

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

14th September 2023

Application No:	SMD/2023/0093	
Location	Breach Lane Caravan Site, Totmonslow, nr Upper Tean, ST10 4JL	
Proposal	Erection of 5no. bungalows and associated works.	
Applicant	Sapling Associates Ltd	
Agent	Rob Duncan Planning Consultancy Ltd	
Parish/ward	Checkley	Date registered: 16.02.2023
If you have a question about this report please contact: Chris Johnston tel: 01538 395400 ext. 4123 christopher.johnston@staffsmoorlands.gov.uk		

REFERRAL

The application is before committee by Cllr Deaville to decide if the application complies with Green Belt policy and also because from a community point of view there would be less traffic than the current use.

1. SUMMARY OF RECOMMENDATION

REFUSE

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The site is in the countryside within a mile to the west of Upper Tean and is on the eastern edge of the small “hamlet” of Totmonslow, a small grouping of dwellings and other buildings. It comprises a small touring caravan and camping site on the north side of Breach Lane, a narrow country lane and which provides access to the property. It is claimed there are pitchings for 5 caravans and 10 tents. There is also a static caravan (managers accommodation) and two medium size solid outbuildings with mono-pitch roofs. In addition to this there are seven small shed or cubicle type buildings. The nine “buildings” are used for toilets, showers and storage purposes. Open land lies to the north and east and also to the south to the other side of the lane. To the west lies dwellings and farm buildings. The site has an area of 0.4 hectares. The site is in the Green Belt.

3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL

3.1 This is a full planning application for five detached 3-bed brick-and-tile bungalows. These would be placed in the west part of the site to the west and north of the site access on open grassland and where there is the static caravan and a small number of outbuildings. It does not appear to include any of the land used as a touring caravan and camping site (and associated facilities/structures) which is to the east of the access although the applicant claims the caravan and camping use would

cease and all nine buildings/structures along with the static caravan would be removed and the land returned to agricultural use. Three of the bungalows would be placed to the west of the access, facing the access drive to the north and two would be placed to the other side of the drive, to the north of it, in the north-west corner of the site. Each would have two parking spaces and a rear garden. The application is accompanied by a Planning Statement, Preliminary Ecology Assessment Report and a Tree Survey Report.

3.2 Further information regarding the vehicle movements from the caravan and camping site was provided on the 17th May 2023.

3.3 On 14th July 2023, amended plans were received showing the relocation of the access approx. 30m along the lane towards the north-west. The new access road would be 4.5m wide (wider than the existing access road) and would involve the removal, setting back and cutting back, by a max 2.5 metres, of 109m of hedgerow to the east of the new access, 23m of hedgerow to the west of the access in order to provide visibility splays of a standard 215m for these types of roads. There would also be some extraction at the new access point to create the right gradient from the lane to the new access road.

3.4 The plans were further amended on 27th July 2023 to show further clarification of the access works including one of the visibility splay locations (to the east), drainage interceptor outflow point and the amount of hedgerow removal to the west of the new access.

3.5 The application files including the drawings, reports and other details of the proposal together with consultation and notification responses can be viewed on the Council website at:

<http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=168564>

4. RELEVANT PLANNING HISTORY

None.

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The Development Plan comprises:

Adopted Staffordshire Moorlands Local Plan - Sep 2020

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

- SS1 Development Principles
- SS2 Settlement Hierarchy
- SS10 Other Rural Areas Strategy
- H1 New Housing Development
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting

- T1 Development and 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 12: Achieving Well Designed Places

Section 13: Protecting Green Belt Land

Section 15: Conserving and Enhancing the Natural Environment

6. CONSULTATIONS

6.1 A site notice was posted and displayed on the edge of the site facing Breach Lane on 21.3.23. Letters were also sent out to adjacent properties shortly after the application was received and 21 days was given for comments in response.

Public response to consultation

6.2 None received.

Draycott in the Moors Parish Council

6.3 No objection.

SCC Highways Authority

6.4 Initial consultation response (18th April 2023):

Recommendation Summary: Refusal

Site Visit Conducted on: 08-Mar-2023

1. Insufficient information.
2. Application fails to provide a safe and reasonable all movements junction with Breach Lane which would restrict access direction and/or require excessive manoeuvring in the carriageway contrary to the interests of highway safety.
3. Application fails to provide adequate visibility onto Breach Lane.

REASONS

ALL In conflict with NPPF paragraph 111; in conflict with SMDC Local Plan Policy DC1; contrary to the interests of highway safety.

NOTES TO PLANNING OFFICER

Application is to construct 5 dwellings on a camp site.

Site plan is overlaid on a topographical survey of the site and shows no alterations to the existing site access arrangements. The planning statement offers no proposals to improve the existing access.

The planning statement acknowledges (para 5.16) that the access does not have particularly good visibility onto Breach Lane.

At para 5.17, the planning statement concludes that '....existing use generates far more vehicular traffic than that which would be expected from 5no. bungalows' but offers no evidence. A traffic count would provide proof. However, it would need to be over an extended period of time to be representative. At the time of my site visit, there were no caravans or tents on the site. The site was clear and the gates were closed. Dwellings would be generating trips year round. The current access does not provide a reasonable access for permanent residential use of multiple dwellings.

6.5 Response to the additional information regarding vehicle movements from the current access, given on 17.5.23 was as follows:

I note that the existing caravan park is seasonal and opens only between May and September. July is not noted, but I take it that it is also open in July. For 6 months of the year, no trips are generated.

From TRICS, 5 dwellings would be expected to generate 18 vehicle movements per day for 12 months a year.

Trip profile for a permanent residential dwelling will differ to that for a short stay caravan park.

There are no proposals to alter the existing access. This access approaches Breach Lane at an acute angle. The only practical way of using this access is to approach from and depart to the south east. Otherwise manoeuvring in the carriageway would be required at a point of severely restricted visibility.

Access always via the south west may be acceptable for a short stay of a few days at a caravan park, but is not practical for 5 permanent residential dwellings. What if the owners wanted to turn left out of the access? Or turn right into the access? And can't safely or reasonably do this.

Owners of the caravan park acknowledge that visibility is restricted as there is a mirror mounted in the line of sight of drivers exiting the site.

Reasons 2 and 3 of my formal response remain applicable. I cannot consider this access safe and reasonable for all users.

6.6 Response to amended plans showing a new access in July 2023:

The revised access point is an improvement over the original proposal.

Drawing 7976-2B shows a visibility splay to the east of 215m but measured incorrectly to the opposite channel. Drawing 2891/topo shows the splay to the east correctly measured at 109m (points C to D). This represents a significant improvement over the existing access and could be supported by highways.

Visibility to the west (points A to B) is stated as requiring 20m of hedgerow to be cut back. It appears that more than 20m will be required to be removed. This should be clarified.

While these splays are improvements, they will require the removal of significant lengths of mature established hedgerow in greenbelt land. This will dramatically alter the streetscene and should be consulted on widely. Hedgerow could be replanted

behind the line of the splay but will take time to establish.

The existing access should be permanently closed.

Access should be surfaced in a bound material for a minimum of 5m.

The access will rise up away from the carriageway which will require excavations and battering back, further altering the streetscene. Long section along the access would be beneficial to demonstrate gradients which should be a maximum of 1 in 10, ideally 1 in 20. Drainage interceptor will be required with an outfall. It is not clear where this could outfall to.

6.7 The Highways response to the further amended access plans, received on 27th July 2023 will be reported at the Planning Committee meeting.

Environmental Health

6.8 The Environmental Health Department has no objection subject to standard conditions.

Staffordshire Wildlife Trust

6.9 A Holding Objection was issued and a Biodiversity Impact Assessment (using the latest Defra metric), outline drainage scheme and outline landscaping scheme were requested. The comments made by SWT were as follows:

The site is in the 'Pastures' Habitat Connectivity Opportunity Area. This means grassland is the main priority as well as associated farmland habitats such as woodland, hedges, ponds and mature/veteran trees. Local corridors in the area include hedgerows and woodland along the disused railway lines. There is a general lack of semi-natural habitat, although there are some more diverse meadows further afield.

Habitats on the site include mainly amenity grassland, with tall ruderal habitats and hedgerows. A species-rich hedgerow is present along the north boundary of the site, which is a Habitat of Principal Importance- this appears to be retained.

The proposal appears likely to result in a net loss of grassland, sections of species poor hedge, tall herb vegetation, scrub, and some trees. Whilst it is noted that there are proposals to plant 40 metres of new hedging along the site boundary, this will not compensate for the loss of other habitats. Other proposed landscaping is not clearly shown.

The PEA has assessed the site for protected/ priority species potential. Nesting birds are likely to be present, and while there is no evidence for great crested newts or reptiles, there are records in the wider area and so relevant precaution should be taken. Bird and amphibian/reptile protection method statement to be secured via condition.

Severn Trent Water

6.10 No objection subject to a condition requiring details of foul and surface water drainage.

SMDC Waste Collection Service

6.11 No issues regarding waste collections.

7. OFFICER COMMENT AND PLANNING BALANCE

Introduction

7.1 Paragraph 11 of the National Planning Policy Framework (NPPF, 2021) promotes a 'presumption in favour of sustainable development'. For decision takers this means:

(c) approving development proposals that accord with an up-to-date development plan without delay; or

(d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless:

i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

7.2 Paragraph 8 of the NPPF (2021) identifies three dimensions to sustainable development as being economic, social and environmental. In accordance with policies SS1 and 1a of the Staffordshire Moorlands Local Plan, the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protect, and where possible, enhancing the environment. When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF (2021).

7.3 The main issues with the proposal are as follows:

- Whether or not the proposal amounts to inappropriate development in the Green Belt
- The principle of the development in this location and sustainability
- The impact on the character and appearance of the area.
- The impact on residential amenity.
- The impact on the ecological value of the area
- The impact on highway safety.

Whether or not the proposal amounts to inappropriate development in the

Green Belt and the overall principle of the development.

7.4 The site is in the Green Belt and Policy SS10, the strategy for the countryside, states there will be strict control over inappropriate development in the Green Belt. The NPPF in paragraphs 149 and 150 lists the exceptional types of development which are not inappropriate in the Green Belt and which are therefore not harmful to its openness. New-build dwellings are not listed. Limited infilling in villages is listed but Totmonslow is not a village and in any case, the site is not an infill plot as it does not lie between buildings. The change of use of land is listed providing the openness of the Green Belt is preserved and there is “no conflict with the purposes of including land within it”. Also listed is the limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development.

7.5 It is debatable whether the property can be deemed to be previously developed land as it largely open in nature and most of it is open grassland with plots for caravans and tents which are not permanent structures. There is a number of small low key structures for storage or facilities associated with the caravan and camp site but it is also debatable if these could be classed as permanent rather than “temporary” buildings due to their form and materials.

7.6 Regardless of the above, it is clear that the proposed new five dwellings and access road would lead to a substantially greater impact on the openness of the Green Belt than the current buildings or use of the site.

7.7 Of the current buildings, six are small sheds, two are flat roofed low mono-pitch outbuildings which have a total footprint of 55sq.m and height of no more than 2.5m. The static caravan on site covers 40 sq.m and there is another building of 34 sq.m. Both of these have heights not exceeding 3m. The total amount of space covered by buildings and the static caravan is approximately 130 sq.m in total and with heights not exceeding 3m.

7.8 All of the buildings and the static caravan would be removed from the site. In its place, the proposal would provide five bungalows, each with a footprint of 165 sq.m and with a total footprint of approximately 825 sq.m. The bungalows have a height of 6m from ground to roof ridge, over twice as high as the average height of the other buildings.

7.9 Due to the substantially greater impact on the Green Belt, which has not been “preserved”, the proposal would therefore amount to inappropriate development in the Green Belt which by definition in the NPPF would be harmful to its openness and which should not be allowed unless there are very special circumstances which are considered to outweigh the identified level of harm to the Green Belt and the operation of Green Belt policy. However, no very special circumstances have been put forward by the applicant and none appear to exist.

7.10 It is recognised that there is a significant undersupply of housing in the District and the Council cannot demonstrate a five year housing land supply. However, this would not amount to very special circumstances. Para 11 of the NPPF gives “a

presumption in favour of sustainable development” and with regard to decision making .states where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date (which is the case in Staffs Moorlands as it cannot demonstrate a five-year housing land supply, permission should be granted unless: i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

7.11 Criterion (i) would apply here because the site is in the Green Belt which is an asset of particular importance protected by Section 13 of the NPPF and therefore this provides a clear reason for refusing the development i.e. being inappropriate development and therefore harmful to its openness. The “tilted balance” is therefore not required to be engaged.

7.12 The proposal can also not be deemed to be sustainable due to the location of the site which would lead to a high reliance on the car to reach nearby services and therefore potentially increased emissions. There are no shops, services or facilities in Totmonslow and to reach the nearest large village (Upper Tean), a mile away, would involve travel along Breach Lane which in either direction from the site access does not appear suitable for walking due to it being a narrow lane enclosed by hedgerows and where there is no footway. Although the site has been in use as a caravan and camping site with 5 pitches for caravans and 10 for tents together with the managers accommodation caravan, which generates a significant number of vehicle movements, the use is seasonal whereas the total current traffic generated is not demonstrated to exceed the predicted vehicle movements generated by five new 3-bed dwellings.

7.13 Overall the proposal amounts to inappropriate development in the Green Belt and is also unacceptable in principle due to it not representing sustainable development contrary to policies H1 and SS10 of the Local Plan and also para 11 and Section 13 of the NPPF.

The impact on the character and appearance of the area

7.14 The replacement of a number of small shed-like structures or store buildings and a caravan with five brick bungalows with a height of 6.0 metres would have a significantly greater visual impact. The site is approached from the east along a narrow country lane with a very rural character in keeping with the countryside and the bungalows would be visible above the hedgerow when approaching Totmonslow. The site abuts onto open land and fields to the north and east and there are fields on the opposite side of the lane to the south. The proposed development would appear as an encroachment of the settlement of Totmonslow into the open countryside towards the east. It would also be visible from a public footpath crossing fields a short distance to the north of the site. It is considered this would amount to harm to the mainly rural character and appearance of the area. Furthermore, the design of the bungalows could be described as “suburban bungalows” rather than “rural dwellings”. However, the design is not inappropriate in the context of the adjacent “built-up” part of Totmonslow and the mixed types and designs of dwellings in this

area and it is noted that a cul-de-sac development of seven new dwellings has commenced in Totmonslow to the other side of Breach Lane and to the north of Draycott Road which are of a similar style to the ones proposed for the caravan site. The other site to the south where seven dwellings are proposed is enclosed by existing housing to the north and west and by a busy main road to the south. It would not encroach any further into the open countryside to the east unlike this current proposal. The site to the south has a different character that is more integrated with the built environment and the “built-up” nucleus of the Totmonslow.

7.15 The harm to the rural character and appearance of the area would be exacerbated by the proposed new access works which would involve significant alteration to the narrow country lane to provide long visibility splays required to provide a sufficiently safe access for the predicted increase in traffic to and from the site. This includes the removal, replacement and cutting back of the established hedgerow, very much integral to the rural character and appearance of the lane, by up to 2.5m and also some ground extraction works at the access point, providing a wider, 4.5m access road, which would also add to the urbanising impact of the development.

7.16 There are a number of trees on site particularly close to the west boundary and these contribute positively to the rural character and appearance of the area. A Tree Report was submitted and the Council concurs with its findings that the bungalows will not encroach within the root protection zones of any of the trees within or just outside of the site. The access road will slightly encroach within the root zone of a “Category A” (high quality) tree but harm will be avoided with a careful foundation design (such as a widely used “no dig” method).

7.17 However, overall, the proposal would harm the character and appearance of the area due to the level of encroachment of built development into the open land adjacent to the settlement and harm to the character and appearance of the country lane on the approach into Totmonslow from the access works. The proposal would therefore not comply with policies DC1 or DC3 of the Local Plan.

The impact on residential amenity

7.18 There are dwellings to the west of the site including an adjacent house. One of the new dwelling would be placed approximately 2.0 metres from the shared boundary which is to the side of the existing house. However, there is a significant gap between the boundary and the actual side of the house and there is also a couple of large outbuildings between the boundary and house which also help to screen the dwelling from the caravan site along with a boundary hedge and trees. As the proposal is for bungalows only, there would be no overlooking concerns and due to the distance and screening between the existing house and the development, no overall harms to the existing residential amenities of the area would result.

7.19 With regard to the living conditions of the future residents of the site, the dwellings could comply with the governments Nationally Described Space Standards and the garden sizes would comply with the Council’s Space About Dwellings SPG.

7.20 Overall, the proposal would not harm residential amenity and in this respect

would comply with the relevant part of Policy DC1.

The impact on highway safety

7.21 The local highways authority objected to the proposal on the basis of the current site access to be unsuitable for the traffic created by five new dwellings. This is due to the access being difficult (for manoeuvres) and restricted off Breach Lane, given the narrow width of the lane, poor visibility and the angled position of the access track onto the lane. The local highways authority did not accept that the proposed five bungalows would not lead to an overall decrease in traffic in relation to the more seasonal use of the caravan and camping site on the basis of the further information provided by the applicants agent.

7.22 The plans were then amended to propose a new more suitable access 30m along the lane with significant works to create sufficient visibility splays and which would involve a new section of access road more perpendicular with the lane. The local highways authority accepted that this would be a sufficiently safe solution and could be supported but requested some further clarification of one of the splays and further details of hedgerow removal and outflow from a required drainage interceptor.

7.23 The final comments of the local highway authority will be reported at the Planning Committee meeting.

The impact on the ecological value of the site

7.24 A Preliminary Ecological Assessment (PEA) Report was submitted and Staffordshire Wildlife Trust considered this to be undertaken to a satisfactory standard. It commented that the habitats on site comprises mainly amenity grassland and that a species rich hedgerow exists on the north boundary of the site which would be retained.

7.25 However, a "Holding Objection" was issued on the basis that the proposal did not demonstrate any Biodiversity Net Gain (BNG).

7.26 Whilst Policy NE1 of the adopted Local Plan states that such BNG should be provided "where possible" there is no policy requirement for this for all development. It is not considered that a reason for refusal on ecology grounds would be sustainable given that no direct harm to protected species has been identified. Furthermore, the size of the site within the applicants ownership which would include areas of open land where caravan and camping pitches exist is sufficient to allow further ecological measures and improvements leading to Net Biodiversity Gain and which can be achieved by way of a planning condition.

Conclusion and Planning Balance

7.27 The proposal for five new bungalows in this location and a substantially greater scope of development than what currently exists is deemed to be inappropriate development in the Green Belt and would by definition harm the openness of the Green Belt. No very special circumstances have been put forward by the applicant and none appear to exist. Furthermore, the encroachment into open countryside

from the edge of the “built up” part of Totmonslow together with the significant works to create the new access would be harmful to the rural character and appearance of the area. The proposal therefore does not comply with the Council’s Local Plan including Policy SS10 which requires strict control over inappropriate development in the Green Belt and resists market value new-build dwellings on greenfield land in the countryside. It would also be contrary to the government planning guidance contained in the National Planning Policy Framework (NPPF) due to the harm to the openness of the Green Belt and therefore the application should be refused.

8. RECOMMENDATION

A. That the application be REFUSED for the following reasons:

1. The application site is in the Green Belt. Policy SS10 ‘Other Rural Areas Strategy’ of the Council’s Local Plan (adopted September 2020) requires strict control over inappropriate development in the Green Belt. The government planning guidance contained in the National Planning Policy Framework (NPPF) at paragraphs 149 and 150 sets out the forms of development which are not inappropriate development in the Green Belt. It does not include new-build market-value dwellings and the development is not considered to fall into any of the other categories of development listed in paras 149 and 150. The proposed development in providing five new bungalows and a substantially increased volume of development in relation to the amount of development to be removed is therefore deemed to be inappropriate development in the Green Belt and is therefore by definition, harmful to its openness. Inappropriate development should only be allowed where very special circumstances, considered to outweigh the harm to the Green Belt, have been demonstrated. However, no such very special circumstances exist. The proposal is therefore contrary to Section 13 of the NPPF and is also contrary to Policy SS10 of the Council’s adopted Local Plan which, also, resists new-build market-value dwellings in the countryside.

2. The location of the site is not accessible to shops and services via means other than private transport and there are no pedestrian facilities from the site to reach public transport. The proposed development is predicted to lead to an increase in vehicle movements in relation to the current use of the site. The site is deemed to not be in sustainable location. The proposal is therefore contrary to policies H1 and T1 ‘Sustainable Transport’ of the Council’s Local Plan.

3. The development on largely open land outside of the edge of the built-up part of a settlement would represent an encroachment into the countryside and the development of five new bungalows, a new wider access and the associated works required along a narrow country lane to provide adequate visibility splays would have an urbanising impact on the area, harmful to the rural character and appearance of the country lane and the overall rural character and appearance of the wider area, contrary to policies SS10, DC1 ‘Design Considerations’ and DC3 ‘Landscape and Settlement Setting’.

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

