

The Application is for full planning permission for a detached bungalow.

The application site is located within the open countryside on land designated as being within the North Staffordshire Green Belt and an Area of Landscape Restoration, as indicated on the Local Development Framework Proposals Map.

The 8 week determination period expires on the 24th December but the applicant has agreed to an extension of the statutory period to 9th January 2019.

RECOMMENDATION

PERMIT subject to conditions relating to:-

- 1. Time limit**
- 2. Approved plans**
- 3. Materials**
- 4. Boundary treatments**
- 5. Landscaping scheme**
- 6. Tree protection**
- 7. Retention and protection of boundary hedgerow**
- 8. Construction hours**
- 9. Contaminated land**
- 10. Provision and retention of access and parking area**
- 11. Surfacing of access drive**
- 12. Foul and surface water**
- 13. Removal of permitted development rights**

Reason for Recommendation

There is an extant planning permission for a bungalow on the site which was granted on the grounds that it comprised the redevelopment of a previously developed site which would not have a greater impact on the openness of the Green Belt. However given that the former building on the site has since been demolished, it is no longer possible to conclude that a new bungalow on this site would not have a greater impact on the openness of the Green Belt and therefore it is concluded that the proposal represents inappropriate development in the Green Belt and should not be approved except in very special circumstances. However, given that the proposed bungalow would involve a very minimal increase in volume (just 9 cubic metres) over and above the volume of the extant bungalow, there would be no greater impact on the openness of the Green Belt than the approved scheme and such circumstances are considered to constitute the 'very special circumstances' to justify this inappropriate development.

The design of the dwelling would be appropriate to this location and would have no adverse impact on the character or quality of the landscape.

Statement as to how the Local Planning Authority has worked with the applicant in a positive and proactive manner in dealing with this application

The proposed development is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

KEY ISSUES

This application is for full planning permission for the erection of a detached bungalow on this site which lies within the open countryside on land designated as being within the North Staffordshire

Green Belt and an Area of Landscape Restoration, as indicated on the Local Development Framework Proposals Map.

Planning permission was granted in 2014 for a bungalow on the site (Ref. 14/00322/FUL). There is evidence that a material commencement was made on site within the required time period and therefore that consent is extant and capable of implementation.

It is not considered that the proposal raises any issues of impact on highway safety, residential amenity or trees. Although the Open Space Strategy which was adopted by the Council on the 22nd March 2017 requires a financial contribution of £5,579 per dwelling towards public open space improvements and maintenance, given that there is an extant planning permission for a dwelling on this site which was granted prior to the adoption of the Open Space Strategy, it is not considered appropriate to request a financial contribution now.

Therefore, the key issues in the determination of this application are:

- Is the proposal appropriate development within the Green Belt?
- Is the principle of residential development on the site still acceptable?
- Is the design of the bungalow and the impact on the character and appearance of the area acceptable?
- Should it be concluded that the development is inappropriate in Green Belt terms do the required very special circumstances exist?

Is the proposal appropriate development within the Green Belt?

The NPPF indicates in paragraph 145 that local planning authorities should regard new buildings within the Green Belt as inappropriate other than for a number of exceptions.

The site was formerly a coal yard occupied by a Nissan style hut and therefore the previous application for a bungalow on this site (Ref. 14/00322/FUL) was granted on the grounds that it comprised the partial or complete redevelopment of a previously developed site which would not have a greater impact on the openness of the Green Belt and the purposes of including land within it than the existing development. The building has since been demolished and therefore it is no longer possible to conclude that a new bungalow on this site would not have a greater impact on the openness of the Green Belt. It is therefore concluded that the proposal represents inappropriate development in the Green Belt and should not be approved except in very special circumstances. This will be addressed below.

Is the principle of residential development on the site still acceptable?

The application site lies within the Rural Area of the Borough in the open countryside.

Core Spatial Strategy (CSS) Policy SP1 states that new housing will be primarily directed towards sites within Newcastle Town Centre, neighbourhoods with General Renewal Areas and Areas of Major Intervention, and within the identified significant urban centres. It goes on to say that new development will be prioritised in favour of previously developed land where it can support sustainable patterns of development and provides access to services and service centres by foot, public transport and cycling.

CSS Policy ASP6 states that in the Rural Area there will be a maximum of 900 net additional dwellings of high design quality primarily located on sustainable brownfield land within the village envelopes of the key Rural Service Centres, namely Loggerheads, Madeley and the villages of Audley Parish, to meet identified local requirements, in particular, the need for affordable housing.

Furthermore, Policy H1 of the Newcastle Local Plan (NLP) indicates that planning permission for residential development will only be given in certain circumstances – one of which is that the site is within one of the village envelopes.

This site is neither within a village envelope nor would the proposed dwelling serve an identified local need as defined in the CSS. As such its development for residential purposes is not supported by policies of the Development Plan.

As stated above, there is an extant outline planning consent for a bungalow on this site. In approving that application it was concluded that this is a sustainable location close to the shops and services of Audley village centre and having public transport opportunities in close proximity. Since the previous permission was granted, a revised NPPF has been published. There is nothing in the revised NPPF on this matter to suggest that there is a basis for the Local Planning Authority to reconsider its position on this issue and therefore, noting the acceptance in 2014 that the development is in a sustainable location (in terms of access to services and facilities), there is no substantive basis for coming to a different view on this point now.

Contrary to its position at the time of granting the previous permission for this site, the Council is now able to demonstrate a five year supply of specific deliverable housing sites, with the appropriate buffer, with a supply of 5.45 years as at the 1st April 2018. Given this, it is appropriate to consider the proposal in the context of the policies contained within the approved development plan. As stated above, development for residential purposes on this site is not supported by policies of the Development Plan however in this case there is an extant planning permission for a dwelling on the site and notwithstanding the change in circumstances, it is considered that it would be unreasonable to now refuse planning permission.

Is the design of the bungalow and the impact on the character and appearance of the area acceptable?

The NPPF places great importance on the requirement for good design, which is a key aspect of sustainable development. CSS Policy CSP1 broadly reflects the requirements for good design contained within the NPPF, and the Urban Design Supplementary Planning Document provides detailed policies on design and layout of new housing development.

Policy R3 of the Urban Design Supplementary Planning Document (SPD) states that new housing must relate well to its surroundings, it should not ignore the existing environment but should respond to and enhance it, exploiting site characteristics. Policy RE5 of the Urban Design SPD requires new development in the rural area to respond to the typical forms of buildings in the village or locality. In doing so, designers should take into account and respond to, amongst other things, height of buildings and the pattern of building forms that helps to create the character of a settlement, for instance whether there is a consistency or variety.

Saved Local Plan Policy N21 seeks to restore the character of the area's landscape and improve the quality of the landscape. Within such an area it will be necessary to demonstrate that development will not further erode the character or quality of the landscape.

The proposed bungalow would sit centrally within the site in a similar location to the previously approved bungalow and detached garage. It would be simple in its design and the materials would comprise facing brickwork and Staffordshire blue clay tiles.

There is a mix of dwelling styles in the immediate area and it is considered that the scale and design now submitted would be appropriate to this location and would have no adverse impact on the character or quality of the landscape. There are no significant landscape features within the site that would be removed or adversely affected by the proposal. In conclusion, it is considered that the proposal would comply with saved Policy N21 of the Local Plan and the general design requirements outlined in the NPPF.

Do the required very special circumstances exist to justify inappropriate development?

The NPPF sets out that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. It further indicates that very special circumstances (to justify inappropriate development) will not exist unless potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

As discussed above, there is an extant planning permission for the erection of a bungalow and detached garage on the site. That development could be implemented at any time. The volume of the approved bungalow and garage totals 300 cubic metres and the volume of the bungalow now proposed measures 309 cubic metres. Therefore although the proposed bungalow cannot be considered to comprise appropriate development for the reasons set out above, given the minimal increase in volume involved, it is not considered that it would have any greater impact on the openness of the Green Belt than the approved scheme. Such circumstances are considered to constitute the 'very special circumstances' to justify this inappropriate development.

Given that the development is considered acceptable on the basis that its volume is very similar to that of the extant consent and therefore it would not have a materially greater impact on the openness of the Green Belt, it is considered that permitted development rights should be removed for extensions and outbuildings.

APPENDIX

Policies and Proposals in the approved Development Plan relevant to this decision:-

[Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy \(CSS\) 2006-2026](#)

Policy SP1: Spatial Principles of Targeted Regeneration
Policy SP3: Spatial Principles of Movement and Access
Policy ASP6: Rural Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change
Policy CSP4: Natural Assets
Policy CSP5: Open Space/Sport/Recreation

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy S3: Development in the Green Belt
Policy H1: Residential Development: Sustainable Location and Protection of the Countryside
Policy T16: Development – General Parking Requirements
Policy N12: Development and the Protection of Trees
Policy N13: Felling and Pruning of Trees Policy
Policy N17: Landscape Character – General Consideration
Policy N21: Area of Landscape Restoration

Other material considerations include:

[National Planning Policy Framework \(NPPF\) \(2018\)](#)

[Planning Practice Guidance \(2014\)](#)

Supplementary Planning Guidance/Documents

[Space Around Dwellings SPG \(SAD\) \(July 2004\)](#)

[Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document \(2010\)](#)

Relevant Planning History

14/00322/FUL Two bedroom bungalow and single detached garage Approved

Views of Consultees

The **Highway Authority** has no objections to the proposal subject to conditions regarding provision and retention of access and parking area and surfacing of the access drive in a bound material.

The **Landscape Development Section (LDS)** has no objections subject to conditions regarding tree protection and retention and protection of the boundary hedgerow. A Section 106 contribution of £5,579 is requested towards the improvement and maintenance of off-site open space which would be used for improvements to playground facilities at either Station Road or Queen Street open space.

Audley Rural Parish Council notes the application.

The **Environmental Health Division** has no objections subject to conditions regarding construction and demolition hours and contaminated land.

United Utilities has no objections subject to a condition requiring foul and surface water to be drained on separate systems.

Staffs County Council as **Mineral and Waste Planning Authority** has no comments to make on this application.

Representations

None

Applicant/agent's submission

The application is accompanied by a Design and Access Statement and information relating to contaminated land. These documents are available for inspection at the Guildhall and via the following link

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/18/00842/FUL>

Background Papers

Planning files referred to
Planning Documents referred to

Date report prepared

13th December 2018