

**20/00412/FUL
NON MAJOR**

Mr Dean Hiscox

KINVER

**Cllr Brian Edwards
Cllr Lin Hingley
Cllr Henry Williams**

Mile Flat House Mile Flat Greensforge KINGSWINFORD DY6 0AU

New gates, walls, piers and railings

1. SITE DESCRIPTION AND PLANNING HISTORY

1.1 Application Site

1.1.1 The application site relates to a two-storey dwelling with a detached garage and outbuildings set back from the main Mile Flat. The dwelling is constructed out of facing red brick under clay tiles with some traditional features.

1.1.2 There are a few rural properties along this stretch of Mile Flat with a range of house types and styles.

1.1.3 The site is located within the West Midlands Green Belt.

1.2 Site History

20/00376/FUL – Two-storey and single storey side extensions – Approved subject to conditions 10.08.2020.

89/01210- LPG Tank – Granted 02.01.1990

86/00343 - Access and Weighbridge – Granted 20.05.1986

2.APPLICATION DETAILS

2.1 The Proposal

2.1.1 Planning permission is sought for the erection of gates, walls, piers and railings to the front boundary of the application site. The front of the site is currently open. There would be no alteration to the existing access.

3. POLICY CONTEXT

3.1 The site is located within the West Midlands Green Belt.

3.2 South Staffordshire Core Strategy, adopted 2012

- NP1: The Presumption in favour of sustainable development
- Core Policy 1: The Spatial Strategy for South Staffordshire
- Policy GB1: Development within the Green Belt
- Core Policy 2: Protecting and Enhancing the Natural and Historic Environment

- Policy EQ4: Protecting and Enhancing the Character and Appearance of the Landscape
- Core Policy 4: Promoting High Quality Design
- Policy EQ11: Wider Design Considerations
- Core Policy 11: Sustainable Transport

3.3 Adopted local guidance

- Green Belt and Open Countryside SPD (2014)
- South Staffordshire Design Guide Supplementary Planning Document (2018)
- Sustainable Development Supplementary Planning Document (2018)

3.4 National Planning Policy Framework 2019 (the - 'NPPF').

- Section 12 – Achieving well-designed places
- Section 13 – Protecting Green Belt land

National Planning Policy Guidance, updated 2019 (the - 'NPPG').

4. CONSULTATION RESPONSES

Councillors (Expiration 19.06.2020) No comments received.

Kinver Parish Council (Expiration 19.08.2020) No comments received.

Staffordshire County Council (Highways Team) (Expiration 19.08.2020): No objection subject to no infringement on highways boundary and recommendation of No Dig informative. Received 14.08.2020.

Neighbours expiration 19.08.2020

Site Notice expiration 19.08.2020

No third-party comments have been received.

5. APPRAISAL

5.1 The proposal is brought before Planning Committee as it constitutes inappropriate development as it does not fall into any of the exceptions to development within the Green Belt.

5.2 Key Issues

- Principle of development and Green Belt;
- Whether or not the proposal constitutes inappropriate development;
- Impact on the Openness of the Green Belt; and
- Highways and Parking Implications.

5.3 Principle of Development and Green Belt

5.3.1 The application site is within the West Midlands Green Belt. The main issues in establishing the principle of the development are firstly, whether or not the proposal constitutes inappropriate development in the Green Belt and secondly, if the development is deemed inappropriate, whether the harm by reason of inappropriateness, and any other

identified harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

5.4 Whether or not the proposal constitutes inappropriate development

5.4.1 The site is located within the Green Belt. Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. However, there are exceptions to this position as set out within Paragraphs 145 & 146 of the NPPF.

5.4.2 Although Policy GB1 does not define boundary structures as inappropriate development as such, neither does it fall within any of the categories which define what development is not inappropriate.

5.4.3 In this light, the wall, piers and gate are classed as inappropriate development in the Green Belt, harmful by definition and needs very special circumstances to justify them.

5.5 Impact on the openness of the Green Belt

5.5.1 When considering any planning application, substantial weight is given to any harm to the Green Belt. '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.

5.5.2 The development would be set back from the main road retaining the open verge. The gate piers would measure a height of 2.0m. A low wall, constructed out of matching materials to the main house, would measure 0.9 high with railings set at the top allowing for views through, with a combined height of 1.8m. The gates would be set at a maximum height of 1.8m and would be constructed out of timber. The railings proposed atop the low set wall are visually permeable and allow for views into and out of the site.

5.5.3 Furthermore, the application site is set within a rural location and therefore renders the site vulnerable to crime. This point is considered as a material consideration with significant weight in the Green Belt argument.

5.6 Highways Issues

5.6.1 The Local Highways Authority have no objection to the scheme subject to a condition recommending that no part of the proposed wall or its foundations, fixtures and fittings shall project forward of the highway boundary.

6. CONCLUSIONS

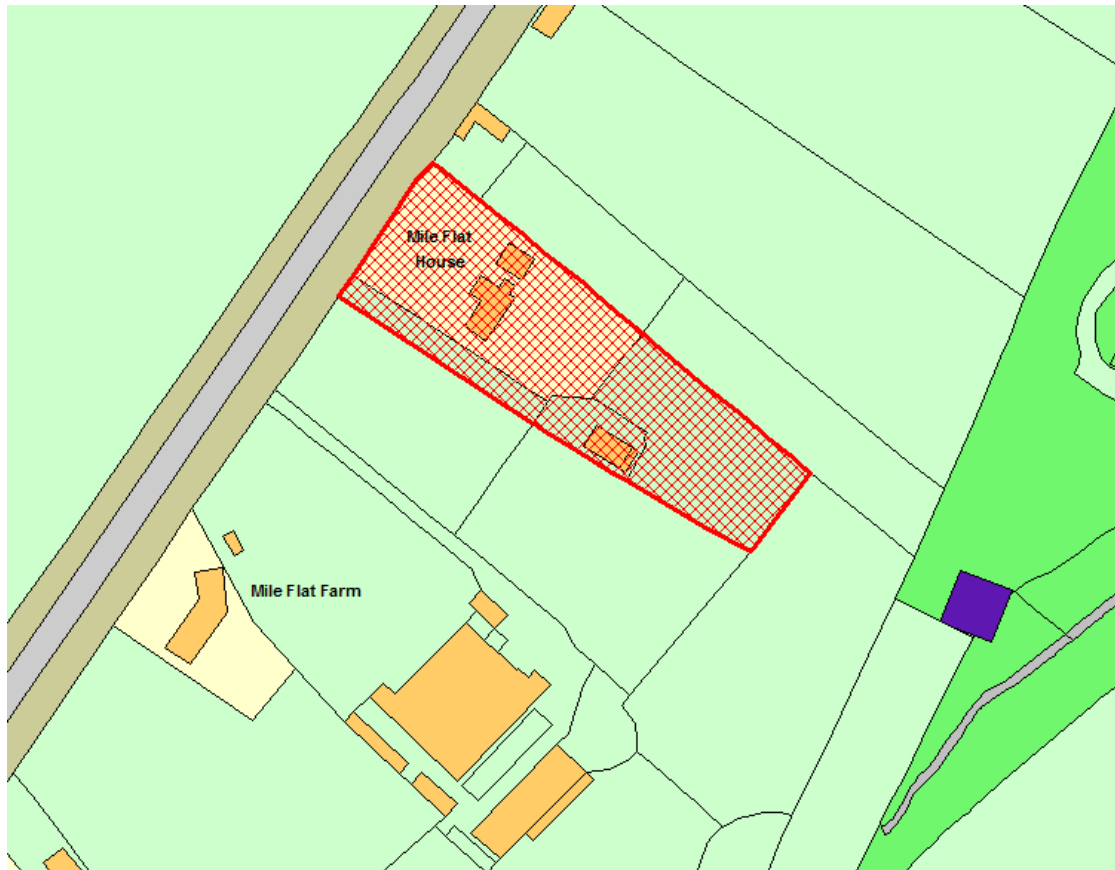
6.1 This proposal does not fall under any of the acceptable uses for development in the Green Belt and therefore constitutes inappropriate development. Very special circumstances therefore need to be demonstrated which warrant an exception to established planning policy, these being; the relatively open nature of the proposal and the retention of verges which allow it to blend into the landscape and the actual impact on the openness is negligible.

7. RECOMMENDATION - APPROVE Subject to Conditions:

1. The development to which this permission relates must be begun not later than the expiration of 3 years beginning with the date on which this permission is granted.
2. The development shall be carried out in accordance with the plans referenced MFH/6 entitled '*Location Plan*' and MFH/5 entitled '*Gates and Walls 1*' Received by the Local Planning Authority dated 28.05.2020.
3. The development shall be constructed out of the materials specified in the approved plan referenced MFH/5 entitled '*Gates and Walls 1*' Received by the Local Planning Authority dated 28.05.2020.

Reasons

1. The reason for the imposition of these time limits is to comply with the requirements of Section 91 of the Town and Country Planning Act 1990.
2. In order to define the permission and to avoid doubt.
3. To safeguard the amenity of the area in accordance with policy EQ11 of the adopted Core Strategy.
4. Proactive Statement - In dealing with the application, the Local Planning Authority has approached decision making in a positive and creative way, seeking to approve sustainable development where possible, in accordance with paragraph 38 of the National Planning Policy Framework, 2019.



Mile Flat House, Mile Flat, Greensforge, KINGSWINFORD DY6 0AU