

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

11 August 2022

Application No:	SMD/2021/0794	
Location	Land opposite Methodist Church, Ankors Lane, Thorncliffe	
Proposal	New Field Access and Track.	
Applicant	K and A Gould	
Agent	Philip Plant P4 Architecture	
Parish/ward	Tittesworth / Dane	Date registered 6 th Dec 2021
If you have a question about this report please contact: Arne Swithenbank tel: 01538 395578 or e-mail arne.swithenbank@staffs Moorlands.gov.uk		

REFERRAL

The application is a Full - Minor and is referred to Committee at the request of Cllr Gill Heath in order to consider the planning balance.

1. SUMMARY OF RECOMMENDATION

Refuse

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 2.1 Rural green field site adjacent to the road in a position central to the hamlet of Thorncliffe. The road edge is marked by a low grassy bank loosely supported by drystone walling. Behind the bank is a pronounced dip in the field forming an undulation which runs parallel with the road. The field then rises on the far side of the dip to a narrow low ridge before dropping steeply into a wooded ravine.

3. DESCRIPTION OF THE PROPOSAL

- 3.1 The application is to create a new gated field access on the north side of Ankors Lane (C class road 16) opposite Thorncliffe former Methodist Chapel. The application would involve an infill of material to bridge the dip in the land and reach the area of land beyond.

4. RELEVANT PLANNING HISTORY

- 4.1 None on recent record.

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 Local Plan (adopted 9th September 2020)

- SS1 Development Principles
- SS2 Settlement Hierarchy
- SS10 Rural Areas Area Strategy
- DC1 Design Considerations
- DC2 The Historic Environment
- DC3 Landscape and Settlement Setting
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Woodland and Hedgerows
- T1 Development and Sustainable Transport

National Planning Policy Framework February 2019

Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 8 Promoting healthy and safe communities; 11 – Making effective use of land; 12 – Achieving well designed places; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

Local Plan Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

6. CONSULTATIONS CARRIED OUT

Public

6.1 The last consultation expiry date was 17th March 2022 (site notice). No direct neighbour notifications were sent.

6.2 No public representations have been received.

Tittesworth Parish Council

6.3 Responded to say no objections.

SCC Highways

6.4 No objection subject to condition. The application is for a field access gate and track to a small field. Height of 650mm is stated in the recommended Highways condition as this is the height of the existing wall. Condition is intended to maintain existing visibility at the proposed point of access. Level of use of the

access is not covered in the application. It is a relatively small field with steep gradients. There is a ditch immediately to the rear of the wall. A land drain is proposed where the access passes over the ditch. This would be appropriate to maintain drainage.

7. POLICY AND MATERIAL CONSIDERATIONS / PLANNING BALANCE

Principle of Development and Main Issues

- 7.1 In its general approach, in accordance with policy SS1, the Council expects the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. This means that planning applications that accord with the policies in the Local Plan shall be approved without delay, unless material considerations indicate otherwise.
- 7.2 There is no express or specific policy provision in the Local Plan to support the proposal outright. The proposal therefore falls to be determined on its merits based on benefits versus harm.
- 7.3 Policy SS10 for the rural areas is that:
“These areas will provide only for development which 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. The Council and its partners will achieve this through the following actions” [inter alia]:
- SS10(3) [first point] 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;
- SS10(3) [fifth point] Encouraging measures which protect and enhance the biodiversity, geological resources and heritage of the District.
- 7.4 The main issues to consider with this application are to assess the effect on the character and appearance of the location and to weigh any benefits which may arise in justification of the proposal and whether it can be regarded as sustainable development.

Design

- 7.2 In a revised proposed layout plan 001 rev A some additional design details have been provided to show low stone walling (to height 600mm) to define the sides of the entrance for a distance of 2.4m running into the land with a field gate mounted using 200mm x 200mm modern square pre-cast concrete posts.

The width of the entrance would be 3050mm. A galvanised metal gate is proposed. The infilling of the dip would be achieved using "hardcore landfill" to be consolidated in layers of 150mm and top surface finished with limestone MOT grade stone for first 6m into the field. The remainder to be topped with topsoil and seeded.

Amenity

- 7.3 In terms of living conditions of neighbouring occupiers, Thorncliffe Grange 30m to the south west and Grove Bank Farm c.15m to 20m to the south are the nearest neighbouring dwellings. Thorncliffe Grange may have rear outlook over the site location but this is mainly shrouded by tree or shrub vegetation cover. Grove Bank has a windowed side elevation overlooking the site location from a position which is set back and elevated above the road. It is unlikely there would be any adverse intrusion or disturbance from the development to affect the amenities of these two dwellings.
- 7.4 Thorncliffe Methodist Chapel stands more or less opposite the proposed access. This building is understood recently to have been sold. Its potential future use is not as yet known.

Character and appearance

- 7.5 There is an attractive intricacy to the character and appearance of this stretch of land between Thorncliffe Grange and the bend in the road just to the north at the point where it dips before it slopes and curves up towards Thorncliffe Bank. The qualities arise from the curving sloping lie of the road echoed in the parallel curving hollow and ridge in the field alongside. Owing to the bends in the road and, in the approach from the south west especially, owing to an elevated view overlooking the application site, the location is eye-catching and the development would be conspicuous. There is a marked informality to the roadside bank and a strong sense of this being a long un-altered semi-natural location. The area of field in question is very limited in extent and represents a pocket of rough grazing. It is for the most part steeply sloping and enclosed by informal woodland emerging from the steep ravine banks
- 7.6 The proposed formal gateway would very strongly disrupt the qualities of this location as they are described above. The impact can be seen to be all the greater from the need to create an infilling embankment to bridge the dip in the land parallel to the road.

Heritage

- 7.7 Thorncliffe Grange is a Grade II Listed Building. Consideration should be given as to whether the development would affect the historic significance of this building as a result of being within its setting. Given the analysis and conclusion under Character and Appearance above it is logical to conclude

that there would be some harm to the setting. This would be less-than-substantial harm in the terms of the NPPF and it would be reasonable to conclude that this would be at the lower end of magnitude. Nevertheless, from this it must be recognised that there needs to be some measure of public benefit to flow from the proposed development if it is to be found acceptable in terms of DC2 and the NPPF. It is not apparent that the scheme brings with it any measure of public benefit.

- 7.8 The development would be more closely associated with the setting of Thorncliffe Chapel. Although this has no designated heritage status, its obvious age and character – it was built in 1839 – and that it carries significant status in social history, make it appropriate that it should be regarded as a non-designated heritage asset within the meaning of the NPPF. A balanced judgement is therefore needed (NPPF 203) to consider the degree of any impact and harm to the setting of this building.

Highways

- 7.7 In highways safety terms the SCC Highways response shows the scheme would be acceptable.

Other matters

- 7.9 The development is proposed within land which is recorded as a Site of Biological Importance (SBI) as: “a steep-sided stream valley, mainly occupied by woodland. Downstream there is a line of trees on the banks, with the northern side of the valley supporting a mix of scrub, bracken, marshy grassland and semi-improved or unimproved neutral grassland”. It can reasonably be considered unlikely that this small area of development could have a significant adverse effect on the SBI. It is a matter of record however that the application is not accompanied by any assessment or consideration of the field vegetation and whether there is any particular species interest at the specific location of the development.

8. Conclusion and Planning Balance

- 8.1 The LPA has sought in discussion with the applicant and the agent to understand the rationale and imperative that is leading to the proposal. The pocket of land is part of a larger parcel of land served by a gate off Ankors Lane c.100m further along to the north east. Up to now it seems the pocket of land has been used as rough grazing and stock have been able to reach it on foot from the part of the land with an existing gate. It appears this link path has become narrowed by erosion. It does not appear ever likely to have been wide enough for cart or vehicle access but nor does there seem to have been a need for such access. It appears to the LPA that the existing link path could be stabilised by minor intervention and made once again more suitable for livestock to access on foot.

- 8.2 From the above it can be found that there is rather limited justification to support the need for this proposal. There is also no public benefit that would flow from it but rather the reverse, that in the now recognised crash in biodiversity being experienced across the environment a small pocket of rough grazing land within a Site of Biological Importance can play a much more valuable role in its low-key management which has prevailed up to now. A degree of further 're-wilding' would bring significant environmental benefits but opening up the land to vehicular access as proposed would run in the counter direction and be likely inevitably to lead to an increased erosion of ecological potential.
- 8.3 It is concluded that there would be significant detrimental impact on character and appearance and on balance given a very limited, if any, need for the access the application is recommended for refusal.

9. RECOMMENDATION

A. Refuse for the following reason(s):

- 1. The proposed new gateway and associated infilling to bridge an adjacent land hollow is found in this location to significantly disrupt and harm a subtly attractive and visually sensitive location and given at most only a very limited, if any, need to create the access the proposal is found on balance contrary to policies SS1, SS2, SS10, DC1, DC3 of the adopted Staffordshire Moorlands Local Plan and the NPPF.**
- 2. There is found to be harm to the setting of the Grade II Listed Thorncliffe Grange and whilst this is less-than-substantial harm given the absence of any public benefit from the development the proposal is found contrary to policy DC2 of the adopted Staffordshire Moorlands Local Plan and the NPPF.**
- 3. There is found to be some harm to the setting of Thorncliffe Chapel which it is considered should be regarded as a non-designated heritage asset and in reaching a balanced view as to the effect of the development on this building's setting versus the very limited benefits the proposal is found contrary to DC2 of the adopted Staffordshire Moorlands Local Plan and the NPPF.**

Informative

- 1. This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 38 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.**

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

10. APPENDICES TO THE REPORT

10.1 The link below to the Council's website is where the detail of this application can be viewed.

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=155804>

