

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**26<sup>th</sup> January 2023**

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

**REFERRAL**

The application is referred to Committee at the request of Cllr Gill Heath in order to consider the planning balance.

**1. SUMMARY OF RECOMMENDATION**

Approve, subject to conditions.
---------------------------------

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

- 2.1 The application site comprises a rural green field 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 the former Thorncliffe Methodist Chapel. The application would involve an infill of material to bridge the dip in the land and reach the area of land beyond.
- 3.2 The application was first considered by the committee at its meeting on 11<sup>th</sup> August 2022 when it was recommend for refusal. The committee resolved to defer the item to allow for amendments to resolve the issues of concern as they were persuaded of a need for an access to the land.

- 3.3 A revised scheme has been submitted in which the position of the gateway opening has been moved c.4.5m to the south west (uphill from the first proposed position). Secondly, the gate is now proposed in alignment with the existing roadside boundary bank / wall. This is as opposed to being set in from the boundary by c.2.0m. The width of the gate would be 3.0m (c.10feet).

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

- 4.1 None on recent record for the application site itself. For the former Methodist Chapel opposite, SMD/2023/0018 proposes “change of use from chapel (use class D1) and conversion to residential dwelling (use class C3) of the existing building” proposing a two-bedroom home used for holiday let.

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

##### **5.1 Local Plan (adopted 9<sup>th</sup> 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 2021**

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 17<sup>th</sup> March 2022 (site notice). No direct neighbour notifications were sent.
- 6.2 No public representations have been received.

## **Tittesworth Parish Council**

- 6.3 No objection.

## **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.
- 6.5 The Highways Officer is supportive of the revised scheme and has commented by e-mail to say that “based on the likely very low usage and the committee’s support of the principle, subject to engineering redesign, the in-line gates would be acceptable.” Reference to the engineering design is understood to be a reference to requiring a level platform to be established in the approach to the road side for vehicle pulling out. The requirement is to ensure vehicles are on a level and not tipped back as this would compromise the driver’s visibility.

## **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(5) [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**

- 7.5 The gate now being in alignment with the wall line will help keep the entrance low-key with no requirement for a flanking wall or boundary return that would draw attention to the entrance. A timber gate with timber gate post would be used which will ensure a rural traditional appearance. The width of the entrance would be 3050mm. A degree of infilling to the dip in the field that runs parallel with the road and which was a significant concern in the earlier considerations will still be needed to meet the Highways requirement for a level exit from the field but the applicant is willing to keep this to the minimum necessary.
- 7.6 The drawings now state: “in forming the new access area, supporting ground to be graded to existing field levels and finished with top soil and seeded.” This is considered to be a sympathetic finish to the access point and would not harm the visual quality of the countryside

#### **Amenity**

- 7.7 In terms of living conditions of neighbouring occupiers, Thorncliffe Grange is located 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.

- 7.8 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 although a recent application for its conversion to a holiday let is pending (SMD/2023/0018).

### **Character and appearance**

- 7.9 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 of the road echoed in the parallel with the 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.
- 7.10 The initial scheme was judged a very formal gateway that would strongly disrupt the qualities of this location. The need to create an infilling embankment to bridge the dip in the land parallel to the road has been a particular concern. The amended scheme seeks to reduce the impacts as far as possible. The repositioning will take the entrance away from a rather central position making it less eye-catching. The willingness of the Highway Authority – based on low usage for field access to this very small parcel of land – to accept an in-line rather than set back gate will also greatly reduce the prominence.

### **Heritage**

- 7.11 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. With the revisions it may now be accepted that the impacts are sufficiently minor. There would be no harm to setting and therefore no requirement to identify public benefit.
- 7.12 The development in this revision is slightly further away from Thorncliffe Chapel than in the earlier scheme. 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 2021) to consider the degree of any impact and harm to the setting of this building. Again with the modifications that have reduced the scheme, the impact can reasonably be judged neutral towards the setting of the chapel.

### **Highways**

7.13 In highways safety terms the SCC Highways response shows the scheme would be acceptable subject to the length of level approach rear of the gate (field side) being sufficient to accommodate an exiting vehicle. If details are not confirmed in time for the meeting this can be addressed by condition.

### **Other matters**

7.14 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 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. At the earlier committee site visit and meeting it became apparent that any pre-existing link path was almost certainly beyond repair and the need for a new separate access was found to be justified for farm purposes.

8.2 It remains true that this small pocket of rough grazing land within a Site of Biological Importance can play a valuable wildlife role through low-key management, as has prevailed up to now, and a degree of further 're-wilding' would bring significant environmental benefits. Whilst opening up the land to vehicular access could run counter to this, it nevertheless has to be accepted that land management access is simply not at present available and the proposal in its modified form is therefore acceptable.

## **9. RECOMMENDATION**

### **A. Approve subject to the conditions(s):**

- 1. Commencement within 3 years**
- 2. In accordance with revised plans**

### 3. Highways

#### 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.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=155804>

## 10.2 – location plan

