

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

8th June 2023

Application No:	SMD/2023/0105	
Location	Land Adj. Sunny View, Foxt Road, Foxt, ST10 2HN	
Proposal	Erection of a 3 bedroom detached bungalow	
Applicant	Mr Patrick Stimpson, The Heights, Foxt	
Agent	Malcolm Sales, Churchill Suite, 51 High Street, Cheadle, Stoke-On-Trent, ST10 1AR	
Parish/ward	Ipstones	Date registered: 27th Feb 2023
If you have a question about this report please contact: Benjamin Hurst tel: 01538 395400 ex 4127 benjamin.hurst@staffsmoorlands.gov.uk		

REFERRAL

The application is before committee at the request of former Cllr Gill Heath.

1. SUMMARY OF RECOMMENDATION

REFUSE

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 Foxt is a small village in the countryside it is distinctly rural in character and appearance. On approach from the north or west, the existing development is sporadic and scattered, interspersed by open fields with extensive views of countryside beyond and between, until one arrives in the centre of Foxt at a central cluster of dwellings arranged around an intersection of rural lanes.

2.2 To the north of this cluster, beside the bungalow at Sunnyview, the application site would be provided to the corner of the field that is marked with drystone wall and grass verge to the roadside, significant mature trees have already been removed from the site in advance of the application. This corner of the field provides views across open countryside towards both standalone and clusters of mature trees that punctuate the landscape. The application site has a surface significantly higher than road level and the adjacent plot at Sunny View. From behind the stone retaining wall at roadside the field slopes up to a high point.

3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL

3.1 The application proposes the erection of a single detached bungalow, all details are provided for approval and the applicant seeks full planning permission. The application is identical in detail to a submission that was refused by members at planning committee in November 2020 and a repeat submission that was withdrawn in February 2022.

3.2 The bungalow would be a large three bedroom property laid out on an L shaped footprint that would present a gable projection to the roadside at the front. It would be built using stone facing materials and plain clay tiles incorporating lintel details above windows and coping stones to roof verges. Submitted site plans and cross sections provide levels details to show how the land would be excavated by a depth of up to 1.5m over most of the plot to provide an access drive into the site with areas of parking and turning for at least three vehicles, and a levelled surface for the foundations of the bungalow. The plot would be enclosed by stone walls and the wall to the roadside front would be retained but reduced to a height of 1.5m.

3.3 The applicant did not seek any pre application advice from the Council regarding the application.

3.4 Details of the application scheme can be viewed at:

<http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=128617>

4. RELEVANT PLANNING HISTORY

Application site

SMD/2020/0226 Erection of a detached bungalow. Refused.

SMD/2021/0706 Erection of a detached bungalow. Withdrawn.

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 Core Local Plan - Sep 2020

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

- SS1 Development Principles
- SS9 Smaller Village Strategy
- SS10 Other Rural Area Strategy
- H1 Housing Supply
- DC1 Design Considerations to protect residential amenity
- DC2 Historic Environment
- DC3 Landscape Character

National Planning Policy Framework (NPPF) revised.

6. CONSULTATIONS

Public response to consultation

6.1 None received.

Ipstones Parish Council

6.2 Ipstones Parish Council are in support of an approval.

SCC Highway Authority

6.3 Require further information. Request a plan showing a visibility splay of 2.4m x 43m in both directions from the centre of the proposed access.

Environmental Health

6.4 No objection. Part of the site is a historic quarry that appears to have been filled in at some point with unknown material, therefore an appropriate condition relative to risk of land contamination is recommended. Recommend other conditions relative timings and management of construction.

7. OFFICER COMMENT AND PLANNING BALANCE

The Development Plan strategy for the countryside and smaller villages such as Foxt and the approach to housing provision.

7.1 Foxt is identified as a 'smaller village' in the list included at SS9 of the adopted Local Plan - a village in the countryside without a defined settlement boundary where generally there would be a presumption against housing development. These are locations that are limited in facility and services and new development on a large scale would be unsustainable in these villages, as it would generate a disproportionate number of additional journeys outside the village and may undermine the spatial strategy. However, to support local population and rural employment needs in these areas the development plan strategies provide for an appropriate level of sensitive development to include affordable housing that meets identified need, dwellings that meet the essential needs of a rural worker, and limited 'infill' development.

7.2 A previous application for a dwelling on this site was refused by members in November 2020. It was determined, in accordance with the officer's recommendation, that the applicant's proposed development would not provide an affordable home against any of the recognised criteria and that the proposed development would not qualify as appropriate 'infill' development against the criteria of the housing policy H1 (such 'infill' development shall only be well related to the existing pattern of development and not create or extend ribbon development; and shall not lead to a prominent intrusion into the countryside or have an adverse impact of significance to the character of the countryside). With regard to both of

these considerations and conclusions, there has been no material change in circumstances.

7.3 It was considered that the proposal would fail against the 'infill' criteria of policy H1 because it would provide a new bungalow to the north of the existing dwelling 'Sunnyview' where it would encroach into that open field, extend the existing cluster of houses, elongating it to the north toward an increasingly ribbon form. The proposed plot does not form a small gap between existing buildings and the development would not be absorbed within or relate well to the existing development pattern. It was not and is not part of the applicant's current case that the proposed dwelling would meet the essential local need of a rural worker, and the proposal does not have merits against that particular exception. The proposal therefore, cannot be considered under the terms of the new adopted Local Plan criteria, to be for infill development that is provided for or supported by policy. In these regards the development would be contrary to strategy policy SS9 of the Local Plan and undermine the spatial strategy for the District.

7.4 However, against that context, the Council cannot currently demonstrate a 5 year housing land supply. Therefore, the policies which are most important for determining the appeal are considered to be out of date. Paragraph 11d of the National Planning Policy Framework (NPPF) is engaged. In accordance with paragraph 11d ii) of the NPPF consideration must be given as to whether the adverse impacts of granting planning permission would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF as a whole.

Impact on the character and appearance of the area

7.5 Foxt is a small village in the countryside it is distinctly rural in character and appearance. On approach from the north or west the development is sporadic and scattered, interspersed by open fields with extensive views of countryside beyond and between until one arrives at a central cluster of dwellings arranged around an intersection of rural lanes. To the north of this cluster, beside the bungalow at Sunnyview, the corner of the field is marked with drystone wall and grass verge to the roadside. This corner of the field provides views across open countryside towards both standalone and clusters of mature trees that punctuate the landscape. The undeveloped field is important to the setting of the village and the locally distinct character and appearance of the area. Any new dwelling in this location would be intrusive and reduce the scale of those countryside views that make special contribution to the villages setting and locally distinct character and appearance. In these regards the development would be harmful and contrary to policies DC1 and DC3.

7.6 The application site in the corner of the field is at a significantly higher level than that of the roadside and the adjacent plot at Sunny View. From behind the stone retaining wall at roadside the field slopes up to a high point. Cross sections and site plans levels details, confirm that there would be significant excavation to cut into the sloping ground to provide a building plot. But still the proposed dwelling would have a finished floor level of 11.95m above datum, an additional 1.95m above the road level at the front of the neighbouring dwelling and its driveway. A street scene cross

section has been submitted which confirms this and shows how the proposed dwelling would 'sit up' above the neighbour and be overly prominent and dominant against the other dwellings to the south with a roof ridge that would stand proud.

7.7 The proposed dwelling would be built from stone while the nearest neighbours have brick and render elevations. The design of the proposed bungalow, in terms of its scale, proportions, form and arrangement of shape, makes efforts to replicate and reflect those of the adjacent property, albeit the adjacent dwelling is not of any particular design or traditional quality. Overall, however, for all of those reasons discussed above the proposal would be harmful to local distinctiveness, the character and appearance of the area and the setting of the settlement and, as such, contrary to policies SS1, SS9, DC1 and DC3.

Impact on Highway Safety

7.8 The highway authority has requested further information requiring a plan that demonstrated the provision of visibility splays. The applicant was asked to address this request and respond but there was no reply on the matter. It is of note however, that initially the highway authority raised objection to the previous application and recommended refusal. With the previous application the applicant responded and had submitted an amended site plan that shows the proposed access at 7m wide narrowing down to 3.5m, the plan stated that the visibility dimensions (2.4m x 43m) and identified the highway verge. The highway authority was able to confirm that such arrangement would be satisfactory and effectively removed their objection. This indicates that whilst the matter remains unresolved with this application, the previous submission confirmed that with the use of a planning condition a satisfactory access arrangement can be provided and highway safety would not be compromised or raise an issue for refusal.

Impact on Residential Amenity

7.9 The new bungalow would be provided with ample rear garden space with a boundary that would line up with that of the neighbour. Rear windows would face open countryside and the property on the opposite side of the road is set back from the roadside, approximately 30m from the plot, behind an island of common land planted with trees and providing highway verge.

7.10 Windows on the side elevation that would face the neighbour would be limited to a single kitchen window, centrally located with outlook onto the side of the neighbour's garage. The neighbour's property would not be over-looked and their amenity would not be adversely affected. Overall, the amenity available to existing and future occupiers would be satisfactory and there would be no conflict with policy DC1 of the Local Plan in these regards.

Planning Balance & Conclusions

7.11 The provision of a dwelling in this 'smaller village' location would not comply with the criteria-based policy relative to infill development and it would be at odds with the spatial strategy in the development plan. Development in this location would

not be sustainable, it would be intrusive in the countryside and harmful to the character and appearance of the area and the countryside setting of the village.

7.12 Whilst the Council is unable to demonstrate a 5 year housing land supply, it is considered, against the tests at paragraph 11d ii) of the NPPF, that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the small economic and community benefit associated with a very modest contribution to housing supply, when assessed against the policies in the NPPF as a whole.

8. RECOMMENDATION

A. That planning permission be REFUSED for the erection of a bungalow for the following reason(s):

1. The development would undermine and conflict with the Local Plan's spatial strategy for the delivery of housing by providing a dwelling in a relatively unsustainable 'smaller village' rural location that would not be exceptionally provided for by Policy SS9 of the Staffordshire Moorlands Local Plan 2020. In particular, the proposal would not meet the policy criteria in Policy H1 of the Staffordshire Moorlands Local Plan 2020 to be considered as an 'infill development' because it would not be well related to the existing pattern of development; would create and extend ribbon development; would lead to a prominent intrusion into the countryside; and have an adverse impact of significance to the character of the countryside and settlement setting. Whilst the Council is unable to demonstrate a 5 year housing land supply, it is considered, against the tests at paragraph 11d ii) of the NPPF, that the adverse impacts of granting planning permission would significantly and demonstrably outweigh the limited benefits when assessed against the policies in the NPPF as a whole.

2. Any new dwelling in this location would be intrusive and reduce the scale of those countryside views that make special contribution to the villages setting and locally distinct character and appearance. The dwelling would relate poorly to the adjacent neighbour and the other houses in the row because it would be built on a notably higher ground level that would have a form and roof line that would appear above and unduly dominant to its neighbour. In these regards the development would be harmful and contrary to policies DC1 and DC3 of the Staffordshire Moorlands Local Plan 2020.

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.

