

STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL

Report to Planning Applications Committee

30 August 2018

TITLE:	PERFORMANCE ON PLANNING APPEALS
CONTACT:	DEVELOPMENT MANAGEMENT TEAM
WARDS INVOLVED:	ALL

Appendices Attached - None

1. **Reason for the Report:** To inform members of appeals lodged and decided since the last meeting of the Planning Applications Committee.

2. **Recommendation**

2.1 That the report be noted.

3. **APPEALS LODGED**

None

4. **APPEAL DECISIONS RECEIVED**

Application No. SMD/2017/0647

Location: Land off Micklea Lane, Longsdon, Staffordshire.

Proposal: proposed dwelling and detached garage

Level and Date of Decision: Delegated 9th March 2018

Recommendation: Refuse

Decision: Refused

Appeal Decision and Date: Dismissed 17th August 2018

Method of Decision: Written Representations

Major / minor: Minor

Inspector: Jillian Rann BA(Hons) MSc MRTPI

Costs awarded: No

Main Issues:

- Whether the proposal would be inappropriate development in the Green Belt, having regard to the Framework and any relevant development plan policies;
- The effect of the proposal on the openness of the Green Belt;
- Would the harm by reason of inappropriateness, and any other harm, be clearly outweighed by other considerations. If so, would this amount to the very special circumstances necessary to justify the proposal.

Conclusions:

The Inspector concluded:

- Taking into account the more rural character and appearance of the site's immediate surroundings, its physical and visual separation from the cluster of housing and community buildings along the A53, and the open appearance of the site itself, I find that the site is not within a village for the purposes of the exception as detailed in the Framework.
- Although the development may be considered limited infill development, it would be inappropriate due to its location outside the village.
- The construction of a dwelling and garage on the site would result in built development where there is currently none
- the volume and bulk of the dwelling and garage would nonetheless inevitably lead to a loss of openness on an area of land within the Green Belt which is currently undeveloped,
- the site is within the countryside rather than part of the village, the proposal would lead to the encroachment of development into the countryside.
- Paragraph 11 and footnote 6 of the Framework make it clear that land designated as Green Belt is a specific policy in the Framework that protects an area or asset of particular importance and provides a strong reason for restricting the development proposed. Given the harm to the Green Belt that I have identified in this case, the decision-taking criteria in paragraph 11 are not engaged, notwithstanding the five year housing land supply position.

- The very special circumstances necessary to justify the development therefore do not exist

Officer Comment:

- This is a good decision for the Council and reinforces the strong stance which the Council has applied in resisting inappropriate development in the Green Belt. It also provides a useful steer on what constitutes a site “within a village”.
- Despite the fact that the site was located in a row of dwellings with properties to either side and could therefore be considered to be “limited infilling” the Inspector agreed with the Council that the nature and location of the site were such that it was not “within a village” and on that basis she concluded that the Council had correctly interpreted Green Belt policy and supported its refusal of the application.
- Also worthy of note is that she agreed with the Council that the lack of a 5 year supply of housing was not a Very Special Circumstance to outweigh the provisions of Green Belt policy and that in accordance with Paragraph 11 and footnote 6 of the Framework because the site was within the Green Belt the Presumption in Favour of sustainable Development was not engaged.