

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**16<sup>th</sup> December 2021**

Application No:	SMD/2020/0491	
Location	Launders Bank Farm, Eaves Lane, Armstead	
Proposal	Replacement farm dwelling	
Applicant	Mr George Hughes	
Agent	N/A	
Parish/ward	Werrington	Date registered: 17 <sup>th</sup> September 2020
If you have a question about this report please contact: Ailsa Berry, tel: 07583122644, email: <a href="mailto:ailsa.berry@highpeak.gov.uk">ailsa.berry@highpeak.gov.uk</a>		

## **REFERRAL**

The application is before committee as Cllr Roberts requested that it be called-in if the Planning Officer was minded to recommend refusal.

### **1. SUMMARY OF RECOMMENDATION**

<b>REFUSE</b>
---------------

### **2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

2.1 Launders Bank Farm has been farmed by the applicant's family as a tenanted holding since the 1930s and was acquired by the applicant in 2016. The holding comprises a unit of 24.3 ha of land with an additional area of 16 ha of land nearby. Until 2002, the holding supported a small dairy enterprise of 40 cows and was the site of a haulage operation which ceased in 2017.

2.2 The farmstead has an existing two storey dwelling comprising two bedrooms, bathroom, living room, kitchen, and utility room. It is stated to be structurally unstable and incapable of being viably reinstated to modern residential standards. The dwelling was last occupied in the 1980s.

2.3 Many of the buildings are small traditional stone structures forming a yard area with the dwelling. Associated with these are a small number of utilitarian structures of more modern construction. All the buildings are in a poor state of repair and of limited agricultural value which reflects the previous landowner's management approach.

2.4 The current farming enterprise is stated in the Agricultural Appraisal to be based on a suckler cow herd of 100 animals, which are said to be winter housed at Launders Bank Farm.

2.5 The application site is located in an isolated position within the North Staffordshire Green Belt. It is accessed from Eaves Lane to the east of the site which comprises a single track.

### **3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL**

3.1 Full planning permission is sought for the demolition of the existing farmhouse and the erection of a replacement farmhouse on land to the southwest of the existing farmhouse.

3.2 Details of the application scheme can be viewed at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=139464>

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

SMD/2018/0166      Outline permission with some matters reserved for a replacement farm dwelling  
Withdrawn

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

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

5.1 The Development Plan comprises the Local Plan Development Document (adopted September 2020).

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

- SS1 Development Principles
- 1a Presumption in Favour of Sustainable Development
- SS2 Settlement Hierarchy
- SS10 Other Rural Areas Strategy
- H1 New Housing Developments
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- T1 Development and Sustainable Transport
- NE1 Biodiversity and Geological Resources

National Planning Policy Framework (NPPF) Revised (2019)

5.3 The following sections of the NPPF (2019) are particularly relevant to this application:

- 2: Achieving sustainable development
- 4: Decision making
- 5: Delivering a sufficient supply of homes
- 9: Promoting sustainable transport
- 12: Achieving well-designed places
- 13: Protecting Green Belt land

- 15: Conserving and enhancing the natural environment

## **6. CONSULTATIONS**

### **Public response to consultation**

6.1 No comments were received.

### **Werrington Parish Council**

6.2 No comments were received.

### **SCC Highway Authority**

6.3 No objection on highways grounds to the proposal.

### **Severn Trent Water**

6.4 No objection to the proposals and do not require a drainage condition to be applied.

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

7.1 The main issues relate to:

- Whether the proposal complies with the housing policies of the Local Plan.
- Whether the proposal comprises an exception to inappropriate development in the Green Belt.
- Impact on the character and appearance of the surrounding area.
- Impact on residential amenity.
- Impact on highway safety.
- Impact on ecology.

### Background to the Planning Application

7.2 The application originally sought permission for a replacement farmhouse and the erection of an additional dwellinghouse to house a farm worker and their family. No Agricultural Appraisal had been submitted to support the planning application and therefore the Planning Officer requested that one was provided. This was submitted in February 2021.

7.3 The Council employed their own agricultural consultant to review the applicant's Agricultural Appraisal and he concluded:

- (i) the replacement dwelling proposal appears to meet the policy requirement of maintaining the use of the existing dwelling, but would have a larger size unless the demolition of the secondary agricultural building was relevant;

- (ii) the farming enterprise as presented would have an overall labour requirement for two full-time workers, with about 1.5 workers related to an essential presence;
- (iii) the available built resources at the farm are currently insufficient to sustain the proposed farming enterprise either quantitatively or qualitatively;
- (iv) in order to establish the intended farming enterprise and assuming there is necessary supporting investment, there is an essential need for a worker to reside on or close to the farmstead, a need which would be met should the replacement dwelling be permitted;
- (v) in the absence of appropriate financial data, it is doubtful whether there is an extant viable farming enterprise to sustain the proposed worker's dwelling; and
- (vi) the provision of permanent housing for a second worker would be premature and it is doubtful that the current farming circumstances constitute those sufficient to outweigh Green Belt considerations.

7.4 In light of the above conclusions, the Council could not support the provision of an agricultural worker's dwelling on the farm. The applicant therefore chose to omit the farm worker's dwelling from the application. Permission is therefore solely sought for a replacement dwellinghouse.

#### Principle of Development

7.5 The application site is located in the Open Countryside and North Staffordshire Green Belt whereby policy SS10 of the Local Plan (2020) is applicable.

7.6 Policy SS10 states that these rural areas will provide only for development that has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside. Part (1) of policy SS10 seeks to meet rural housing requirements and specific needs by restricting 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.

7.7 Part (5) of policy H1 lists the types of housing that will be permitted within the rural areas, including:

*c) Proposals for replacement dwellings, provided they do not have a significantly greater detrimental impact on the existing character of the rural area than the original dwelling or result in the loss of a building which is intrinsic to the character of the area.*

7.8 The principle of a replacement dwelling is therefore considered to comply with policies SS10 and H1 of the Local Plan (2020).

## Green Belt

7.9 The application site is located within the North Staffordshire Green Belt. Policy SS10 states that strict control will continue to be exercised over inappropriate development within the Green Belt, allowing only for exceptions as defined by Government policy.

7.10 Paragraphs 147 and 148 of the NPPF (2021) state *‘that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances’* and *‘when considering a planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt’*.

7.11 Paragraph 149 of the NPPF (2021) states that the construction of new buildings within the Green Belt comprise inappropriate development, unless the proposed development complies with the list of exceptions. One exception of relevance to this application is:

*d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.*

7.12 In *R (on the application of the Heath & Hampstead Society) v Camden*, the Court ruled that *‘materially larger’* was a mathematical exercise and not one of perception.

7.13 A comparison of the replacement dwellinghouse to the existing dwellinghouse confirms the following changes in percentage increase/size:

	<b>Existing Dwellinghouse</b>	<b>Proposed Dwellinghouse</b>	<b>Increase/ Decrease?</b>
<b>Floorspace</b>	133 m <sup>2</sup>	254 m <sup>2</sup>	+91%
<b>Footprint</b>	71 m <sup>2</sup>	129 m <sup>2</sup>	+82%
<b>Eaves Height</b>	4.7 m	5.3 m	+0.6 m
<b>Ridge Height</b>	7 m	8 m	+1 m

7.14 Whilst a volume comparison was not undertaken, it is clear from comparing the drawings of the existing and proposed dwellinghouses that this would also result in a significant increase. The replacement dwellinghouse will be materially larger than the dwellinghouse it will replace and therefore it will comprise inappropriate development in the Green Belt.

7.15 Paragraph 148 of the NPPF (2021) states, *‘Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.’*

7.16 No *‘Very Special Circumstances’* have been advanced by the applicant. However, it is noted that the applicant considers the existing farmhouse to be small and the replacement dwellinghouse will provide *‘acceptable living by today’s standards’*. These assertions are not agreed.

7.17 An assessment of the existing farmhouse against the Nationally Described Space Standards concludes that it comprises a two bedroomed, four person, two-storey dwellinghouse. A minimum internal floorspace for such a dwellinghouse is 79m<sup>2</sup>. The existing farmhouse has an internal floorspace of 112m<sup>2</sup>; 42% bigger than the minimum required. The existing farmhouse is therefore not considered small.

7.18 The Council's Agricultural Consultant states that there is a requirement for one full-time worker to reside at the farm. The applicant's Agricultural Appraisal states that the replacement farmhouse will be solely occupied by the applicant, Mr Hughes. It is therefore unclear why the replacement dwellinghouse will comprise a 4-bedroom, 8 person, two-storey dwellinghouse that will exceed the minimum internal floorspace for a property of this size by 93m<sup>2</sup>; 70% bigger than the minimum outlined within the Nationally Described Space Standards. A dwellinghouse of this size is not required to support the farm enterprise.

7.19 The issue regarding the size of the replacement dwellinghouse was relayed to the applicant and the Planning Officer asked for the size of the dwellinghouse to be reduced so that it would not be '*materially larger*'. However, the applicant chose not to submit any revised drawings to overcome this issue.

7.20 Paragraph 138 of the NPPF (2021) outlines the five purposes of including land within the Green Belt. One such purpose is, '*c) to assist in safeguarding the countryside from encroachment*'. The proposed replacement dwellinghouse will not be sited on the footprint of the existing farmhouse. Instead it is proposed to be constructed 15.5 metres southwest of the existing farmhouse. It will be sited away from the existing farm yard and farm buildings and will be sited within an agricultural field. This represents encroachment into the Green Belt, contrary to one of the five purposes of including land in the Green Belt. The proposed development will therefore also be contrary to paragraph 138 of the NPPF (2021).

7.21 Again, the applicant was advised of this issue and asked to relocate the replacement dwellinghouse. However, the applicant chose not to submit any revised drawings to overcome this issue.

7.22 The proposed replacement dwellinghouse comprises inappropriate development in the Green Belt and no Very Special Circumstances exist that clearly outweigh the harm caused by reason of inappropriateness. It is now necessary to assess whether the proposal results in any other harm.

#### Impact on the Character and Appearance of the Area

7.23 Policy DC1 refers to design and seeks to secure development of a high quality which is designed to add value to the area and to respect the site and its surroundings. New development should promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance.

7.24 Policy DC3 of the Local Plan seeks to protect and where possible, enhance local landscape and the setting of settlements, resisting development that will lead to a prominent intrusion into the countryside or have a significant adverse impact on the

character or the setting of a settlement or important views into and out of the settlement.

7.25 Policy SS10 of the Local Plan seeks to enhance and conserve the quality of the countryside by giving priority to the need to protect the quality and character of the area and requiring all development proposals to respect and respond sensitively to the distinctive qualities of the surrounding landscape.

7.26 Paragraph 130 of the NPPF (2021) 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.

7.27 The Landscape Character Assessment outlines that the application site is located within the Potteries and Churnet Valley character area and within the Ancient Plateau Farmlands character type. The landscape is described as a gentle undulating landform with some steep slopes; heathland including wet heath with rushes and rough grasses; drystone walls with remains of unmanaged hedgerows and isolated trees; fields often demarcated by fencing; dairy farming and horse grazing; isolated stone farm houses and buildings converted to residential dwellings.

7.28 The Landscape Character Assessment states that the '*Planning for Landscape Change Supplementary Planning Guidance to Staffordshire and Stoke on Trent Structure Plan, identifies this landscape character area as a landscape in decline that requires restoration. Urban fringe pressures have had a particularly adverse impact on the landscape quality of this area due to the proliferation of incongruous features and the deteriorating condition of existing landscape features*'.

7.29 The proposed development will comprise the demolition of an existing two-storey, two double bedroomed, dilapidated farmhouse that is constructed of brick and rendered. It has a tiled pitched roof and is attached to some of the traditional stone built agricultural buildings that, together, have a U-shaped plan form. Due to the dilapidated condition of the existing farmhouse, no objection is raised to its demolition, thus complying with part (5) of policy H1 of the Local Plan (2020).

7.30 It is proposed to erect a replacement dwellinghouse approximately 15.5 metres to the southwest of the existing farmhouse, within part of an existing agricultural field. The proposed dwellinghouse will comprise an L-shaped, detached, two-storey dwellinghouse. It will have an open-sided porch, living room, dining room, kitchen, utility room and WC to the ground floor and 4no. bedrooms (one with an en-suite) and a bathroom to the first floor. The proposed dwellinghouse will have a pitched roof with a forward facing gable and half dormers above the first floor windows within the front elevation. The application form states that the dwellinghouse will be constructed of brick and tile with wooden windows and doors. The front elevation of the existing farmhouse faces due south, whilst the front elevation of the proposed dwellinghouse will face due east.

7.31 The dwellinghouse will be suburban in appearance, rather than a characterful farmhouse. The Landscape Character Assessment notes this as an issue within the Ancient Plateau Farmlands character type, stating that '*improved properties can be suburban and out of character*'. It goes on to state, '*numerous isolated properties*

*within this area are stone built*'. Whilst it is accepted that the existing farmhouse is not constructed of stone, the traditional agricultural buildings it is attached to are. In addition, the proposal provides an opportunity to create a characterful building constructed of materials that reflect the character of the landscape. It is acknowledged that the materials of the dwellinghouse could be conditioned to be stone and Staffordshire Blue tiles rather than those proposed by the application form. However, this would not overcome the issue of the building's suburban design.

7.32 The replacement dwellinghouse will be sited within part of the agricultural field to the southwest of the existing farmhouse. It will appear isolated from the main group of farm buildings and will encroach into a field that is devoid of development. The plot proposed for the replacement dwellinghouse will extend over the existing field boundary therefore affecting the existing field pattern and the private amenity space associated with the dwellinghouse will far exceed the minimum garden size detailed within the Space About Dwellings SPG, resulting in further impact on the countryside.

7.33 A Public Right of Way (PRoW), Werrington 23, traverses the southern boundary of the field in a west to east direction. Little vegetation is present between the PRoW and the siting of the replacement dwelling and therefore the proposed dwellinghouse will be visible from public vantage points. Whilst landscaping is proposed to define the boundaries of the residential plot, this would not screen the dwellinghouse given its overall scale and height. It is for these reasons that the proposed replacement dwellinghouse will appear prominent and obtrusive within the rural character of this part of the district.

7.34 For the reasons outlined above, the proposed replacement dwellinghouse will not be of a high quality and it will not add value to the area or respect the site and its surroundings, contrary to policy DC1 of the Local Plan. It will not protect or enhance the local landscape and it will lead to a prominent intrusion into the countryside, contrary to policy DC3 of the Local Plan. It will not enhance or conserve the quality of the countryside or protect the quality or character of the area and it will not respond sensitively to the distinctive qualities of the surrounding landscape, contrary to policy SS10 of the Local Plan.

#### Impact on Highway Safety

7.35 Policies DC1 and T1 seek to achieve a level of parking and an access that is appropriate to the development it serves.

7.36 The Highway Engineer has assessed the application and raises no objection to the proposed development

7.37 The proposed dwellinghouse will have 4no. bedrooms and according to the Parking Standards at Appendix 2 of the Local Plan (2020), 3no. off-street parking spaces are required. The submitted Site Plan demonstrates that 3no. parking spaces will be provided adjacent to the proposed replacement dwellinghouse. The proposed development will therefore comply with Appendix 2.

7.38 The proposed development is therefore considered to comply with policies DC1 and T1 of the Local Plan (2020) and the NPPF (2021) in respect of highway safety.

#### Impact on Residential Amenity

7.39 Local Plan policy DC1 and paragraph 130(f) of the NPPF (2021) seek to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

7.40 The application site is isolated with no other dwellinghouses in close proximity. It will therefore not adversely affect neighbouring amenity.

7.41 The proposed replacement dwellinghouse will be sited in close proximity to the existing farm buildings, albeit, not as close as the existing farmhouse. The dwellinghouse will be occupied by the applicant, who will work on the farm and therefore the occupant will not be adversely affected by the proximity of the dwellinghouse to the farm buildings and animals.

7.42 The replacement dwellinghouse is substantial in size and significantly exceeds the minimum internal floorspace dimensions as outlined within the Nationally Described Space Standards. The private amenity space proposed for the dwellinghouse also significantly exceeds the 65m<sup>2</sup> required by the Space About Dwellings SPG (it will comprise 250m<sup>2</sup>). The amenity of the future occupiers of the proposed replacement dwellinghouse will therefore not be adversely affected.

7.43 The development will therefore comply with policy DC1 of the Local Plan (2020) and the NPPF (2021) in respect of amenity.

#### Impact on Ecology

7.44 Policy NE1 outlines that the biodiversity of the District will be conserved and enhancement by positive management and the strict control of development by (1) protecting and enhancing habitats and species of principal importance for conservation; (2) ensuring development produces a net gain in biodiversity and; (3) any unavoidable impacts are mitigated.

7.45 The proposed development involves the demolition of the existing farmhouse that is dilapidated and has not been lived in since the 1980s. A bat and bird survey is therefore required to ensure that no protected species will be harmed when the existing farmhouse is demolished. The proposed replacement dwellinghouse will be sited on part of a field. The application site is located in close proximity to Wetley Moor SSSI, as well as a number of ponds. Ecological Surveys are therefore required to ensure that the siting of the proposed replacement dwellinghouse will not adversely affect existing habitats and species.

7.46 When first submitted, the application was not supported by any ecological surveys. These were requested by the Planning Officer and were undertaken during 2021, with the final report (A Bat & Bird Activity Survey Report) submitted at the end of October 2021.

7.47 The submitted Bat & Bird Activity Survey Report made the following conclusions:

*No evidence of roosting bats or nesting birds was recorded externally and internally during the daytime building(s) inspection. No roosting bats were seen emerging from or re-entering into any of the buildings during dusk emergence and dawn re-entry activity surveys. No evidence of schedule 1 Barn Owl Tyto alba was recorded within the building subject to development. Tawny owl was audibly noted in the surrounding landscape.*

*Based on the scale of the proposed development no impact to any designated conservation sites in a 1km radius is predicted. Conversely, the development sits ca. 60m away from the SW flank of Wetley Moor which is designated as a SSSI. In order to minimize any accumulative and deleterious effects on this SSSI, the development should adhere to the lighting guidelines and protocol*

*Conversely, given the transient nature of certain synanthropic and generalist species such as common pipistrelle around site, which showed some tentative affinity to the attached farm building during dawn survey period, non-licensable site safeguard measures for protected bats and birds are recommended within this report, which should be made a condition of any planning consent approved by the LPA.*

*In-order to reposition the new replacement dwelling, the proposed development will result in minor land up-take of ca.0.1ha of degraded, acid grassland. In its current form, the grassland is of low distinctiveness, being in relatively poor condition, and intensified by poaching and nitrification. Given that the gross land holding of Landers Bank Farm equates to 60 acres (40acres under SMDC and 20 acres under Stoke-On-Trent City Council), there is good scope to increase net gains for biodiversity and further enhance the site for bats and birds. A number of bat and bird nesting box options and recommendations are subsequently presented within this report*

7.48 Subject to the imposition of conditions in respect of mitigation and enhancement measures, the proposed development will not adversely affect habitats or species and it will result in a net gain in biodiversity. The proposed development will therefore comply with policy NE1 of the Local Plan (2020) and the NPPF (2021).

#### Planning Balance & Conclusions

7.49 The proposed development comprises inappropriate development in the Green Belt as the replacement dwellinghouse will be materially larger than the dwellinghouse it will replace.

7.50 No 'Very Special Circumstances' have been advanced by the applicant.

7.51 The existing farmhouse is not small in size, given that it exceeds the minimum size for a two-bedroom, four person, two-storey dwellinghouse, as identified within the Nationally Described Space Standards. The proposed dwellinghouse is excessive in size both when assessed against the National Described Space

Standards and for the housing of one full-time agricultural worker that is required to meet the needs of the farmstead.

7.52 The siting of the proposed replacement dwellinghouse within an adjacent field, away from the existing farm buildings and farm yard, will result in encroachment into the Green Belt and therefore it will conflict with one of the purposes of including land in the Green Belt.

7.53 The design and materials of the proposed replacement dwellinghouse is suburban in character; out of character with the rural area and the Ancient Plateau Farmlands character type. The siting of the proposed dwellinghouse will result in an isolated building and result in a prominent intrusion into the countryside. The scale and height of the dwellinghouse is excessive and will be visible from the PRoW to the south. The existing field pattern will be affected due to the siting of the dwelling and the private amenity space associated with the dwellinghouse is excessive and erodes the rural character of the existing field.

7.54 The proposed development is therefore considered to be contrary to policies SS10, DC1, DC3 and H1 of the Local Plan (2020).

7.55 The potential harm to the Green Belt by reason of the development's inappropriateness, and the other harm resulting from the proposal as identified above, has not been clearly outweighed by other considerations. The application is therefore recommended for refusal.

## **8. RECOMMENDATION**

**A. That planning permission be REFUSED for the construction of replacement dwellinghouse for the following reason(s):**

- 1. The site is situated within the North Staffordshire Green Belt. The proposed replacement dwellinghouse constitutes inappropriate development in the Green Belt and 'Very Special Circumstances' have not been demonstrated that clearly outweigh the harm by inappropriateness and associated harm to the openness of the Green Belt. The proposal is therefore contrary to policies H1 and SS10 of the Staffordshire Moorlands Local Plan (2020) and the NPPF (2021).**
- 2. The design and materials of the proposed replacement dwellinghouse is suburban in character; out of character with the rural area and the Ancient Plateau Farmlands character type. The siting of the proposed dwellinghouse will result in an isolated building and result in a prominent intrusion into the countryside. The scale and height of the dwellinghouse is excessive and will be visible from the PRoW to the south. The existing field pattern will be affected due to the siting of the dwelling and the private amenity space associated with the dwellinghouse is excessive and erodes the rural character of the existing field. The proposal is therefore contrary to policies DC1, DC3,**

H1 and SS10 of the Staffordshire Moorlands Local Plan (2020) and the NPPF (2021) as well as the Council's adopted Design Guide SPD.

- 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 Location Plan

