

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

19 October 2023

Application No:	SMD/2023/0284	
Location	Launders Bank Farm, Eaves Lane, Armstead	
Proposal	Variation of condition 2 (plans) relating to SMD/2020/0491	
Applicant	Mr George Hughes	
Agent	N/A	
Parish/ward	Werrington	Date registered: 12 th June 2023
If you have a question about this report please contact: Rebecca Bowers Email rebecca.bowers@staffsmoorlands.gov.uk		

REFERRAL

The application is before committee as the applicant is related to a councillor.

1. SUMMARY OF RECOMMENDATION

Approval

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 Launders Bank Farm has been farmed by the applicant's family as a tenanted holding since the 1930s and was acquired by the applicant in 2016. The holding comprises a unit of 24.3 ha of land with an additional area of 16 ha of land nearby. Until 2002, the holding supported a small dairy enterprise of 40 cows and was the site of a haulage operation which ceased in 2017.

2.2 The farmstead has an existing two storey dwelling comprising two bedrooms, bathroom, living room, kitchen, and utility room. It is stated to be structurally unstable and incapable of being viably reinstated to modern residential standards. The dwelling was last occupied in the 1980s.

2.3 Many of the buildings are small traditional stone structures forming a yard area with the dwelling. Associated with these are a small number of utilitarian structures of more modern construction. All the buildings are in a poor state of repair and of limited agricultural value which reflects the previous landowner's management approach.

2.4 The current farming enterprise is stated in the Agricultural Appraisal to be based on a suckler cow herd of 100 animals, which are said to be winter housed at Launders Bank Farm.

2.5 The application site is located in an isolated position within the North Staffordshire Green Belt. It is accessed from Eaves Lane to the east of the site which comprises a single track.

2.6 Consent was granted for a replacement dwelling on the 19th April 2022.

3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL

3.1 Consent is sought to vary condition 2 (approved plans) of application SMD/2020/0491 which was granted consent by planning committee in April 2022.

3.2 The application proposed to increase the footprint of the dwelling to provide an additional single storey element to form a utility and wc and a chimney stack on the north elevation. The plans also propose solar panels and a heat pump.

3.3 Details of the application scheme can be viewed at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=139464>

4. RELEVANT PLANNING HISTORY

SMD/2018/0166 Outline permission with some matters reserved for a replacement farm dwelling
Withdrawn

SMD/2020/0491 Replacement Farm Dwelling – Approved with conditions

DOC/2022/0025 Discharge of condition 1,2,3,4,5,6,7,8,9,10 and 12 relating to SMD/2020/0491 some conditions discharged.

5. PLANNING POLICIES RELEVANT TO THE DECISION

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

5.1 The Development Plan comprises the Local Plan Development Document (adopted September 2020).

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

- SS1 Development Principles
- 1a Presumption in Favour of Sustainable Development
- SS2 Settlement Hierarchy
- SS10 Other Rural Areas Strategy
- H1 New Housing Developments
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- T1 Development and Sustainable Transport
- NE1 Biodiversity and Geological Resources

National Planning Policy Framework (NPPF) Revised (2019)

5.3 The following sections of the NPPF (2019) are particularly relevant to this application:

- 2: Achieving sustainable development
- 4: Decision making
- 5: Delivering a sufficient supply of homes
- 9: Promoting sustainable transport
- 12: Achieving well-designed places
- 13: Protecting Green Belt land
- 15: Conserving and enhancing the natural environment

6. CONSULTATIONS

Public response to consultation

6.1 No comments were received.

Werrington Parish Council

6.2 No comments were received.

SCC Highway Authority

6.3 No objection on highways grounds to the proposal.

Severn Trent Water

6.4 No objection to the proposals and do not require a drainage condition to be applied.

7. OFFICER COMMENT AND PLANNING BALANCE

7.1 The main issues relate to:

- Whether the proposal complies with the housing policies of the Local Plan.
- Whether the proposal comprises an exception to inappropriate development in the Green Belt.
- Impact on the character and appearance of the surrounding area.
- Impact on residential amenity.
- Impact on highway safety.
- Impact on ecology.

Background to the Planning Application

7.2 The application relates to a previously approved scheme at the site for a replacement dwelling. The previous scheme was approved at planning committee contrary to the officer's original recommendation to refuse the scheme on the basis of concerns regarding the acceptability of the development giving its green belt

designation and the proposed design and materials. However, the committee resolved that the application should be approved for the following reasons: Improvement of amenity, development supports the rural economy and in the interest of providing new housing within the District.

An application to discharge a number of conditions on the permission was submitted in April 2023. All conditions requiring the submission of further information have been discharged with the exception of the ecology conditions which should be re attached to any subsequent permission.

Principle of Development

7.5 The application site is located in the Open Countryside and North Staffordshire Green Belt whereby policy SS10 of the Local Plan (2020) is applicable.

7.6 The principle of the development has been established under application SMD/2020/0491.

Green Belt

7.9 The application site is located within the North Staffordshire Green Belt. Policy SS10 states that strict control will continue to be exercised over inappropriate development within the Green Belt, allowing only for exceptions as defined by Government policy.

7.10 Paragraphs 147 and 148 of the NPPF (2021) state *‘that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances’* and *‘when considering a planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt’*.

7.11 Paragraph 148 of the NPPF (2021) states, *‘Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.’*

7.12 Paragraph 149 of the NPPF (2021) states that the construction of new buildings within the Green Belt comprise inappropriate development, unless the proposed development complies with the list of exceptions. One exception of relevance to this application is:

d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

7.13 In *R (on the application of the Heath & Hampstead Society) v Camden*, the Court ruled that *‘materially larger’* was a mathematical exercise and not one of perception.

7.14 Whilst a volume comparison was not undertaken, it is clear from comparing the drawings of the existing and proposed dwellinghouses that this would also result in a

significant increase. The replacement dwellinghouse as previously approved was considered to be materially larger than the dwellinghouse it would replace and therefore it would comprise inappropriate development in the Green Belt. However, the Committee considered that there were very special circumstances as described in the “Background” section above to outweigh the harm to the Green Belt.

7.15 The addition of the single storey element as now proposed will increase the volume of the dwelling and cause further harm to the openness of the Green Belt and purposes of including land within it and therefore it is important to ensure that given the additional harm identified, that the very special circumstances continue to outweigh the harm.

7.16 The Very Special Circumstances demonstrated with this application is the fall-back position of the already approved dwelling on the site. When comparing the approved dwelling and proposed dwelling. There is a small addition in footprint to provide a utility/wc that would be used as a plant room for the dwelling, solar panels and a heat pump are now proposed. The environmental benefits of the use of a heat pump and solar panels are considered to weight in favour of the proposed development.

7.17 As the committee previously demonstrated Very Special Circumstances to approve the original scheme it is considered that the environmental benefits of the scheme and the additional benefits described by the planning committee when compared with the previous approval would outweigh any additional harm caused by the small footprint increase.

7.18 The proposed replacement dwellinghouse comprises inappropriate development in the Green Belt and however Very Special Circumstances have been demonstrated which are considered to clearly outweigh the harm to the Green Belt.

Impact on the Character and Appearance of the Area

7.19 Policy DC1 refers to design and seeks to secure development of a high quality which is designed to add value to the area and to respect the site and its surroundings. New development should promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance.

7.20 Policy DC3 of the Local Plan seeks to protect and where possible, enhance local landscape and the setting of settlements, resisting development that will lead to a prominent intrusion into the countryside or have a significant adverse impact on the character or the setting of a settlement or important views into and out of the settlement.

7.21 Policy SS10 of the Local Plan seeks to enhance and conserve the quality of the countryside by 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.

7.22 Paragraph 130 of the NPPF (2021) requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture.

7.23 The Landscape Character Assessment outlines that the application site is located within the Potteries and Churnet Valley character area and within the Ancient Plateau Farmlands character type. The landscape is described as a gentle undulating landform with some steep slopes; heathland including wet heath with rushes and rough grasses; drystone walls with remains of unmanaged hedgerows and isolated trees; fields often demarcated by fencing; dairy farming and horse grazing; isolated stone farm houses and buildings converted to residential dwellings.

7.24 The Landscape Character Assessment states that the '*Planning for Landscape Change Supplementary Planning Guidance to Staffordshire and Stoke on Trent Structure Plan, identifies this landscape character area as a landscape in decline that requires restoration. Urban fringe pressures have had a particularly adverse impact on the landscape quality of this area due to the proliferation of incongruous features and the deteriorating condition of existing landscape features*'.

7.25 The proposed development will comprise the demolition of an existing two-storey, two double bedroomed, dilapidated farmhouse that is constructed of brick and rendered. It has a tiled pitched roof and is attached to some of the traditional stone built agricultural buildings that, together, have a U-shaped plan form. Due to the dilapidated condition of the existing farmhouse, no objection is raised to its demolition, thus complying with part (5) of policy H1 of the Local Plan (2020).

7.26 The application proposes to vary the plans condition of the previously approved scheme. The proposed development would like the approved scheme to be located approximately 15.5 metres south west of the existing farmhouse, within part of an existing agricultural field. The proposed dwellinghouse will comprise an L-shaped, detached, two-storey dwellinghouse. It will have an open-sided porch, living room, dining room, kitchen, the approved utility/wc will be replaced by a study/playroom. The development now includes a single storey element which would provide the utility room and wc. The first floor will remain as 4no. bedrooms (one with an ensuite) and a bathroom.

7.31 The proposed dwellinghouse will have a pitched roof with a forward facing gable and half dormers above the first floor windows within the front elevation. The application form states that the dwellinghouse will be constructed of brick and tile with wooden windows and doors. The front elevation of the existing farmhouse faces due south, whilst the front elevation of the proposed dwellinghouse will face due east.

7.31 The committee previously accepted that the design of the scheme is appropriate. As the proposed development would be similar in design to the approved scheme the development will have minimal additional impact.

7.32 For the reasons outlined above, the proposed replacement dwellinghouse will have an acceptable impact on the visual amenity of the area.

Impact on Highway Safety

7.35 Policies DC1 and T1 seek to achieve a level of parking and an access that is appropriate to the development it serves.

7.36 The Highway Engineer has assessed the application and raises no objection to the proposed development

7.37 The proposed dwellinghouse will have 4no. bedrooms and according to the Parking Standards at Appendix 2 of the Local Plan (2020), 3no. off-street parking spaces are required. The submitted Site Plan demonstrates that 3no. parking spaces will be provided adjacent to the proposed replacement dwellinghouse. The proposed development will therefore comply with Appendix 2. There is no change in parking requirements or arrangements compared to the approved scheme.

7.38 The proposed development is therefore considered to comply with policies DC1 and T1 of the Local Plan (2020) and the NPPF (2021) in respect of highway safety.

Impact on Residential Amenity

7.39 Local Plan policy DC1 and paragraph 130(f) of the NPPF (2021) seek to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

7.40 The application site is isolated with no other dwellinghouses in close proximity. It will therefore not adversely affect neighbouring amenity.

7.41 The proposed replacement dwellinghouse will be sited in close proximity to the existing farm buildings, albeit, not as close as the existing farmhouse. The dwellinghouse will be occupied by the applicant, who will work on the farm and therefore the occupant will not be adversely affected by the proximity of the dwellinghouse to the farm buildings and animals.

7.42 The replacement dwellinghouse is substantial in size and significantly exceeds the minimum internal floorspace dimensions as outlined within the Nationally Described Space Standards. The private amenity space proposed for the dwellinghouse also significantly exceeds the 65m² required by the Space About Dwellings SPG (it will comprise 250m²). The amenity of the future occupiers of the proposed replacement dwellinghouse will therefore not be adversely affected.

7.43 The development will therefore comply with policy DC1 of the Local Plan (2020) and the NPPF (2021) in respect of amenity.

Impact on Ecology

7.44 Policy NE1 outlines that the biodiversity of the District will be conserved and enhancement by positive management and the strict control of development by (1) protecting and enhancing habitats and species of principal importance for conservation; (2) ensuring development produces a net gain in biodiversity and; (3)

any unavoidable impacts are mitigated.

7.45 The proposed development involves the demolition of the existing farmhouse that is dilapidated and has not been lived in since the 1980s. A bat and bird survey was submitted with the previous application which concluded that the development would not adversely affect habitats subject to the imposition of conditions in respect of mitigation and enhancement measures. The proposed development will therefore comply with policy NE1 of the Local Plan (2020) and the NPPF (2021).

Planning Balance & Conclusions

7.49 The proposed development comprises inappropriate development in the Green Belt as the replacement dwellinghouse will be materially larger than the dwellinghouse it will replace. However Very Special Circumstances relating to the fall back position of the approved dwelling, the benefits of an additional dwelling in the District, the development supporting the rural economy and the improvements to the amenity of the area were all considered previously by the Committee to weigh in favour of the proposed development.

7.50 The amended scheme involves the addition of a single storey element which will cause additional harm to the openness of the Green Belt and purposes of including land within it. However, the environmental benefits of the amended plans relating to the use of a heat source pump and solar panels also weigh in favour of the development and are considered to outweigh that additional harm.

7.51 The development is not considered harmful to the visual amenity of the area, nor would the development have an unacceptable impact on neighbour amenity, highway safety or ecology.

7.53 It is for the above reasons and having regard to all material considerations and matters raised that the application is recommended for approval subject to conditions.

8. RECOMMENDATION

A. That planning permission be approved subject to the following conditions.

1. The development hereby permitted shall be commenced before the expiration of three years from the date of the original consent, reference 3/2020/491 granted on 19.04.2022

Reason: Required to be imposed pursuant to Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Unless explicitly required by condition within this consent, the development hereby permitted shall be carried out in complete accordance with the proposals as detailed on drawings:

Location Plan

Site Plan

Proposed Plan and Elevations: Dwg no 1 RLB received 25.09.2023

Solar Panel Details received 09.10.2023

REASON: For the avoidance of doubt and to clarify which plans are relevant to the consent.

3. This condition has been previously partially discharged by virtue of application DOC/2022/0025. The approved materials are as follows. Hampton rural blend brick, Heritage blend brick and Marley Hawkins Plain Tile Staffordshire Blue Clay. The applicant shall note that the development must be completed in full accordance with these details.

Reason: In order that the Local Planning Authority may ensure that the materials used are appropriate to the locality.

4. This condition has been previously partially discharged by virtue of application DOC/2022/0025. The approved details are as follows. '0491 site plan – including levels' and '2023-06-13_222713 - condition 4 site plan'. The development must be undertaken in strict accordance with these details.

Reason: In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties.

5. This condition has been previously partially discharged by virtue of application DOC/2022/0025. The approved details are as follows. Details submitted under 0491 Landscaping Plan by TD Thursfield Kerry Hill Nursery and amendments agreed to on email dated 12th May 2023.

Reason:- To ensure the appropriate landscape design and in the interests of the visual amenities of the area.

6. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard [4428 : 1989]. The works shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed in writing by the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.

Reason:- To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

7. This condition has been previously partially discharged by virtue of application DOC/2022/0025. The approved details are as follows 'details submitted under Discharge of Conditions Application document and following email dated 26th June 2023 '. Once the existing farmhouse is demolished, the footings will remain in place and the ground will be stoned over, being incorporated as part of the farmyard in the same material

Reason:- The permission is for a replacement dwellinghouse and therefore the original farmhouse has to be demolished in order to comply with Green Belt policy.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Class(es) A, B, D, E and F and Part 2 Class A, other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority. Reason:- The dwellinghouse comprised inappropriate development in the Green Belt and was only approved due to Very Special Circumstances. Permitted Development Rights have been removed to ensure the openness of the Green Belt is maintained.

9. This condition has been previously partially discharged by virtue of application DOC/2022/0025. The approved details are as follows '0491 Energy Report and 0491 CAD Energy Survey'. The development shall be undertaken in accordance with the approved details and shall be completed prior to the occupation of the dwellinghouse hereby approved. The agreed measures shall be retained for the lifetime of the development.

Reason:- To ensure the development is sustainable and energy efficient.

10. Prior to the construction of the dwellinghouse hereby approved, a scheme of biodiversity enhancement shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include, but shall not be limited to, the measures outlined within Chapter 4 of the Bat and Bird Activity Survey produced by Charnia Ecology and dated September 2021. The approved measures shall be implemented in full prior to the occupation of the dwellinghouse hereby approved, unless alternative timings are first agreed in writing by the Local Planning Authority.

Reason:- To ensure the development achieves a net gain in biodiversity.

11. The development hereby approved shall be undertaken in accordance with the mitigation measures outlined in Chapter 4 of the Bat and Bird Activity Survey produced by Charnia Ecology and dated September 2021.

Reason:- To protect existing protected species and birds.

- 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.**

Site Location Plan

