

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**7 April 2022**

Application No:	SMD/2021/0393	
Location	Land off Quarry Bank, Hollington, nr Cheadle, ST10 4HQ	
Proposal	Outline application with details of access for the erection of two detached dwellings	
Applicant	Mr John Sims	
Agent	Malcolm Sales	
Parish/ward	Checkley	Date registered: 05.07.2021
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 Wilkinson for the following reason:

This application is supported by the local residents group. They are involved in the emerging neighbourhood plan and state that it satisfies their criteria for new development.

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

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

2.1 The site is located in the countryside a short distance to the north-east of Hollington village. It comprises part of open field to the north of the main road leading into the village and to the east of Quarry Bank. There is a field access off Quarry Bank close to the road junction. The access track leads past stables and other small buildings used in connection with the keeping of chickens and horse grazing at the property and which leads to the application site in the north-east part of the property. The site is surrounded by open land and is on an area of open plateau with land sloping down a short distance to the west towards Quarry Bank and a short distance to the south towards the main road and in particular towards the more open landscape to the north.

2.2 The north and east boundaries of the site are marked by hedgerows and several large mature trees. A post-and-rail fence marks the west boundary. The rest of the field lies to the south and there is a belt of large trees between it and the main road. There is also a belt of large trees along the Quarry Bank boundary and a cluster

around the site access to the south-west of the site in the south-west corner of the property.

### **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. The application forms state there would be two detached 3-bed dwellings and the indicative site plan submitted shows the field would be separated into a west and east half via a new 1.8m high timber perimeter fence. The existing access off Quarry Bank would be used as the access to the dwellings and would be hard paved. An amended site plan was received showing visibility splays at the access and at the road junction and the removal of vegetation within the access splays and gates set back 5.0 metres from the edge of the lane.

3.2 The applicant has submitted a covering letter with the application which explains the following:

*“Our family have been part of the Hollington village and community for over seventy years. My parents moved into the village over seventy-five years ago, my father George Sims acted as caretaker for the St John's Church for twenty plus years, maintaining all the grounds and gardens, thereafter I took over this role myself for a number of years. My Mother Violet Sims was the Church cleaner, along with cleaner at the Village Hall and The Star Public House. Violet Sims was also heavily involved with the village community, being a member of the WI, she also organised numerous youth activities, including the local Youth Club and The Wiss Drives. My children Melvyn Sims and Julie Sims were both born in the village, both children throughout their childhood enjoyed Hollington village life, taking part in many youth activities.*

*Over 35 years ago my Mother Violet Sims sadly passed away, at this time my Father sold off part of Holbeck House, however retaining approximately five acres of the land. My father George Sims sadly passed away some twenty years ago, at which point the remaining five acres of land was passed down to myself. Since this time, I have continually farmed and maintained the land, keeping cattle, chickens and horses. I still today spend a large part of my day at the land, travelling regularly two to three times a day from Cheadle. Along with the farm animals at the land, I also have a collection of vintage tractors that I have created over the years, this is now a big hobby and part of my life that I very much enjoy, along with help of my son, who also enjoys the passion for the tractors like myself. My daughter has enjoyed horses kept on the land for over fifty years and likewise she spends a large part of her day at the land with the horses.*

*All of my family are still a big part of village life, helping out at local fair's, supporting local residents and generally being involved with the community.*

*I have now reached 85 years of age and obviously life has taken its toll and sadly I am not as able as I used to be and regularly require daily help and support from my son, daughter and grandson to maintain the land and care for the animals. Along with this, the travelling to and from the land has become more challenging and stressful, especially with the traffic increase over the years. Two years ago, I*

*suffered a serious accident at the notorious Freehay Crossroads leaving me extremely anxious to get behind the wheel again. Since the accident I find the regular journey to and from the land a constant daily stress, to the point now at 85 years old I do not feel I can do this for much longer. Not only does this cause anxiety for myself, my wife and children constantly worry about me making this journey so often. At 85 years old, I desperately want to carry on to the end of my days farming the land that I have loved so passionately over the years.*

*On top of all the above, sadly with today's society I have increased concerns of security at the land, as there has been two occasions where items have 'gone missing' off the land.*

*The request for the planning for two properties would allow my wife and I to live in one house and my daughter and her son to live in the second house. Both my daughter and grandson provide great daily support to my wife and I, especially at present to my wife who has had a recent hip operation and has very little mobility in normal everyday life. Sadly, as we both get older, I have to face the fact that this assistance will continue to be required, possibly at some point soon on a full-time basis. Therefore, having our daughter and grandson on site as neighbours, will be of immense support, assistance and much needed convenience to all for the future. My other concern is the environment aspect, as both my daughter and I drive at least twice a day, often three times a day to and from the land. In a society that now has a major focus on caring for the environment, living on site would assist to reducing pollution levels.*

*I hope that you will take into account all of the above, when considering our application. To obtain the building of these houses, would fulfil the remainder of my life and hopefully have a better quality of life with the support of our family around us. It will also allow me and my family to give more time back to the village community and enjoy my remaining years where my children were born on the land that has been a major part of my life. Living on site will allow me not only to remain physically active but will greatly assist with not only my mental health and well-being along with that of my family."*

3.3 A Preliminary Ecological Survey Report dated 4.12.21 was submitted followed by an additional site plan to show an area of grassland enhancement within the property to the south of the application site, for ecological enhancement reasons.

3.4 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.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=149728>

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

4.1 None.

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

5.1 The Development Plan comprises of:

- The Staffordshire Moorlands Local Plan (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
- NE1 Biodiversity and Geological Resources

National Planning Policy Framework (NPPF).- July 2021

Para 11: Presumption in Favour of Sustainable Development

Section 5: Delivering a Sufficient Supply of Homes

Section 15: Conserving and Enhancing the Natural Environment

## **6. CONSULTATIONS**

6.1 A site notice was posted and displayed outside of the site on 11<sup>th</sup> August 2021.

### **Public response to consultation**

6.2 Four Letters of support have been received from separate residences in Hollington and a letter of support has also been received from Hollington Residents Steering Group. The letters outline that the family has been part of the community for generations and contribute to caring for animals/animal husbandry. It is claimed the land is brownfield due to historical quarry workings and included a stone dwelling. The applicant and family living on the site would reduce car travel to and from Cheadle and hence would be sustainable. Also, their presence on site is considered to reduce rural crime as well as being able to respond quickly when the animals need help or medical assistance.

### **Parish Council**

6.3 None received.

### **SCC Highway Authority**

6.4 An objection was raised in response to the original plans due to the increase in the use of the existing access and the road junction, both of which have substandard visibility and this would lead to an increased road hazard. However, in response to the amended plans which showed works to provide visibility splays at the access and road junction (on land within the applicant's ownership), no objection was raised subject to conditions requiring the further access and junction works, other access works and details of parking and turning at the Reserved Matters stage.

## **Environmental Health**

6.5 No objection subject to standard conditions in relation to new houses next to a former quarry site.

## **Staffordshire Wildlife Trust**

6.6 SWT believe there are ecology issues with the site:

*“Due to the loss of grassland and potential impact to hedgerows and trees, plus presence of ponds in the area, a Preliminary Ecological Appraisal (PEA) is required, which should then advise whether any further surveys are needed. A biodiversity net gain will need to be achieved, to mitigate and enhance upon any losses of habitat, which will be informed by the PEA as a baseline. Some indication of where drainage infrastructure will be located and how landscaping can provide a net gain should be provided at this stage to ensure enough area is available within the proposal site and constraints are considered.”*

6.7 In response to the receipt of the Preliminary Ecological Survey Report and site plan to show areas of grassland enhancement:

No objection subject to conditions to secure a landscaping scheme, an Ecological Construction Management Plan (ECMP) and a surface water and foul drainage scheme to be submitted for approval.

## **SMDC Waste Collection Service**

6.8 No issues regarding waste collections.

## **Severn Trent Water**

6.9 No objection, a drainage condition does not need to be applied. .

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

### Introduction

7.1 The main issues with the proposal are as follows:

- The principle of the dwellings 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 impact on the ecological value of the site

### **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 H1.

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 as although there are nearby buildings including dwellings, the site is surrounded by open land. This part of Hollington has a rural and open character and appearance and does not appear as part of a small village. It is separated from the main nucleus of the village by open and green gaps. 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 not fall under part a) as it is not an "affordable housing scheme" in line with Policy H3. It would not fall under b) as the site being used for the private grazing of horses, the private keeping of chickens and storage in relation to other hobbies and there is no apparent commercial agriculture or any form of rural enterprise occurring on the land. Parts c), d) and f) would not apply as there are no buildings on the site. With regard to part e), there have been apparent former historical quarrying uses adjacent to the site but no evidence the site itself has been

used for quarrying purposes as it is a flat open field on a raised plateau area. The site is not deemed by the Council to be “previously developed land” i.e. brownfield and has the appearance of a greenfield site that contributes positively to the surrounding rural environment and character and appearance of the countryside.

7.5 The proposal would therefore not comply with policies SS10 or H1 of the Local Plan. The applicant has provided information to support the proposal and the main points put forward are contained within the “Proposal” part of this report. The main reason for the requirement for houses on the site appears to be to enable the applicant and wife (in one house) and his daughter’s family (on the other) to ensure the easier upkeep of the land and the activities on it i.e. horse grazing and the keeping of chickens and looking after the animals, continuing the work himself and his son, daughter and grandson are doing as current. The applicant lives in Cheadle, four miles away and due to a car accident is less mobile and more reliant on his daughter to visit the site look after the land. The applicant claims he and his daughter visit the site two or three times a day.

7.6 In response to this, whilst the Council sympathises with the mobility and practical problems of the site upkeep encountered by the applicant, particularly since the car accident, it is clear from the letter that there is support from other family members who he relies on to reach the site from his home in Cheadle and to assist with the land. Furthermore, the distance between his home in Cheadle and the site is only four miles, which is not an excessively inconvenient distance. On this basis, it is not considered there is sufficient justification for two dwellings on the site to assist with the upkeep of the land, which although would be more convenient is not essential to enable this upkeep and care for the animals. Regarding the problems with site security, this could be rectified without a residential presence via surveillance measures such as CCTV or more secure fencing.

7.7 The applicant claims the new dwelling would prevent two or three car trips per day to Cheadle and therefore would cut carbon emissions. However, whilst this might to be true, it is unlikely to offset the number of vehicle movements generated by the residents of two houses to reach the nearest shops and services of which there are little or none in the small rural village of Hollington. It is worth noting the applicant currently lives in Cheadle where a large number of shops and services existing within an easy walking distance without having to use a car. It is therefore not considered that this proposal would have any significant sustainability benefits.

7.8 For the above reasons, it is considered that the particular personal or practical circumstances of the applicant would not outweigh the breaches of policies SS10 and H1 which aim to protect the character and appearance of the countryside from new housing and ensure only sustainable development takes place in the rural areas.

7.9 It should be noted that at the end of February 2022 it was confirmed that the Council had less than a five year housing land supply. It currently now stands at 4.2 years. Under the NPPF, in these situations, greater weight is applied to allowing new housing proposals in sustainable locations regardless of whether or not they are allocated for housing or lie outside of development boundaries and therefore less weight is attached to the Local Plan regarding housing proposals, including Policy

H1 which sets out the locational strategy for new housing. In this respect, the “tilted balance” is activated whereby the Council must assess if the social and economic benefits of providing new housing in an area of undersupply would outweigh any identified adverse environmental harms associated with the proposal. The particular environmental impacts of the proposal are assessed below.

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

7.9 This is an outline application with details such as the scale, design and appearance reserved for a future Reserved Matters application. The forms state there would be two 3-bed dwellings but there are no other indicators at this outline stage of the scale, form or height of the dwelling. The site despite being generally higher than land on all four sides, does benefit from a fair degree of tree and vegetation screening. New buildings on the site would be well screened from the main road immediately to the south and also from Quarry Bank immediately to the west and from the road junction. However, it may be possible to view the upper floors of two or more storey dwellings approaching the site from the east along the main road from the middle of the village.

7.10 The dwellings would be most visible from the north where although there a large mature perimeter trees, there are gaps between the trees where new buildings would potentially be visible from public footpaths which cross through lower land a short distance to the north of the site, although other buildings could also be visible when viewing towards the village from the paths. If the proposal was deemed to be acceptable in principle there is no evidence that two 3-bed dwellings could not be assimilated into the landscape, particularly if they would be of single-storey height and sensitively sited in the better screened parts of the site. However, this does not overcome the need to maintain the rural appearance 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**

7.11 There are no existing dwellings immediately adjacent to the site or property and therefore two proposed dwellings on the site could be accommodated without harming the existing residential amenities. Furthermore, there is also nothing in or around the site to prevent the living conditions of the future occupants of the site from being affected. The site is large enough to allow two dwellings to be built on the site with adequate space both in and around the dwellings to provide a decent standard of residential amenity. Accordingly the development would meet Policy DC1 of the Local Plan in this respect.

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

7.12 There would be no detriment to highway safety arising from the increased use of the access and road junction providing the required visibility splays are achieved at the access and road junction through the removal of existing road-side vegetation (which does not include trees which contribute positively to the appearance of the



area) on land within the property. It is noted that the Highway Authority raise no objection to the development proposals, subject to a number of conditions to secure the required visibility splays at the junction.

### **The impact on the ecological value of the site**

7.13 Due to the presence of large trees, hedgerows and nearby ponds, there is considered to be some likely significant level of biodiversity including potentially protected species such as bats and birds using trees and hedgerows and great crested newts and amphibians using ponds.

7.14 Policy NE1 expects all development, where possible, to deliver a net gain in biodiversity proportionate to the size and scale of the development. However, the application does not include any details about the existing level of biodiversity on the site and the application was submitted without a Preliminary Ecological Survey Report. This would be expected at the outline stage to inform the form, scale and siting of the development at the Reserved Matters stage and to ensure appropriate mitigation measures and enhancements are put into place at that stage.

7.15 A survey was undertaken in December 2021 and the report submitted. The agent confirmed that all trees would be retained on site including within the visibility splays of the access. These can be retained without affecting visibility for drivers using the access. The agent also confirmed a drainage strategy would be formed within the site and that areas of grassland enhancement would be undertaken within the same property and available to the south of the application site. As a result, Staffordshire Wildlife Trust removed its earlier objection on the basis of the tree retention, on-site drainage scheme and grassland improvements as this would lead to a Net Biological Gain (NBG) encouraged for all new developments under Policy NE1 of the Local Plan. SWT also recommended to secure these measures and an Ecological Construction and Management Plan and these can be imposed on any outline permission for the scheme. The application would therefore comply with Policy NE1 and is in line with the government guidance in Section 15 of the NPPF.

### **Other Matters**

7.16 It is noted that the Hollington Residents Steering Group support the proposals on the basis that this site is likely to be carried forward into the emerging Neighbourhood Plan. However, as the Neighbourhood Plan is at a very early stage in its preparation, only very limited weight can be attributed to the support given to the development of the site. The policies of the adopted Local Plan are considered to and the conflict with policies SS10 and H1 are considered to carry significantly more weight.

### **Conclusion and Planning Balance**

7.17 Under the Local Plan policies, 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. The proposal does not fall under any of the exceptional categories for allowing new dwellings in the countryside listed in policies SS10 and H1 and the circumstances put forward by the applicant are not considered to outweigh in the operation of the policies which aim to ensure that new housing is in sustainable locations and does not harm the countryside. It is considered the building of two new houses in this rural location would be contrary to the aims of Policies SS10 and H1 in protecting the open and rural character and appearance of the countryside, especially as two dwellings on the site would be likely to be visible from public footpaths to the north of the site.

7.18 The NPPF gives significant weight to allowing new housing in sustainable locations where there is less than a five years housing land supply and requires that new sustainable housing be approved unless there are significant and demonstrable harm considered to outweigh the benefits of providing more housing where it is needed. However, the site is not considered to be in a sustainable location and would lead to a significant amount of car journeys and emissions to enable the new residents to reach local shops and services. Furthermore, a smaller level of harm would result to the rural character and appearance of the area due to the two dwellings on this particular site, as described above in this report. The Council's housing land supply is only marginally below 5 years and the contribution towards rectifying it of two dwellings would also be very limited. Overall, with regard to the "tilted balance", it is considered the level of harm caused cumulatively by the unsustainable location and the visual impact in this area would amount to an environmental harm which outweighs the limited social and economic benefits of providing two new dwellings in this location, which is not a significant contribution towards meeting housing new housing targets and there is an absence of local village services which would be supported by the incoming population with the only economic benefit being to the construction industry. It is therefore considered on balance, due to the environmental harms and that the proposal does not amount to sustainable new housing, the application should therefore be refused.

## **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. The Council considers that, in principle, the development fails to comply with Policies SS10 and H1 in there is no essential need for two dwellings to be located on this rural site. 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). The NPPF gives significant weight to allowing new sustainable housing where there is a current shortfall of a five year housing land supply. However, in this respect, due to the unsustainable location of the site and a further harm caused to the character and appearance of this rural location by the proposed new dwellings, the environmental harms of the**

proposal are adverse and would outweigh the social and economic benefits of providing two dwellings in this location, which are deemed to be limited. The proposal would therefore not comply with NPPF para. 11.

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.

### Site Plan

