellings will be similar in appearance to the recent new build properties on the former farmstead to the south. The proposed dwellings are sited fronting onto the main road to the front of the site, which provides an active frontage and reflects the character of the neighbouring ribbon development. Accordingly in elevational and layout terms the scheme is deemed to be acceptable and in accordance with the Policies outlined above. However, this does not outweigh the landscape harm and intrusion into the countryside and conflict with policy in this respect which has already been identified.

#### Amenity

7.14 Policy DC1 requires new development to protect the amenity of the area in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy and soft landscaping. Similarly, paragraph 127f) of the National Planning Policy Framework seek to secure development that protects the amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping. The Councils adopted Supplementary Planning Guidance (SPG), Space About Dwellings provides guidance to protect privacy for existing and proposed residents and recommends a separation distance of 22m between facing principle habitable room windows located in the rear elevation. A distance of 14m is recommended between a principle habitable room window and a non-habitable room window or flank elevation.

7.15 The spacing distances to all of the neighbouring dwellings involved would satisfy the SPG and for these reasons it is considered that this application accords with policy DC1 and paragraph 127f) of the NPPF.

## Highway Safety

7.16 The NPPF states that plans and decisions should take account of whether: the opportunities for sustainable transport modes have been taken up depending in the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe is reflected in policy T1.

7.17 An amended site plan has been received to address concerns raised by the local highway authority. Updated comments have not been received at the time of preparing this report but will be provided to members by way of an update.

## **Conclusion**

7.18 To conclude, this application represents inappropriate development in the Green Belt. The development does not meet any of the exceptions cited at NPPF paragraph 145 and 146, and very special circumstances have not been demonstrated. As such this application fails to meet the fundamental aim of Green Belt policy which is to prevent urban sprawl by keeping land permanently open. The proposed development represents encroachment into the countryside and is therefore contrary to one of the five purposes that the Green Belt serves as outlined at NPPF paragraph 134.

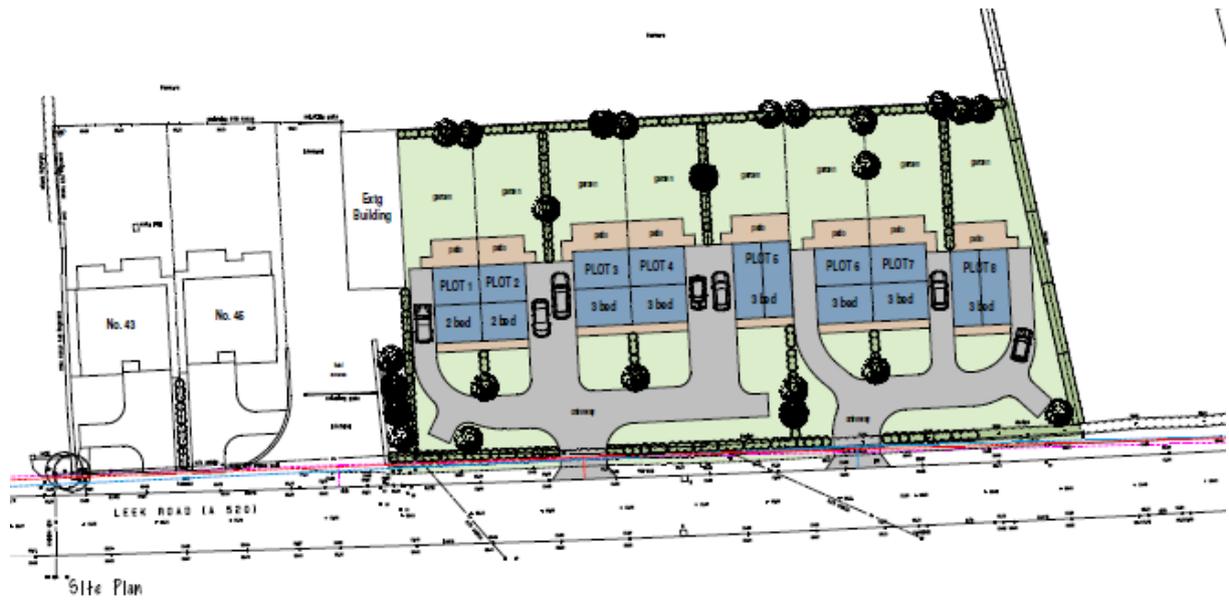
7.19 The site is considered to represent an important visual transition from rural to urban when entering and leaving Cellarhead. The site is considered to contribute significantly to the streetscene character and serves as an important rural gap between the development boundary and historic pepper-potted development to the north. Development on this site would fundamentally detract from the landscape character in this location. As such this application is considered contrary to Local Plan policy DC3.

## **8. RECOMMENDATION**

### **A. That planning permission be refused on the following grounds : -**

- 1. This application represents inappropriate development in the Green Belt. The development does not meet any of the exceptions cited at NPPF paragraph 145 or 146, and very special circumstances have not been demonstrated. As such this application fails to meet the fundamental aim of Green Belt policy which is to prevent urban sprawl by keeping land permanently open which includes to assist in safeguarding the countryside from encroachment. This application is contrary to Staffordshire Moorlands Local Plan policy SS10, H1 and H3 and the National Planning Policy Framework.**
- 2. The proposed development would form a prominent and visually intrusive form of development that would fail to protect or enhance the local landscape character, contrary to Staffordshire Moorlands Local Plan policy DC3.**

**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.**



Site Plan

