

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

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

Application No:	SMD/2021/0604	
Location	Mount Pleasant Farm, Counslow New Road, Freehay, Cheadle	
Proposal	Outline application with details of access for the erection of one dwelling	
Applicant	Mr Richard Heatley	
Agent	Malcolm Sales	
Parish/ward	Cheadle	Date registered: 16.09 2021
If you have a question about this report please contact: Chris Johnston tel: 01538 395400 ext. 4123 <a href="mailto:christopher.johnston@staffs Moorlands.gov.uk">christopher.johnston@staffs Moorlands.gov.uk</a>		

**REFERRAL**

The application is before committee at the request of Cllr Alcock.

**1. SUMMARY OF RECOMMENDATION**

<b>REFUSE</b>
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**2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

2.1 The site is in the countryside about half a mile to the east of Cheadle but is not in the Green Belt and there are no specific constraints or designations covering the site. It comprises part of a field belonging to Mount Pleasant Farm. The site is on the north -west side of Counslow New Road and there is an existing vehicular access off the road in front of the site and which leads to a modern agricultural storage building a short distance to the west within the same site property. There are no other nearby buildings and the site is not enclosed by any fences or boundary treatments and is completely open. The site sits in a field of 1.0 hectare in size and is part of an overall landholding of approx. 20 hectares. The land slopes downwards towards the north.

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

3.1 This is an outline application with all matters except for access reserved for a future Reserved Matters application, in the event of an outline approval. It is a very similar application to one which was recently refused at Planning Applications Committee on 12<sup>th</sup> August 2021. The only difference is this new application refers in the forms to a 4-bed dwelling and not 3-bed and also shows a slightly enlarged footprint on the indicative site plan, although the floorspace size is the same on the forms as the previous forms i.e. 488 sq.m. The Design and Access Statement is also exactly the same as before. It states the dwelling is required for the landowner

to attend to cattle kept on the farmland. The existing access would be used for access to the dwelling. A location plan and site plan have been submitted and which shows the footprint of a dwelling but this is purely indicative detail as siting is a reserved matter.

3.2 A statement of agricultural need/justification was given for the dwelling to accompany the previous application after the application was submitted. However, no such statement accompanies this new application.

3.3 The application file including the drawings and details of the proposal together with consultation responses can be viewed on the Council website at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=152704>

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

4.1 The recent and relevant applications at the farm are as follows:

DET/2015/0030: Agricultural storage building. Prior Approval Refused.

DET/2016/0015: Agricultural storage building (resubmission of above). Approved.

SMD/2020/0705: Outline application with details of access (all other matters reserved) for new detached 2 storey dwelling with 3 bedrooms. Refused on 13.8.21.

#### **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 Local Plan - Sep 2020

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

- SS1 Development Principles
- SS10 Other Rural Area Strategy
- H1 New Housing Development
- DC1 Design Considerations
- T1 Sustainable Transport

National Planning Policy Framework (NPPF).

5.3 Sections:

5: Delivering a Sufficient Supply of Homes

#### **6. CONSULTATIONS**

6.1 A site notice was posted and displayed outside of the site on 13<sup>th</sup> October 2021.

### **Public response to consultation**

6.2 One letter has been received which implies the farm has been established to gain a house in the countryside and would be an “eyesore”.

### **Cheadle Town Council**

6.3 No objection.

### **SCC Highway Authority**

6.4 No Objection subject to standard conditions.

### **Environmental Health**

6.5 Objection raised due to insufficient information being provided to assess noise impacts on future occupiers from nearby noise sources. The proposed dwelling is in close proximity to Croxden quarry, a road and an agricultural barn. A site specific noise assessment should be submitted with the application in order to determine the current noise environment at the site and the suitability of the location for a residential dwelling. Consultation should be made with the Minerals Authority. Any approved noise scheme and measurements should pay due regard to British Standard BS8233: Sound insulation and noise reduction for buildings (Code of Practice), BS4142:2014 Methods for rating and assessing industrial or commercial sound and the PROPG: New Residential Development.

### **Severn Trent Water**

6.6 No Objection.

### **SMDC Waste Collection Services**

6.7 No issues with waste collections.

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

### Introduction

7.1 The main issues with the proposal are as follows:

- The principle of the dwelling in this rural location
- The impact on the character and appearance of the area
- The impact on the residential amenities of existing dwellings in the area and the future occupiers of the site
- The impact on highway safety

## **The principle of the development**

7.2 Policy SS10 outlines the strategy for development in the countryside. In order to ensure that new development does not harm the countryside and is provided in a sustainable location, the policy 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 H 1.

7.3 Policy H1 'New Housing Development' focuses new house building on land allocated for this purpose in the Local Plan and also within the development boundaries drawn around the towns and larger villages of the District. With regard to new dwellings outside of the development boundaries, some infill development in small villages is allowed and also on the edges of large villages. This does not apply to the application site which is surrounded by open land. In the other areas of the countryside, only the following forms of housing development will be permitted;

*a) Affordable housing which cannot be met elsewhere, in accordance with Policy H 3.*

*b) A new dwelling that meets an essential local need, such as accommodation for an agricultural, forestry or other rural enterprise worker, where the need for such accommodation has been satisfactorily demonstrated and that need cannot be met elsewhere.*

*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.*

*d) The conversion of rural buildings for residential use where the building is suitable and worthy in physical, architectural and character terms for conversion; or where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets.*

*e) Proposals to redevelop previously developed land provided it is not of high environmental value.*

*f) The subdivision of an existing residential dwelling provided it is not in an isolated location.*

7.4 The proposal would fall under part b) if it can be demonstrated that the applicant needs a dwelling on the site in order to be able to farm the land and also that this need cannot be met elsewhere. The accompanying text with the policy explains that a farm workers dwelling proposal will be required to meet functional and financial tests to demonstrate the essential need for a rural worker to live permanently at or near their place of work in the countryside.

7.5 No justification has been provided by the applicant to demonstrate an agricultural need for the dwelling with this new application. However, the following information in support of the need for the dwelling was given with the previous application:

*The applicant's father started farming in Freehay at Mount Pleasant Farm in 1956, renting the land from Hlland Gravel. The farm was demolished in 1968 as part of the mineral expansion. He continued farming on the land until 2006, when it passed it on to Richard upon the death of his father. Richard was also farming at Dilhorne as well as Freehay. The remainder of the holding was purchased by Richard in 2012. Planning Permission was granted in 2016 for a building on the site for agricultural use.*

*Richard has approximately 60 beef cattle on site and has to travel to and from Dilhorne to the site at least twice every day, 365 days a year. Richard's son is currently farming with him at Dilhorne and seeks to farm on the Freehay site to avoid costly travelling and for security reasons. We submit that this application is approved for agricultural use in connection with the farm at Freehay, in an effort to redress the loss of the original farm.*

7.6 With regard to the above, although it is understood that it would be ideal to have a dwelling on the farm and that this may assist with a more convenient arrangement, it is not considered that the information gives any justification for the essential need for a dwelling on the site in order for the agricultural business to effectively operate. Although the applicant also lives and farms in Dilhorne and needs to visit Mount Pleasant Farm twice a day, the site is only three miles away from Dilhorne. There is no demonstration of why it is functionally essential for him to live on the site rather than travel. No evidence has been provided to demonstrate that the cost of travelling would render the business unviable. There is no information to state how much time is required to be present at the farm or the exact farming operations which require a significant on-site presence to the extent that the farm worker would need to be resident on the site. The information states a presence is required for security reasons but there is no elaboration on this. Previous policy and guidance as well as Appeal decisions have established that security alone will rarely provide justification for a new dwelling. Adequate security could also be provided via means other than a new dwelling, such as secure fencing and the use of CCTV. Furthermore, there are no details of the long-term viability of the farm business or why a dwelling is needed in order to ensure the long term viability of the agricultural business. It is therefore considered that the proposal, on the basis of the information provided, fails to meet the functional and financial tests in order to demonstrate an essential need for a dwelling on the land.

7.7 No evidence has been provided of any search for a suitable available property in closer proximity to the Freehay site. The site is less than 2km by road from the edge of Cheadle where there is an abundance of housing of various sizes, types and cost. The site is only 1.5km from the large new-build housing development off Thorley Drive. The proposal would also not fall into any of the other five criteria for a new rural dwelling. Therefore, the proposal would not comply with Policy SS10.

### **The impact on the character and appearance of the area**

7.8 This is an outline application with details such as the scale, design and appearance reserved for a future Reserved Matters application. The forms state it would be two-storey dwelling and this would be visible from COUNSLOW NEW ROAD and also potentially from Ashbourne Road down the slope to the north. It would be visible from an informal footpath crossing fields a short distance to the east but unlikely to be visible from other Public Rights of Way in the area. There are other dwellings on farms in the rural parts of the District and a dwelling could be accommodated without leading to significant harm to the character and appearance of the area subject to the scale, siting and design. Scale and design are reserved matters but there are concerns regarding the siting of the proposed building plot which is situated some 35m to the east of the existing agricultural building on site. In this position it would appear somewhat divorced and isolated from what would become, in effect, a new farmstead. It is considered that the proposed dwelling, should be sited further to west adjacent to the agricultural building where it would form a cluster or grouping of development and buildings. In this position it would also be better screened by the road side hedge. However, this does not overcome the need to maintain the openness of the countryside in the interests of its overall character and appearance and does not overcome the purposes of Policy SS10 in focussing new development within the towns and larger villages.

#### **The impact on residential amenity**

7.9 There are no other nearby dwellings and therefore a proposed dwelling on the site can be accommodated without harming the existing residential amenities. However, due to nearby noisy land uses arising from both farming and mineral workings, there is no demonstration that the occupants of a new dwelling on the site would have satisfactory living conditions due to the potential for the effects of noise and disturbance. The Environmental Health Section require a Noise Impact Assessment. Due to the concerns over the residential amenities of future occupiers of the site, contrary to Policy DC1 'Design Considerations' of the Local Plan, this is a reason to refuse the application

#### **The impact on highway safety**

7.10 The existing access is deemed to be safe by the local highways authority for the purposes of being used to access a new dwelling.

#### **Conclusion and Planning Balance**

7.11 New dwellings in the open countryside are allowed only under limited circumstances in order to protect the open and rural character and appearance of the countryside and ensure development is located in sustainable areas, such as towns and larger villages. A dwelling for a farm worker in the countryside can comply with the Local Plan where it has been demonstrated that this is essentially required for agricultural purposes. It is not considered that sufficient justification has been given for this and therefore the principle of a new dwelling on this rural and open site is not acceptable and does not comply with Policy SS10, the strategy for the countryside. Furthermore, due to noisy land uses from nearby farming and minerals operations, it has not been demonstrated that the future occupants of the

site would have an adequate level of residential amenity or living conditions, contrary to Policy DC1. Finally the siting of the proposed dwelling would appear isolated and would not relate well to the existing buildings on the site.

7.12 This application is effectively the same as the one submitted previously which was refused by the Committee on 12<sup>th</sup> August 2021. The red edge application site is the same and therefore the same distance from the farm buildings. There have been no changes to relevant planning policies relating to the case or any changes to the site and surroundings since the previous decision and also no apparent changes in the applicant's circumstances. The consultation responses from the previous statutory consultees also remain the same. The proposal therefore remains to not comply with the Local Plan or NPPF and remains unacceptable and with the same impacts on the environment as before. The application is therefore again recommended for refusal for the same three reasons as before, repeated below:

## **8. RECOMMENDATION**

### **A. That planning permission be REFUSED for the following reasons:-**

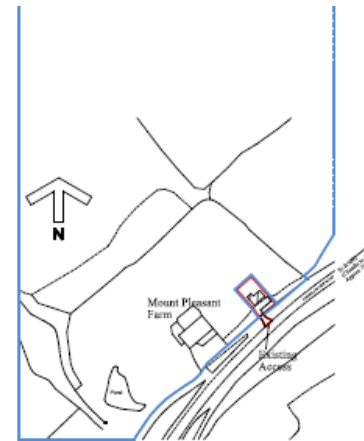
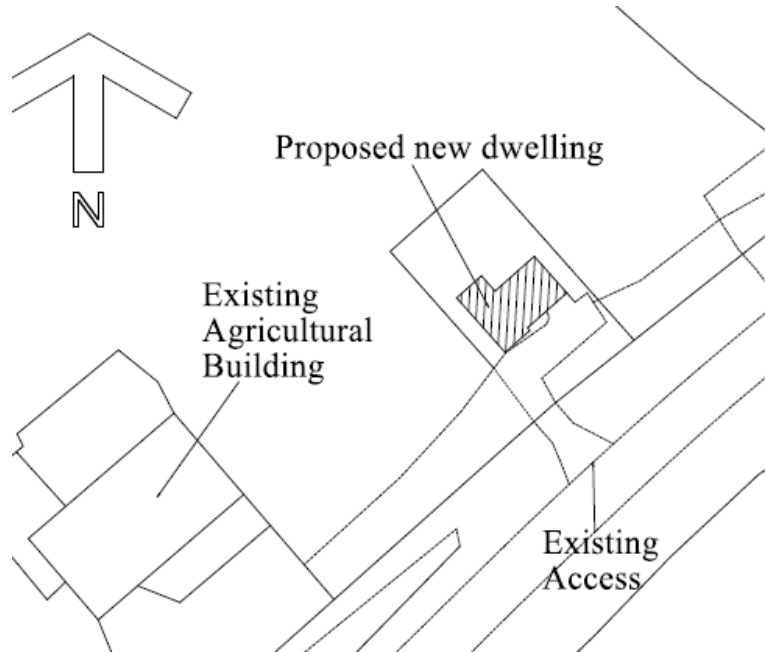
**1. Policy SS10 of the Council's Local Plan restricts new build housing development in the countryside to that which has an essential need to be located in the countryside in order to protect the character and appearance of the countryside and ensure sustainable development. This can include agricultural workers dwellings where the need for such accommodation has been satisfactorily demonstrated and that need cannot be met elsewhere, in accordance with Policy H1 of the Local Plan. The Council considers that insufficient justification has been given for the essential need for a dwelling to be located on this site for the purposes of the agricultural business on the property where the site is located. The proposed dwelling is therefore contrary to Policy SS10 'Other Rural Areas Strategy' and H1 'New Housing Development' of the Council's Local Plan (adopted September 2020) and would also not be in line with government planning guidance contained in the National Planning Policy Framework (NPPF).**

**2. The site is located where there is significant noise from nearby agricultural and minerals workings. It has not been demonstrated that the residential amenities/living conditions of the future occupants of the site would be protected from noise and disturbance arising from nearby uses of land. The proposal is therefore contrary to Policy DC1 of the Local Plan which looks to protect the character and amenities of the area, including residential amenity.**

**3. The proposed site would appear isolated and divorced from the existing building on site and would not relate well to it. As such it would be detrimental to the open character and appearance of the countryside in this location contrary to Policy DC1 of the adopted Staffordshire Moorlands Local Plan and the NPPF.**

**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/in formatives/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.



LOCATION  
PLAN