

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**28th March 2024.**

<b>Application No:</b>	SMD/2023/0477	
<b>Location</b>	Land off Basford View Cheddleton	
<b>Proposal</b>	Outline application for a single affordable dwelling.	
<b>Applicant(s)</b>	Mr and Mrs Bickley	
<b>Agent</b>	Sammons Architectural Ltd	
<b>Parish/Ward</b>	Cheddleton	<b>Date registered</b> 22.09.2023
<b>If you have a question about this report please contact:</b> Mrs L. Jackson <a href="mailto:lisa.jackson@staffsmoorlands.gov.uk">lisa.jackson@staffsmoorlands.gov.uk</a>		

## **REFERRAL**

The application is referred to committee at the request of Cllr Worthington who considers the site to be an infill site.

## **SUMMARY OF RECOMMENDATION**

**Refuse**

### **1. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

1.1 A rectangular shaped, plot of undeveloped grassland/field area on the southern side of Basford View. Basford View is an unadopted access which links to the A520 Leek Road to the west. The northern boundary borders Basford View and is separated from it by railings. There are open views from the site towards the south and a small number of sporadically positioned dwellings within the vicinity.

For the purposes of planning policy consideration the application site is located within the Green Belt. The land is not within the Cheddleton Conservation area or any identified flood zone. There are no nearby listed buildings/structures or protected trees which need to be considered.

### **2. DESCRIPTION OF THE PROPOSAL**

2.1 The application is for outline consent with all matters reserved (apart from access) for the erection of a single, detached, affordable dwelling. The Indicative Site Plan shows a newly formed access, driveway, parking for two vehicles and a turning head. The plan also shows garden spaces to the front and rear of the dwelling with newly planted trees and mixed, native species hedgerows to all four boundaries. There are no indicative elevation plans and no details submitted on either the plans or the application form, concerning the proposed number of bedrooms. The application form states no pre-application advice has been sought.

2.2 The application is accompanied by the following documents;

- Planning Design and Access Statement
- Basford View Pre-liminary Ecological Appraisal (October 2022)
- Basford View Bio-diversity Metric 3.1.

2.3 The application, the details attached to it, including the plans, any comments made by residents and the responses of consultees can be found on the Council's website by using the following link:-  
<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=174284>

2.4 This is a resubmission following refusal of Outline application reference SMD/2023/0167 for a single dwelling with all matters reserved except access. The application was refused for the following reasons:

1. The application site is within the Green Belt. Section 13 of the National Planning Policy Framework states that new dwellings are considered to be inappropriate development unless they fall within one of a number of categories of development listed in paragraphs 149 and 150. The principle of a new build dwelling does not fall within any of the exceptions and is therefore inappropriate development in the Green Belt which would harm its openness. No very special circumstances have been demonstrated to outweigh the harm. The proposal is therefore considered to be contrary to the provisions of policies SS1, SS10 and H1 of the Staffordshire Moorlands Local Plan and section 13 'Protecting Green Belt Land' of the National Planning Policy Framework.
2. No information has been submitted to demonstrate that the development would not have an adverse impact upon ecology. The application is therefore contrary to policy NE1 of the Staffordshire Moorlands Local Plan and section 15 'Conserving and enhancing the natural environment' of the National Planning Policy Framework.

### **3. RELEVANT PLANNING HISTORY**

SMD/2023/0167 Outline application with details of access (all other matters reserved) for a single dwelling. Refused.

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

4.1 The following Staffordshire Moorlands Local Plan policies are relevant to the application:-

- SS1 Development Principles
- SS2 Settlement Hierarchy
- SS3 Future Provision and Distribution of Development
- SS8 Larger Villages Areas Strategy
- SS10 Other Rural Areas Strategy
- SS11 Churnet Valley Strategy
- H1 New Housing Development
- H2 Housing Allocations
- H3 Affordable Housing

- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Woodland and Hedgerows
- T1 Development and Sustainable Transport
- Appendix 2 Parking Guidance

4.2 The National Planning Policy Framework is relevant in the consideration of the application, including sections;

Section 2:	Achieving sustainable development
Section 4:	Decision making
Section 5:	Delivering a sufficient supply of homes
Section 6:	Building a strong, competitive economy
Section 9:	Promoting sustainable transport
Section 12:	Achieving well-designed and beautiful places
Section 13:	Protecting Green Belt land
Section 15:	Conserving and Enhancing the Natural Environment
Section 16:	Conserving and enhancing the historic environment

#### National Planning Policy Guidance

#### Supplementary Planning Guidance

1. Design Principles for Development in the Staffordshire Moorlands
2. Space About Dwellings

#### Supplementary Planning Document

1. Staffordshire Moorlands Design Guide
2. Developer Contributions.

#### Churnet Valley Masterplan

### **5. CONSULTATIONS CARRIED OUT**

Site Notice: Expired.

Neighbour notifications: Expired.

**OFFICER NOTE:** This application was originally submitted seeking Outline permission with all matters reserved (except access) for a single dwelling, all consultations were carried out accordingly. The applicant then made the decision to amend the application to seek Outline consent with all matters reserved (except access) for a single, affordable dwelling resulting in a second round of consultations being undertaken. For the purposes of clarity, this change was not at the request of the council. In the interests of clarity the representations are reported below and where applicable it is outlined whether the comments were received relating to the original or amended proposal.

#### Letters of representation

Six letters of representation (objection) received, the comments of which can be summarised as follows:-

Original submission comments

- Neighbour's boundary is up to the area of the proposed access point.
- Land is Green belt
- No current buildings on the site and the development would constitute a change of use from green belt to residential land
- The development does not constitute
- Infill of a piece of land. There are no dwellings located to the East of the site and there is no built up frontage.
- Proposed access is well-screened, will not be able to see cars coming out of the land. Unsafe for people.
- Poor state of the road/track
- More cars/vans/lorries due to this application will cause even more issues and cause more damage to the already damaged existing track.
- Very few passing places along Basford View
- Narrow lane for access which is already at capacity
- Agricultural and protected green belt area
- Environmental impact on adjacent area where kestrels are nesting
- There is no shortage of dwellings for sale in Cheddleton or the surrounding areas.
- No special circumstances regarding this development that would warrant an approval.

Revised submission (affordable dwelling) comments

- Land is Green Belt. Applicants are suggesting to build an affordable dwelling in order to get plans passed.
- Previous applications were not for an affordable dwelling
- Permission has been granted further along the lane but this already had buildings on it
- No need to develop this land and breach Green Belt laws
- Access to site is well-screened, not be able to see cars and people
- Basford view is in a state of disrepair, more cars/vans/Lorries will cause even more issues to the track and for the current residents
- will exacerbate parking issues;
- Biodiversity and wildlife will be affected. Many species of wildlife in this meadow land and an owl box close to the southern border
- No clarity with regards to foul water
- Unknown number of bedrooms

**Cheddleton Parish Council: (First consultation response):** Objection as within the greenbelt and previous application SMD/2023/0167 was refused.

**Cheddleton Parish Council (Second consultation response):** No objection as it does provide avoidable housing, which needs to be stipulated and is the only reason for changing our initial decision as it is within the greenbelt.

**Conservation Officer:** This site is within the setting of Cheddleton Conservation Area. I encourage the inclusion of a Heritage Statement and Impact Assessment going forward.

**Waste Services (SMDC):** No issues regarding waste collections. This will be serviced by a cage van so the service will be limited.

**Trees (SMDC):** Awaited.

**Severn Trent Water:** No objections subject to a condition to secure drainage plans for the disposal of foul and surface water flows.

**Staffordshire Wildlife Trust:** The biodiversity metric shows there to be a net-loss to biodiversity of - 31.04% of baseline habitats. The linear hedgerow will be 100% net gain under the current plans. Whilst it is encouraging to see such high gains for linear habitats, this does not compensate for the loss of baseline habitats. We would therefore encourage implementation within the soft landscaping design to include some form of a wildflower/hedgerow margin, so to compensate for the loss of grassland habitat (linear and baseline are scored separately in the metric, as hedgerow (for example) does not necessarily provide the niches for species which depend on grassland habitat, which will be lost as a result of the proposed). Ideally we would want to see such an area secured within the designs during the outline stage, with soft landscaping finalised at reserved matters. Para 180 (d) of the NPPF states, "*development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to improve biodiversity in and around developments should be integrated as part of their design, especially where this can secure measurable net gains for biodiversity or enhance public access to nature where this is appropriate*".

The PEA report also makes a series of recommendations for mitigation and enhancements for protected species, which should be secured within the conditions/reserved matters, such as:

- Installation of bat boxes and bird nest boxes on the proposed building (integrated) and/or on trees
- Reasonable Avoidance Measures Statement to be provided for amphibians, reptiles, hedgehogs and badgers.
- Any vegetation clearance (this includes grassland) between the second half of February to the end of September to be checked by an ecologist immediately prior to commencing (within 24 hours) to check for nesting birds. Should nesting birds be identified, then the instruction of the Ecologist is to be followed.

**Highways (Staffordshire County Council):** No objections in relation to either of the consultation responses. Consultation response to the amended (affordable dwelling) proposal is as follows:

Recommendation Summary: Conditional

Site Visit Conducted on: 02-Oct-2023

Personal Injury Records:-

Current records show that there were not any Personal Injury Collisions on Leek Road within 50 metres either side of Basford View's junction with the Leek Road from 31st December 2015 to 31st December 2020. Basford View is a private road. Staffordshire County Council do not hold Personal Injury Collision records on private roads.

Background:-

The site is located off Basford View which is a private single-track road with some passing places and serving several residential properties. Basford View's junction with the A520 Principal Road has a speed limit of 30 mph and a speed camera along

this stretch. The junction is wide enough to accommodate vehicles accessing, egressing and passing at this point, allowing traffic to exit the A520 unhindered. It is therefore suitable to accommodate the additional traffic generated by the new development off the private road.

Leek Road (A0520) is a primary route connecting Stafford and Stone to Leek. There is a bus service from Hanley to Leek with a bus stop within a 5-minute walk of the site providing public transport to Leek (approx.3 miles) and Hanley (approx. 7 miles).

Previous Application:-

SMD/2023/0167- Outline application with details of access (all other matters reserved) for a single dwelling- Conditioned by the Highway Authority.

Proposal:-

Outline application for a single affordable dwelling.

Comments on Information submitted:

The application is an outline planning permission with details of access all other matters reserved for the construction of a single detached (affordable) dwelling within land to the south of Basford View.

The application was previously titled Outline application for a single dwelling this has now changed to become Outline application for a single affordable dwelling. The application form states that; no change to the size, scale, number of dwellings or submitted plans are proposed. The application description has been changed to reflect the affordable nature of the proposal and the accompanying Planning Statement updated.

There are no objections in principle on Highway grounds to the proposed development subject to the following conditions being included on any approval:-

Before the development hereby approved is commenced, full details of the following shall be submitted to and approved in writing by the Local Planning Authority:

- Layout of site and disposition of buildings and provision of adequate parking and turning within the site curtilage. Provision of parking shall be in accordance with Staffordshire Moorlands District Council's adopted parking standards. All parking spaces shall be a minimum width of 2.4m and a minimum length of 4.8m per car. Any garages shall have minimum internal dimensions of 6x3m for a single garage or 6x6m for a double garage.

- Means of surface water drainage;

- Surfacing materials;

The development shall thereafter be implemented in accordance with the approved details and be completed prior to first occupation of the development. The development hereby permitted shall not be brought into use until the access drive has been provided accordance with Drg. No. 2022-2695-03 Rev and shall thereafter be retained for the lifetime of the development.

Reasons:- To comply with NPPF; to comply with SMDC Core Strategy Policy DC1 and T1; in the interests of highway safety.

Note to Planning Officer:

Application is outline with details of access all other matters reserved. Basford View is a private road and therefore does not connect with the public highway. The developer should ensure they have appropriate rights and permissions to carry out the work.

There are no changes to the application that would cause a detrimental effect on the adopted highway comments/conditions previously applied (as above) Form X dated 13/10/2023 still apply.

**SMDC Housing Officer** Policy H1 confirms that in rural areas in open countryside, only the following forms of housing are permitted – affordable housing which cannot be net elsewhere, in accordance with Policy H3.

Policy H3 states that in or on the edge of villages, affordable housing schemes that are of an appropriate scale for the spatial strategy will be permitted on suitable rural exception sites which are well related to services and facilities and where a demonstrable need exists within the local area which cannot otherwise be met by means of provision within the plan.

The application site is located close by to the following site SMD/2020/0447 and appeal decision APP/B3438/W/21/3272703 and I think the principles apply to this site.

Para 7 – “site is located away from and not on the edge of the main concentration of development forming Cheddleton village”.

Para 9 - “Even if the affordable housing needs of Cheddleton Parish have not been catered for by previous planning applications in the area, there is compelling evidence before me to suggest that there are no opportunities to provide the single affordable unit proposed in or on the edge of the village of Cheddleton in accordance with the above policies of the development plan. Therefore, I am not persuaded that there is an essential need for the proposal to be located in the countryside and the Green Belt.”

Para 10 - “I conclude, the delivery of a single affordable unit within Green Belt would not accord with the approach to delivering affordable housing set out in the policies of the development plan and so the proposal would not meet the exception under Paragraph 149 (f). The development would therefore be inappropriate development in the Green Belt having regard to the development plan and the Framework.”

**Environmental Health:** No objections subject to conditions and advisory notes.

## **6. OFFICER COMMENT AND PLANNING BALANCE**

### **Policy Context and Principle of Development**

6.1 The Local Planning Authority is required to determine applications in accordance with the Development Plan, unless there are material circumstances which indicate otherwise and, in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations.

6.2 Chapter 2 of The National Planning Policy Framework (NPPF), outlines the Government’s aims of achieving sustainable development within the planning system

via economic, social and environmental objectives. The application site is located within the Green Belt therefore requiring consideration of section 13 of the NPPF and the relevant Green Belt/open countryside policies of the council's adopted Local Plan. Paragraph number 154 of the NPPF states that Local Planning Authorities should regard the construction of new buildings as inappropriate development unless they comply with one of the 7 listed exceptions listed below;

- a) buildings for agriculture and forestry;
- b) the provision of appropriate facilities (in connection with the existing use of land or a change of use) for outdoor sport, outdoor recreation, cemeteries and burial grounds and allotments; as long as the facilities preserve the openness of the Green Belt and do not conflict with the purposes of including land within it;
- c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;
- d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;
- e) limited infilling in villages;
- f) limited affordable housing for local community needs under policies set out in the development plan (including policies for rural exception sites); and
- g) 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; or
  - not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified

6.3 Policy SS1 of The Staffordshire Moorlands Local Plan states that the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands; this echo's the stance of the NPPF. The Local Plan aims to deliver a wide range of development including (applicable to this application but not necessarily limited to) a mix of types and tenures of quality, affordable homes, to meet the needs and aspirations of the existing and future communities, quality local services, including leisure and community use, access to services and a well-designed environment.

6.4 Local Plan policy SS10 echoes the NPPF Green Belt restrictions by stating that 'Strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government policy.' The policy also states that new build housing in the countryside will be restricted to that which has an essential need to be located in the countryside in accordance with Policy H 1 and offers some support by allowing rural exceptions housing (in accordance with Policies H1 and H3).



6.5 Policy H1 offers some support for affordable housing and also states that outside of the development boundaries, limited infill residential development of an appropriate scale and character for the Spatial Strategy will be supported, provided, (relevant to this application) that:

-The development will adjoin the boundary of a larger village and be well related to the existing pattern of development and surrounding land uses.

H1 specifies that 'in all cases the development will not lead to a prominent intrusion into the countryside or have a significant adverse impact on the character and appearance of the countryside.'

Local Plan policy H1 is also very specific in stating that 'When development is located in the Green Belt, national Green Belt Policy will apply.'

6.6 Local Plan policy H3 concerns itself with the provision of affordable housing where:

*'In or on the edge of villages, affordable housing schemes that are of an appropriate scale for the spatial strategy will be permitted on suitable rural exceptions sites which are well related to services and facilities and where a demonstrable need exists within the local area which cannot otherwise be met by means of provision in the plan. Small numbers of market homes may be allowed at the Council's discretion where it would facilitate the provision of significant additional affordable housing to meet the needs of the local community.'*

6.7 The applicant's Planning Statement makes reference to the Local Planning Authorities lack of a 5 year housing land supply. However the 'Presumption in favour of sustainable development' as outlined within the National Planning Policy Framework (or tilted-balance), does not apply here as this is a Green Belt site.

6.8 The Planning, Design and Access Statement informs that *'the application is put forward as a rural exceptions site which would result in sustainable development which would positively contribute to the deficit of affordable housing within the locality without harm or detriment to the character and appearance of the surrounding area.'*

The statement also informs that the main changes between the refused application and the current proposal are:

- i) *Provision of an affordable dwelling which would be offered for sale at a 20% reduction of market values which would be secured in perpetuity by a Section 106 agreement and that*
- (ii) *the application is supported by a Preliminary Ecological Appraisal and an accompanying Biodiversity Metric Calculation.*

6.9 Notwithstanding the Council's previous stance (and one of the refusal reasons) that the site was not an 'infill' site, the application (in addition to the above, which will be discussed later in the report) is again presenting the scheme as being an 'infill' development. Village infill is one of the NPPF Green Belt exceptions. However for the purposes of planning policy consideration the site does not actually sit within the Cheddleton Village Development Boundary. Cheddleton (identified as a larger village within Local Plan policy SS8) has a clearly defined settlement boundary which is further to the south of this site, the edge of the boundary runs along Station Road. The boundary of the application site is some distance away from the settlement boundary, a large, undeveloped field and rising land levels provides a

clear physical and visual break between the two areas. Therefore, as well as being outside of the settlement boundary the site is not “read” as being part of the village and the scheme does not comply with the NPPF ‘infilling’ allowance.

6.10 In considering Local Plan policies H1 and H3 provisions for new housing development, it cannot be said that the application site ‘adjoins’ the boundary of a larger village (Cheddleton). In addition to the fact that there is a field separating the Development Boundary and the application site, the conclusion that this area of the Basford View track is not an ‘edge of settlement’ location, has already been established during the dismissal of appeal reference APP/B3438/W/21/3272703, relating to refused application SMD/2020/0447. This application was for a single, detached dwelling on a piece of land towards the eastern end of Basford Lane. The Inspector opined that *‘the appeal site is located away from, and not on the edge of, the main concentration of development forming Cheddleton village. Consequently, the site is located in the countryside and the Green Belt for decision making purposes.’* The dismissed appeal site is also on the southern side of Basford View, further to the east and on the southern side of the Basford View terraces. It is acknowledged that following the dismissal of the above appeal, a further application for a detached dwelling was submitted (reference SMD/2022/0465) and subsequently approved. However that scheme is different to the current submission, in that the policy support was by means of NPPF paragraph 149(g) (now paragraph number 154(g) of the revised NPPF) for ‘partial or complete redevelopment of previously developed land.’ It is clear the Case officer considered the scheme policy compliant due to the proposed dwelling being located in an area that was occupied by garage buildings of similar proportions, and therefore not having a greater Green Belt openness impact. Although it is recognised that the application to the east was approved, it does not set a precedence for all types of development to be accepted in this area. The site circumstances are different but the Inspectors comments regarding the location description (within the dismissed appeal) are still relevant.

6.11 The NPPF and Local Plan both provide some ‘in principle’ support for *‘limited affordable housing for local community needs under policies set out in the development plan’* (NPPF). The development plan (as referred to within the NPPF) is the Staffordshire Moorlands Local Plan where some support can be given for affordable housing in accordance with policy H3. Policy H3 only allows affordable housing *‘in or on the edge of villages’* where a *‘demonstrable need exists within the local area which cannot otherwise be met by means of provision in the plan.’*

6.12 It is noted that the Design and Access Statement offers much discussion in relation to affordable housing need. However, it has already been established that the site is not an edge of settlement location. The Development Boundary of Cheddleton covers a large area. There is no reason to believe that housing development (including the types identified within the Cheddleton Parish Housing Needs Survey 2015 (Planning D & A Appendix 2) could not be undertaken in other more suitable sites either within it (development boundary) or on the edge of it. The Planning Inspector, in dismissing appeal reference APP/B3438/W/21/3272703 further to the east of the application site concluded that;

*‘Even if the affordable housing needs of Cheddleton Parish have not been catered for by previous planning applications in the area, there is no compelling evidence before me to suggest that there are no opportunities to provide the single affordable unit proposed in or on the edge of the village of Cheddleton in accordance with the above policies of the development plan. Therefore, I am not persuaded that there is an essential need for the proposal to be located in the countryside and the Green Belt.’*

6.13 This conclusion is applicable to the scheme currently before Members. The affordable housing provision as proposed by the applicant does not comply with either the NPPF or Local Plan allowances. The application is not supported by any registered housing provider or the Councils Housing Officer. The applicant(s) has not sought any pre-application advice from the Local Planning Authority.

### **Design/Visual Impact/Openness**

6.14 Local Plan policy DC1 requires that all developments shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the character and heritage of an area. Development should be of a high quality, adding to the value of a local area, incorporating creativity, be designed to respect the site and its surroundings and promote a positive sense of place and identity. Local Plan policy DC3 concerns itself with protecting the countryside from intrusion, preventing adverse impact upon the character of an area, enhancing local landscape character and bio-diversity.

6.15 The application is in outline with consideration of means of access only at this stage. Therefore the submitted plans do not provide elevation details at this stage. It was noted during the site visit that surrounding dwellings varied in terms of their sizes and design. However, this is a currently vacant plot of greenfield, Green Belt land. The visual impact of any dwelling in this location would be harmful to the openness of the Green Belt. As there is no 'in principle' support, it is clear that the development would conflict with NPPF paragraph number 143 which sets out the five purposes of including land in the Green Belt. A new dwelling would have an adverse impact upon openness, not only in terms of hardstanding but also the volume of the dwelling itself, the comings and goings of vehicles and the inevitable associated domestic paraphernalia within the grounds. What is currently a welcome, undeveloped plot of land, allowing far reaching countryside views to the south, would be lost.

### **Highways/Access**

6.16 The National Planning Policy Framework and Local Plan policies DC1 and T1 require that all development proposals secure safe and suitable access to a site whilst making a contribution towards meeting parking requirements and ensuring that all new development can be satisfactorily accommodated within the highway network. The proposal includes private parking space for any future occupant(s). Vehicular access would be on the northern side of the plot, directly off Basford View which is an unadopted and private track linking directly with the A520. The County Highways officer has no objections to the scheme, commenting that the 'junction is wide enough to accommodate vehicles accessing, egressing and passing at this point, allowing traffic to exit the A520 unhindered. It is therefore suitable to accommodate the additional traffic generated by the new development off the private road.

6.17 The Highways officer has confirmed that Basford View is a private road and therefore does not connect with the public highway. Highways have stated that the developer should ensure they have appropriate rights and permissions to carry out the work. Access is important especially as a member of the public has raised a query about their boundary being up to the area of the proposed access.

## **Amenity**

6.18 Due to the outline nature of the application, no dwelling design details have been submitted. However, in the event of Members finding the principle of development as being 'not inappropriate,' the positioning of the plot with its neighbours, means it is likely a dwelling could be designed which would not have any adverse overbearing/overlooking impact upon neighbours. It is borne in mind that although the site plan is indicative, the rear garden depth as shown at approximately 6.7m long, does not comply with the Space About Dwellings standard which requires a 14m long garden for one/two bed dwellings (where PD rights have not been removed), 11m for one/two bed dwellings (where PD rights have been removed) and 11m for dwellings with three or more bedrooms.

## **Ecology**

6.19 One of the reasons for previously refusing the application was to do with the fact that no information had been submitted to demonstrate the development would not have an adverse impact upon ecology as the site is an undeveloped field. The scheme was found to be contrary to policy NE1 of the Staffordshire Moorlands Local Plan and section 15 'Conserving and enhancing the natural environment' of the National Planning Policy Framework. The resubmitted application is now accompanied by a Pre-liminary Ecological Appraisal (PEA) and a Biodiversity Metric. Although the PEA is dated October 2022 the document states that if no development occurs within 2 years (October 2024) then the PEA findings should be reviewed and may need updating. Staffordshire Wildlife Trust have not raised any objections to this scheme.

6.20 The PEA makes a number of recommendations in relation to bats, nesting birds, reptiles and hedgehogs. The recommendations range from provision of nesting boxes, timer-style security lighting (face down) to prevent any light spillage, vegetation clearance to avoid the bird nesting season and Reasonable Avoidance Measures Statement to be provided for amphibians, reptiles, hedgehogs. PEA matters can be dealt with by conditions where necessary.

6.21 Staffordshire Wildlife Trust comment that there would be a net-loss to biodiversity in terms of baseline habitats and that linear habitats (hedgerows) would provide a 100% net gain. Staffordshire Wildlife Trust do comment however that high, linear habitat gain does not compensate for the loss of baseline habitats and therefore encourage wildflower/hedgerow margin to compensate for the loss of grassland habitat.

## **Other Matters**

6.22 The application submission has been accompanied by a number of appeal decisions. Appendix 1 relates to Appeal reference APP/H1033/W/15/3131988 at 26 Brickfield Street, Padfield, Glossop, Derbyshire SK13 1DZ. The applicant's Planning, Design and Access Statement (at paragraph numbers 5.6 – 5.9) makes reference to 'infill' and its definitions. Although the information is noted, it is not considered that this is an infill site for the purposes of policy consideration and therefore this appeal decision is not relevant to the current scheme. Local Plan policy H1 only refers to

infill possibilities if (outside of the development boundaries) 'the development will adjoin the boundary of a larger village and be well related to the existing pattern of development and surrounding land uses' or 'the development is well related to the existing pattern of development of a smaller village and will not create or extend ribbon development or lead to sporadic pattern of development' and 'In all cases the development will not lead to a prominent intrusion into the countryside or have a significant adverse impact on the character and appearance of the countryside.'

6.23 The application site does not 'adjoin' the Cheddleton village development boundary. Cheddleton is not a 'Smaller' village (as referenced within policy H1) and it is contended that the development would lead to 'a prominent intrusion into the countryside.'

6.24 Notwithstanding the opinion expressed within the applicants Planning, Design and Access Statement that the Local Plan should not be given as much weight as the NPPF when assessing the application, the fact remains that the Local Plan is relevant and the 'tilted-balance' considerations of sustainability are not triggered where Green Belt sites are concerned. In any case the LPA has already referenced an appeal decision further to the east of the application site (APP/B3438/W/21/3272703 – see above earlier in the report) which clarifies that this area is 'not on the edge of the main concentration of development forming Cheddleton village. Consequently, the site is located in the countryside and the Green Belt for decision making purposes.' It is considered that this Appeal decision should be given greater weight than examples from further afield, such as Padfield, which have been referred to by the applicant.

6.25 The other appeal examples are cases where consideration has been given to matters of Green Belt openness harm in the cases of 'inappropriate' and 'not inappropriate' development. Whilst Appeal precedents can be useful, they are not considered relevant in this instance as the LPA finds the proposal to be inappropriate development in the Green Belt. Furthermore, ultimately, it is a fundamental planning principle that each case must be judged on its own merits.

## **7. CONCLUSION AND PLANNING BALANCE**

7.1 This resubmission application has satisfactorily dealt with one of the previous reasons for refusal in that now the ecology aspects of the scheme are acceptable. However, the application is still recommended for refusal based on being inappropriate development in the Green Belt. No very special circumstances have been advanced. The development would have a harmful impact upon the openness of the Green Belt and would conflict with the purposes of including land within it. Whilst the council cannot demonstrate a 5 year supply of deliverable housing land, the presumption in favour of sustainable development is not applicable in this case due to the Green Belt designation.

## **8. OFFICER RECOMMENDATION**

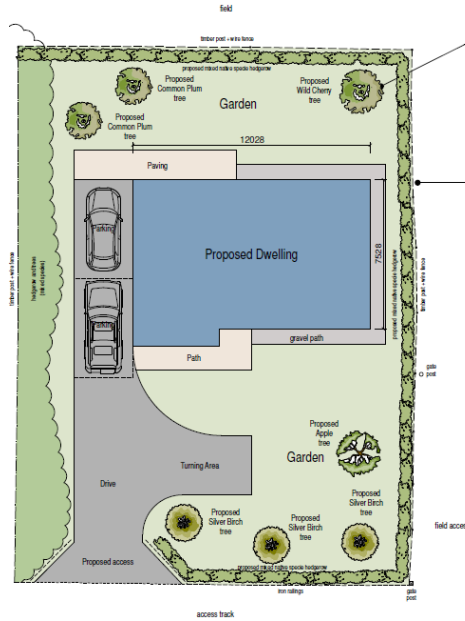
**A. That the application be REFUSED for the reason(s) set out as follows;**

**The application site is within the Green Belt. Section 13 of the National Planning Policy Framework states that new dwellings are considered to be inappropriate development unless they fall within one of a number of categories of development listed in paragraphs 154 and 155. The principle of a**

**new build dwelling does not fall within any of the exceptions and is therefore inappropriate development in the Green Belt which would harm its openness. No very special circumstances have been demonstrated to outweigh the harm. The proposal is therefore considered to be contrary to the provisions of policies SS1, SS10 and H1 of the Staffordshire Moorlands Local Plan and section 13 'Protecting Green Belt Land' of the National Planning Policy Framework.**

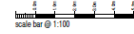
**B. In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/in formatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so 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.**





**PROPOSED TREES**  
 As a means of improving biodiversity on the site it is proposed that a combination of mixed native species hedges and trees be included within the scheme. Trees shall include:  
 - 3 No. Silver Birch  
 - 1 No. Apple  
 - 2 No. Common Plum  
 - 1 No. Wild Cherry

**PROPOSED HEDGEROW**  
 A new mixed native hedgerow is to be planted behind the existing boundaries as indicated. Hedgerow planting shall comprise of a double staggered row of a mixture of the following plants:  
 75% Crataegus monogyna (Hawthorn), 0% Corylus avellana (Hazelnut), 0% Prunus spinosa (Blackthorn), 0% Ilex aquifolium (Holly), 0% Rosa canina (Dog Rose) + 0% Acer campestre (Field Maple)  
 Plants to be spaced in a double row, at 600mm staggered centres in both directions.  
 Newly planted hedgerows are to be protected with rabbit netting.



**Mr & Mrs Bickley**  
 Proposed Outline Planning for  
 Single Dwelling at  
 Bastford View,  
 Cheddleton,  
 Staffordshire  
 Planning Proposal  
 Indicative Site Plan

DATE	NO.	BY
January 2023	A2	1:100
2022-2695-03	B	NAW

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