

Gladman Developments Ltd

**Land at Milltown Way,
Leek**

Staffordshire Moorlands District Council

Planning Statement



May 2015

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1. INTRODUCTION

1.1 Context

- 1.1.1 This planning statement forms part of the suite of documents submitted to Staffordshire Moorlands District Council (referred to herein after as SMDC) by Gladman Developments Ltd (referred to herein after as Gladman) in support of an outline planning application for.

“Outline application for up to 90 dwellings with associated open space, landscaping and ecological management areas, with all matters reserved, except for access.”

- 1.1.2 The statement sets out the context for the development by providing the background to the proposals including a description of the site and its surroundings, the proposed development and the relevant up-to-date policy framework. It then assesses the proposals against the identified policy framework and the key material considerations and sets out the case in support of development.

1.2 The Application

- 1.2.1 The application documentation includes the following:

Application Covering letter, Form & Certificates	Gladman
Location Plan (including Application Red Line)	Gladman (Drawing No.5122-L-03)
Site Access Drawing	Ashley Helme (Drawing No. 1332/01)
Development Framework Plan	FPCR
Planning Statement	Gladman
Design and Access Statement	FPCR
Transport Assessment	Ashley Helme
Framework Travel Plan	Ashley Helme
Air Quality Screening Assessment	Wardell Armstrong
Noise Screening Assessment	Wardell Armstrong
Ecological Appraisal	FPCR
Arboricultural Assessment	FPCR
Flood Risk Assessment	Hydrock
Phase 1 Site Investigation Report	Hydrock

Landscape and Visual Impact Assessment	FPCR
Archaeology and Heritage Report	CgMs
Affordable Housing Statement	Levvel Ltd
Socio-Economic Impact Assessment	Regeneris Consulting Ltd
Assessment of Current and Future Sustainability	Gladman
Statement of Community Involvement	Gladman
S106 Heads of Terms	Gladman

1.2.2 Also enclosed with this Planning Statement at Appendix 1 is a list of draft proposed planning conditions for discussion, and a draft s.106 Heads of Terms is enclosed at Appendix 2. Further, a Sustainability Matrix is provided at Appendix 3 and a Planning Balance Table at Appendix 4.

1.3 Overview of Planning Case

1.3.1 The application comprises a resubmission of proposals for the same development which was considered by Staffordshire Moorlands District Council and refused at Planning Committee 18th December 2014 (planning application reference: SMD/2014/0618). The reasons for refusal are in relation to highways, landscape, and heritage. An appeal has been submitted to the Planning Inspectorate (Ref APP/B3438/W/15/3005261).

1.3.2 Further to the consultation responses received from County Highways, it is considered the reasons for refusal, pertaining to safety impact on the Ashbourne/Springfield Road junction, and insufficient information relating to the emergency access, have been addressed.

1.3.3 The Transport Assessment has been updated to include further modelling works of the Springfield/Ashbourne Road junction, with the inclusion of a mitigation scheme (Drg 1332/07). It has also been confirmed that an emergency access for the site is not required.

1.3.4 Having reviewed the remaining reasons for refusal and the alleged visual and landscape impact and impact on heritage assets, the Council is invited to review the conclusions reached on these issues. It is considered there are no unacceptable adverse impacts on landscape or heritage assets. Similarly, whilst impacts on the Conservation Area are

considered to be negligible, an area of planting to the north of the site is indicated on the Framework Plan to reduce any perceived impacts of the scheme.

- 1.3.5 A public consultation was also carried out with local residents and businesses which commenced on 10th September 2014, in which 718 households and businesses were contacted. The consultation ran until 26th September and a total of 16 responses were received. Full details are provided in the Statement of Community Involvement that accompanies this application.
- 1.3.6 A Screening Opinion Request was submitted to the Council under Regulation 5 of the Town and Country (Environmental Impact Assessment) Regulations 2011 on 4th September 2014. The Council has confirmed by letter 28th September 2014 that the proposed development is not EIA development as defined in the regulations, and Staffordshire Moorlands District Council Planning Authority adopts a screening opinion to confirm that no ES is required.
- 1.3.7 FPCR, on behalf of Gladman, had a pre-application meeting with Staffordshire Moorlands District Council to discuss the proposed application from a landscape and ecological perspective. The meeting was held 8th September 2014 with Countryside Officer Arne Swithenbank. Further to this, general pre-application advice was also requested by letter dated 11th September.
- 1.3.8 The application relates to Land at Milltown Way, Leek. The proposed development responds directly to the identified need to deliver additional homes in Staffordshire Moorlands, and Leek at local level. In summary, the planning statement demonstrates that:
- The proposal is in accordance with the Spatial Vision and Strategic Objectives of the Core Strategy.
 - The proposals will make a valuable contribution to the housing supply in circumstances where the Council acknowledge they do not have a 5 year supply. Within the Housing Land Supply Schedule 31 March 2014 the Council claim a devastatingly poor housing land supply of 2.17 years.
 - The development proposed is situated outside the defined settlement boundary. The extant boundaries have the effect of restricting housing land supply. In the

circumstances, and applying paragraph 49 of the Framework, those extant Local Plan boundaries are out-of-date.

- The site is located within a Site of Biological Importance (SBI). The development is located within areas of low ecological value and interest, currently in intensive agricultural use. The provision of an 'ecological management area' will provide long term targeted management to ensure diversity within the remainder of the SBI.

1.3.9 In addition, the proposed development will:

- Deliver development in a sustainable location – Leek is the principle town within the Staffordshire Moorlands. The site is located within close proximity to the town centre and its wide range of services and facilities. The facilities are within easy walking or cycling distance, and also provides bus service provision, which reduces the reliance on cars;
- Create a high quality residential environment which respects the character of Leek – the proposed development has been carefully designed to respond positively and sympathetically to its built environmental context and appearance of the surrounding area;
- Deliver a mix of housing types and sizes to meet the strategic needs of the local housing market, including family and affordable housing. This will demonstrably support and secure the current and future vitality of the principle town;
- Retain existing trees and landscape features as far as possible and allow for ecological enhancement;
- Provide satisfactory access with minimal traffic impact. The access meets all required visibility splays and safety requirements and the anticipated level of traffic increase associated with the development proposals would be unlikely to have a significant material impact upon the local highway network;
- Deliver increased Council Tax revenue and receipts of New Homes Bonus payments to further invest back into the community, along with other tangible economic benefits that will benefit the community of Leek and the District.

1.3.10 The proposals therefore constitute sustainable development in the context of the three dimensions of sustainable development; environmental, social and economic. There are

no significant and demonstrable adverse impacts that would outweigh the benefits of granting permission when assessed against the Framework as a whole.

- 1.3.11 In the light of these considerations, the presumption in favour of sustainable development is engaged and there is clearly a compelling case in favour of planning permission being granted.

1.4 Structure of the Statement

- 1.4.1 The remainder of the supporting Planning Statement is structured as follows:

- Chapter 2 – The Site
- Chapter 3 – The Proposed Development
- Chapter 4 – The Development Plan
- Chapter 5 – Other Material Considerations
- Chapter 6 – Planning Appraisal
- Chapter 7 – Conclusions and Planning Balance

2. THE SITE

2.1 Site Location

- 2.1.1 Leek is located to the north of Staffordshire on the River Churnet. The town lies roughly 15km north east of Stoke-on-Trent, and 9km south of the Cheshire Border. The A53 runs through the centre of the town, providing links to Stoke-on-Trent and Newcastle-under-Lyme.

2.2 The Site

- 2.2.1 The site lies on the northern edge of a green finger of landscape which extends towards Leek Town Centre from the countryside to the south. To the north and north-west, the site is occupied by a valley corridor, beyond which are properties on Grosvenor Street and Ashbourne Road. To the south-west of the site, Pickwood Hall, a Grade II Listed Building lies to the south. Mature woodland wraps around Pickwood Hall which is located close to the south western site boundary. Further to the west is All Saints Primary School and housing off the A520.
- 2.2.2 To the south are fields in ownership of the applicant. These slope down away from the site to the wooded valley.
- 2.2.3 Pickwood recreation ground is located to the east of the site and the town centre is situated to the north beyond a minor valley. To the south-east, the site is bounded by existing 1990's housing development on Milltown Way, which completes the eastern boundary with the recreation ground.
- 2.2.4 The north eastern section of the site is more open than that of the southern section though it becomes wooded at the north western sloped edges. A mature hedgerow runs across the central section of the site and forms boundary to the more open field to the north. A low hedgerow with trees defines part of the eastern boundary which runs along an adjacent recreation field. The south-eastern boundary lies immediately adjacent to houses on Milltown Way on locally higher ground.

Site Accessibility

- 2.2.5 Vehicular access to the site is via Milltown Way and the site forms a logical continuation to the existing housing. The site is located within easy walking and cycling distance to the town centre, services and community facilities in Leek including; Primary School, Secondary School, supermarket, banks, sport facilities, and other recreation and leisure.
- 2.2.6 The location of the site provides a good opportunity for journeys to be undertaken on foot and by cycle due to the close proximity of the town centre. This is further enhanced by the proposed infrastructure improvement measures that are included in the proposed development.
- 2.2.7 There is an unmarked bus stop on Pickwood Avenue within 400m walk of the Site, bus stops on the A523 Ashbourne Road within a circa 500m walk of the Site and Leek bus station is within an 800m walk of the Site. During the Monday to Saturday daytime period, there are typically 7 buses per hour (14 buses per hour taking account of bus services travelling in each direction) calling at Leek bus station. Destinations include Baddeley Green, Biddulph, Buxton, Cheddleton, Hanley, Mow Cop, Werrington and Sneyd Green. A number of these services also operate on Sundays.

Statutory Designations

- 2.2.8 There is currently no public access to either the site or the surrounding countryside around Pickwood Hall. A footpath runs adjacent to the site on the north-eastern boundary from the recreation ground into Leek Town Centre.
- 2.2.9 The site is not situated wholly within Flood Zone 1. The site is therefore not at a risk of flooding and the site is not the subject of any Tree Preservation Orders. The site does not fall within a Conservation Area; however, Leek Conservation Area lies to the northwest of the site (the boundary for which was extended in November 2013).
- 2.2.10 The site falls within the locally-designated Ladydale Site of Biological Interest (SBI). The Ladydale SBI is designated for its poor semi-improved grassland extended, which extends to some 24.5 hectares.

2.3 Planning History

- 2.3.1 A review of the Council's planning register has not identified any site specific planning history of relevance to the current application.
- 2.3.2 The development adjacent to the site at Milltown Way, Leek is a recent development, located directly adjacent to the western boundary of the site. The planning permission was not available to review; however, it is noteworthy that the development necessitated a change in the site boundary to the Ladydale SBI to *"...exclude development which has taken place since the 2000 survey."*

3. THE PROPOSED DEVELOPMENT

3.1 Introduction

3.1.1 This application seeks outline permission for a residential development with all matters reserved, save for that of access. Whilst an indicative Framework Masterplan is provided that illustrates how the site could be developed, it is not for determination at this stage.

3.1.2 The application comprises;

- Vehicular and pedestrian access off Milltown Way;
- Residential development of up to 90 dwellings, situated on the higher plateau of the site;
- New structure landscaping including trees and vegetation to create attractive informal public open spaces and street scenes;
- Ecological Management of areas on and surrounding the site within the ownership of the applicant;
- Retention, enhancement and where necessary, replacement, of hedgerows on site; and
- Provision of a Sustainable Urban Drainage;

3.2 Public Consultation

3.2.1 Gladman undertook a programme of public consultation and a Statement of Community Involvement (SCI) forms part of the supporting information. This was held from 10th September 2014 for two weeks, employing a number of consultation methods including a dedicated website and consultation leaflet to residents, businesses and interested parties. Details are enclosed in the accompanying Statement of Community Involvement.

3.3 The Vision – The Design Objectives

3.3.1 The proposals are based on sound design principles that have taken into account the constraints and opportunities presented by the site. Consideration has also been given to achieving a sensitive integration between the proposed development and the existing settlement. The overarching objectives of the illustrative Framework Masterplan is to

provide for a good mix of housing sizes and tenures with a range of housing, embracing a high quality design philosophy as required by the Framework.

- 3.3.2 The housing mix will reflect the accommodation needs of different people, families and ages. Careful consideration has been given to the provision of public open space and footpaths.
- 3.3.3 Recognising the value of the local vernacular and architectural character, the proposals respond to this by embracing local distinctiveness throughout the site. Whilst not for determination now, the Design and Access Statement demonstrates that the development could create a high quality and pleasant residential environment that will be a desirable place to live.
- 3.3.4 The proposals will deliver transport infrastructure including highways and pedestrian networks throughout the scheme thus delivering a development with good accessibility to local services and facilities into Leek.

3.4 Delivery

- 3.4.1 Market dwellings will be delivered by private house builders with affordable housing provided by, or in partnership with, a Registered Provider (RP). Following a grant of consent, the site would be marketed immediately and sold as expeditiously as possible to one or more house builders who would submit the requisite reserved matters application(s).
- 3.4.2 It is likely that, subject to market conditions, on average around 25 to 30 market dwellings would be completed per annum. The affordable housing would be delivered simultaneously (as required by Planning Condition) alongside the market dwelling completions. Taking into account infrastructure delivery it is anticipated that the development of the site would take in the order of 4-5 years to complete.

3.5 Planning Obligations

- 3.5.1 Gladman will seek to enter into constructive dialogue with Staffordshire Moorlands District Council to agree obligations for any necessary and reasonable on and off site

provisions which are related in scale and kind to the proposed development and which meet the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010.

4. THE DEVELOPMENT PLAN

4.1 Introduction

- 4.1.1 Planning law requires that applications must be determined in accordance with the development plan unless material considerations indicate otherwise (Section 38(6) of the Planning and Compulsory Purchase Act). This is confirmed by Paragraphs 11 and 12 of the National Planning Policy Framework (the Framework), which continues to place importance on the plan-led approach.
- 4.1.2 The Framework also makes clear at paragraph 215 that now 12 months have passed since its publication, due weight should be given to relevant policies in existing plans according to the degree of consistency with the Framework (the closer the policies in the plan to the policies in the Framework, the greater the weight may be given).
- 4.1.3 The Development Plan for the area comprises:
- Staffordshire Moorlands Local Plan (Adopted 1998)
 - The Core Strategy (Adopted March 2014)
 - The Minerals Local Plan (Adopted in December 1999)
 - The Waste Local Plan (Adopted in February 2002)
- 4.1.4 This chapter will identify the relevant policies of the Development Plan to which weight may be given in the determination of planning applications.
- 4.1.5 Staffordshire Moorlands acknowledge that they cannot demonstrate a 5 year housing supply. In accordance with Framework Paragraph 49, relevant policies for the supply of housing should not be considered up-to-date.

4.2 Staffordshire Moorlands Local Plan (Adopted 1998)

- 4.2.1 Policies from the Staffordshire Moorlands Local Plan (SMLP) were largely replaced by the Core Strategy in 2014. However, the development boundaries within the 1998 adopted SMLP are still in force until such time as they are reviewed as part of the Local Plan review in 2016.

- 4.2.2 The policies which control development in these locations are absent, as they were not saved following the adoption of the Council's Core Strategy; the policy was replaced with 'R2 – Rural Housing' within the Core Strategy.
- 4.2.3 The development boundaries were adopted in 1998, and were only supposed to apply for the period 2001. The restriction of new development to locations within settlement boundaries is clearly inconsistent with the Framework. Further, in the absence of a housing land supply, the weight therefore that can be attributed to the existing defined settlement boundaries on the Proposals Map is substantially diminished.

4.3 The Core Strategy

- 4.3.1 The Core Strategy was adopted on the 26th March 2014. It provides the principle Development Plan which replaces the Staffordshire Moorlands Local Plan. It sets out a development strategy which identifies the level of development expected to take place within Staffordshire Moorlands from 2006 - 2026 and a number of Core Policies to assist in achieving the Vision.

Core Strategy Inspector's Report (2 January 2014)

- 4.3.2 The Inspector's Report concluded that the Core Strategy had a number of deficiencies in relation to sound in its submitted form, and consequently required main modifications to make the Plan sound and capable of adoption.
- 4.3.3 One of the fundamental modifications required an increase in housing provision from 5,500 to 6,000 additional dwellings to be completed during the period 2006 – 2026. In the light of concerns over housing land supply and the requirement, the Inspector recommended the plan could be adopted but that it should be reviewed almost immediately, with a new plan being prepared for the period 2016 – 2031 (rolling it forward into a single local plan combined with the Site Allocations DPD, including a review of the Strategic Housing Market Assessment).

Chapter 3 – The Challenges

- 4.3.4 This section highlights the challenges facing the District, which will need to be addressed to bring about a sustainable improvement in the social, economic and environmental conditions of the District. The chapter addresses the challenge of the housing market,

stating that the Provision of affordable housing is a priority need. An ageing population in under-occupied housing, high house prices, below average wage levels, continued immigration, and a small rental sector points to continued difficulties in accessing affordable housing (to buy or rent) in the future.

Chapter 4 – The Vision

- 4.3.5 This section sets out the direction in which the Council would like to take the District in the long term and sets the context for deriving more detailed objectives and policies within the Core Strategy. With reference to Leek, it states the town will be an increasingly important civic and service centre for its population and the District and will further strengthen its role as the principal town in the District. The quantity and quality of the retail offer in the town centre will have improved further, and the diversity of employment opportunities, facilities and services it offers increased.

Chapter 5 – Aims and Objectives

- 4.3.6 Chapter 5 provides a number of aims and objectives to address the challenges and gives a broad direction that the more detailed strategy and policy measures should take. The following aims and objectives are relevant to the proposal:

- **SO1.** To make provision for the overall land-use requirements for the District, consistent with national and regional policy, local evidence, the role of Staffordshire Moorlands within North Staffordshire and the role of each settlement.
- **SO2.** To create a District where development minimises its impact on the environment, helps to mitigate and adapt to the adverse effects of climate change and makes efficient use of resources.
- **SO4.** To provide new housing that is affordable, desirable, well-designed and meets the needs of residents of the Moorlands.
- **SO5.** To ensure the long-term vitality and viability of the three market towns of Leek, Biddulph and Cheadle.
- **SO10.** To deliver sustainable, inclusive, healthy and safe communities.
- **SO11.** To reduce the need to travel or make it safer and easier to travel by more sustainable forms of transport.

- 4.3.7 The objectives are generally in accordance with the policies of the Framework and can be afforded weight.

Chapter 6 – The Development Approach

- 4.3.8 Chapter 6 addresses the direction in which new development will be distributed to meet the challenge facing the District. Paragraph 6.7 states that the proposed development approach is one which focuses development on the 3 market towns of Leek, Cheadle and Biddulph and the larger villages but allows for limited development of other settlements to meet local needs and targets areas in need of regeneration. It states a priority to the development of brownfield sites but allowing for peripheral expansion on radial routes.

Chapter 7 – The Spatial Strategy for Staffordshire Moorlands

- 4.3.9 Chapter 7 provides the spatial strategy for the District. It builds on the ‘Development Approach’ focusing development in the market towns of Leek, Cheadle and Biddulph which will accommodate the bulk of District’s housing and employment needs. The following ‘Strategic Aims’ are relevant to the proposal;

- **SA1:** Creating distinctive, sustainable, self-supporting settlements
- **SA2:** Meeting the needs of our communities
- **SA4:** Maintaining a quality environment and special places

- 4.3.10 Supporting text in relation to housing development in Leek underpins Strategic Aim 2, and builds on the ‘The Development Approach’. Paragraph states;

‘In Leek the rate of housing development will be increased from a past average of 57 dwellings/annum to 82.5 dwellings/annum. In the short to medium term the emphasis will be on making the most of opportunities for brownfield development within the existing urban area through appropriate reuse of surplus mill buildings as well as regenerating underused and surplus areas. Whilst much of the housing need could potentially be accommodated on brownfield sites within the current built-up area, some greenfield development for housing within the settlement boundary and on the edge of the town will also be necessary. Major greenfield sites will only come forward in the longer term’.

- 4.3.11 These policies are broadly consistent with the Framework; however, the Council cannot demonstrate a 5 year housing land supply and the Framework does not specifically impose a requirement for a brownfield first approach to development. The housing aspect of SA2 is therefore out of date and it therefore carries limited weight.

Chapter 8 – Core Policies

- 4.3.12 Chapter 8 provides the Core Policies for guiding development. Policy **SS1 Development Principles** underpins the whole Core Strategy and sets out criteria which will be applied to all development proposals, and accordingly should be attributed weight.
- 4.3.13 Policy **SS1a** set out the model policy for the **Presumption in Favour of Sustainable Development**, as set out in the paragraph 14 of the Framework.
- 4.3.14 Policy **SS2 – Future Provision of Development** states Provision will be made for 6000 additional dwellings (net of demolitions) to be completed in Staffordshire Moorlands (excluding the Peak District National Park) during the period 2006 to 2026.
- 4.3.15 Policy **SS3 – Distribution of Development** states development will be located in accordance with the Spatial Strategy and will be distributed between the towns and rural areas. Leek is allocated to take 30% of housing and employment growth.
- 4.3.16 Policy **SS4 – Managing the Release of Housing Land** states that the release of land for housing across the District will be managed in order to deliver the level and distribution of development set out in policies SS2 and SS3. Since the Council cannot demonstrate a sufficient supply of sites, the presumption in policy SS1a is therefore engaged.
- 4.3.17 Policy **SS5a - Leek Area Strategy**: The Core Strategy identifies a settlement hierarchy, and through 'Area Strategies', a range of development objectives for each settlement. The spatial strategy seeks to focus future growth in these settlements and to strengthen their role as service centres. **Policy S55a** states that the Council and its partners will seek to consolidate the role of Leek as the principal service centre and a market town and support its regeneration, including meeting housing needs, increasing employment opportunities,

and strengthening the role of Leek as a principal service and retailing centre for the District. Accordingly, weight can be given to this policy.

Site Specific Policies

4.3.18 The site is located within Ladydale Site of Biological Importance (SBI). Accordingly, **Policy NE1 – Biodiversity and Geological Resources** is relevant. It states that the biodiversity and geological resources of the District will be conserved and enhanced by positive management and strict control of development by;

‘Conserving, and enhancing regional and locally designated sites. The Council will not permit any development proposal which would directly or indirectly result in significant harm to geological and biodiversity conservation interests including ancient woodland, unless it can be demonstrated that:

- *there is no appropriate alternative site available; and*
- *all statutory and regulatory requirements relating to any such proposal have been satisfied; and*
- *appropriate conservation and mitigation measures are provided; or if it is demonstrated that this is not possible the need for, and benefit of, the development is demonstrated to clearly outweigh the need to safeguard the intrinsic nature conservation value of the site and compensatory measures are implemented’.*

4.3.19 The Policy should be afforded due weight in the planning balance.

4.3.20 **Policy R1 - Rural Diversification** states that All development in the rural areas outside the development boundaries of the towns and villages will be assessed according to the extent to which it enhances the character, appearance and biodiversity of the countryside, promotes the sustainable diversification of the rural economy, facilitates economic activity, meets a rural community need and sustains the historic environment.

4.3.21 **Policy R2 –Rural Housing** states Other than sites allocated for housing development in the Site Allocations DPD, only the specific forms of housing development will be permitted in the rural areas outside the settlement and infill boundaries of the town and the villages.

4.3.22 The site lies outside the existing defined settlement boundaries of Leek, and policies R1 & R2 are applicable. They seek to strictly control new development in the rural areas. The

proposals are therefore not consistent with the plan in this respect; however, considering the adverse housing supply situation the District faces, this non-compliance will need to be weighed in the planning balance against the provisions of the Framework, including the presumption in favour of sustainable development and other benefits flowing from the development.

Other Relevant Policies of the Development Plan

4.3.23 The environmental, design and technical development-management policies of the Development Plan are applicable and should be given weight in the planning balance:

- **Policy H1 - New Housing Development** requires new housing development provides for a mix of housing sizes, types and tenure including a proportion of affordable housing as set out in policy H2, and where appropriate housing for special groups, to meet the needs and aspirations of the current and future population having regard to the Area Strategies in SS5 and SS6.
- **Policy H2 Affordable and Local Needs Housing** provide a target of 33% affordable housing on-site from all sources. The actual level of provision will be determined through negotiation taking into account development viability and other contributions.
- **Policy T1 - Development and Sustainable Transport** states the Council will promote and support development which reduces reliance on the private car for travel journeys, reduces the need to travel generally and helps deliver the priorities of the Staffordshire Local Transport Plans, where this is consistent with other policies.
- **Policy T2 - Other Sustainable Transport Measures** states in line with priorities set out in the NPPF and the Staffordshire Local Transport Plan, and through working with partner organisations, the Council will encourage and support measures which promote better accessibility, create safer roads, reduce the impact of traffic, or facilitate highway improvements.
- **Policy SD3 – Carbon-saving Measures in Development** : States that the Council will promote further carbon-saving measures in both new and existing developments (where this is consistent with other Core Strategy Policies)
- **Policy SD4 – Pollution and Flood Risk:** States the Council will ensure that the effects of pollution (air, land, noise, water, light) are avoided or mitigated by

refusing schemes which are deemed to be (individually or cumulatively) environmentally unacceptable and by avoiding unacceptable amenity impacts by refusing schemes which are pollution-sensitive adjacent to polluting developments, or polluting schemes adjacent to pollution sensitive areas, in accordance with national guidance.

- **Policy DC1 – Design Considerations:** States all development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council's Design SPD.
- **Policy DC2 - The Historic Environment:** States The Council will safeguard and, where possible, enhance the historic environment, areas of historic landscape character and interests of acknowledged importance, including in particular scheduled ancient monuments, significant buildings (both statutory listed and on a local register), the settings of designated assets, conservation areas, registered historic parks and gardens, registered battlefields and archaeological remains.
- **Policy DC3 - Landscape and Settlement Setting:** States the Council will protect and, where possible, enhance local landscape and the setting of settlements in the Staffordshire Moorlands.
- **Policy C2 - Sport, Recreation and Open Space:** States The Council will promote the provision of high quality recreational open space by implementing and supporting schemes that will protect and improve the quantity, quality and accessibility of open space and outdoor sports, leisure and children's play facilities throughout the district, in accordance with the adopted minimum standards set out in the Open Space, Sport and Recreation SPD.
- **Policy C3 - Green Infrastructure:** States the Council will, through partnership working with local communities, organisations, landowners and developers, develop an integrated network of high quality and multi-functional green infrastructure.

4.4 The Minerals Local Plan (Adopted in December 1999)

- 4.4.1 The Minerals Local Plan was adopted December 1999. There are no policies of relevance to the determination of the application.

4.5 The Waste Local Plan (Adopted in February 2002)

- 4.5.1 The Waste Local Plan was adopted February 2002. There are no policies of relevance to the determination of the application.

4.6 Development Plan Summary

- 4.6.1 The Council acknowledges that they cannot demonstrate a 5 year supply of deliverable housing sites. Development Plan policies relating to the supply of housing are therefore out-of-date and the presumption in favour of sustainable development set out in Policy SA1 and Paragraph 14 of the Framework are engaged. This includes the development boundaries within the Local Plan, which are still in force until such time as they are reviewed.
- 4.6.2 With the exception of the housing and brownfield development aspects of policy SA2, the strategic priorities for development, the general spatial strategy for the provision of new housing, and key technical policies of the Core Strategy accord with the Framework and can be given weight in the determination of the application proposal.

5. OTHER MATERIAL CONSIDERATIONS

5.1 Introduction

- 5.1.1 The following policy documents, research and guidance are important material considerations in the determination of this application.

5.2 National Planning Policy Framework

- 5.2.1 Following its publication in March 2012, national planning policy is now provided in the National Planning Policy Framework ('the Framework'). The Framework set out the Government's planning policies for England and how these are expected to be applied.

- 5.2.2 The Framework adopts the Brundtland definition of sustainable development of meeting the needs of the present without compromising the ability of future generations to meet their own needs. Paragraph 7 highlights the economic, social and environmental elements of delivering sustainable development. Paragraph 8 notes:

"These roles [economic, social and environmental] should not be undertaken in isolation, because they are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities."

- 5.2.3 The Government has made clear its expectation, through the Framework, that the planning system should positively embrace well-conceived development to deliver the economic growth necessary and the housing we need to create inclusive and mixed communities. The 'presumption in favour of sustainable development' is the golden thread running through national policy. With regarding to decision-taking, Paragraph 14 confirms this means approving development proposals that accord with the development plan 'without delay'. Where the development plan is absent, silent or out-of-date, planning permission should be granted, provided the impacts do not significantly and demonstrably outweigh the benefits.

- 5.2.4 To support the delivery of sustainable development, Paragraphs 186-187 state:

“Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.

Local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.”

5.2.5 The Framework is explicit at paragraph 210 that; *“Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise”.*

5.2.6 The Framework includes the following key provisions, which are relevant to the development proposals:

- The Framework calls for a positive approach to new development and amongst other things seeks to deliver a significant boost to housing supply. LPAs are required to identify a 5 year land supply of deliverable sites for housing development; where the authority has a persistent record of under-delivery against the delivery of housing they should provide an additional 20% flexibility allowance (§ 47). Policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a deliverable five-year supply of sites (§ 49).
- Developments should be located where the need to travel will be minimised and the use of sustainable modes of transport can be maximised. This should take into account the development needs and opportunities available in rural areas, which differ from those in urban areas (§ 34 and § 29).
- While the Framework encourages the use of previously developed land, it does not promote a sequential approach to land use. Consideration should be given to the economic benefits of agricultural land (§ 111).
- Distinctions should be made between the hierarchy of international, national and locally designated sites, so that protection is commensurate with their status and

gives appropriate weight to their importance and contribution that they make to wider ecological networks (§ 113)

- New development should aim to be safe and accessible, with clear and legible pedestrian routes, and high quality public space, which encourage the active and continual use of public areas (§ 69).

5.2.7 The remainder of the Framework contains thematic chapters mirroring the subject content of former PPS / PPGs. Of relevance to the proposed development at Milltown Way, it requires planning authorities to:

- help achieve economic growth by proactively supporting an economy fit for the 21st century, by taking a positive approach to sustainable development;
- seek high quality and inclusive design;
- promote sustainable transport and only refuse development where the residual cumulative impacts are severe;
- conserve the natural and historic environment; and
- meet the challenge of climate change and the move to a low carbon future.

5.2.8 A full assessment against the provisions of the Framework is included in Chapter 6 of this Statement.

5.3 National Planning Practice Guidance

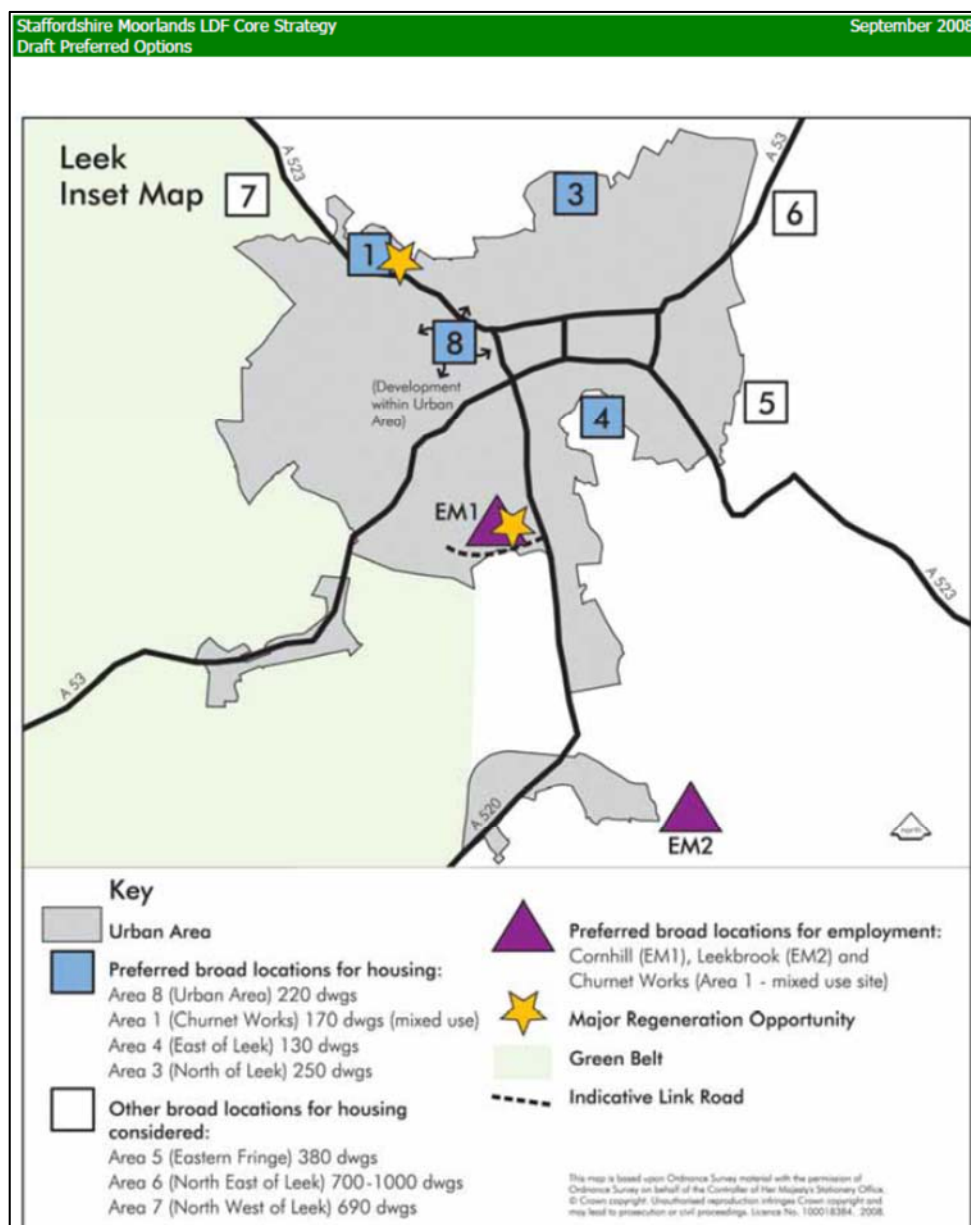
5.3.1 The National Planning Practice Guidance (NPPG) website was launched on 6 March 2014, following a period of beta-testing and public consultation. It replaces and consolidates 7,000 pages of planning guidance on topics including flood risk, heritage and design and it should be read in conjunction with the Framework.

5.3.2 As well as expanding on policy, the NPPG also provides general procedural guidance on matters such as the use of planning conditions and planning obligations and on planning appeals. It replaces cancelled guidance such as 'The Planning System: General Principles' document, providing guidance on issues of prejudice and prematurity, as well as providing detailed technical guidance for authorities and applicants on the production of planning studies, such as housing and economic land availability assessments.

- 5.3.3 Where provisions of the NPPG are relevant to the application, assessment will be provided in the relevant section of the planning appraisal in the following chapter.

5.4 The Evolution of the Core Strategy

- 5.4.1 The Core Strategy Preferred Options was published September 2008. The application site location was subsequently identified in the Core Strategy Preferred Options as one of four 'Broad Locations for Housing' **Area 4 (East of Leek) 130 dwellings**. The Key Diagram is included below:



- 5.4.2 The broad location was subsequently removed in the Core Strategy Submission Version (May 2009).

5.5 Core Strategy Inspector's Report (2 January 2014)

- 5.5.1 The Core Strategy Examination in Public took place February 2013. The Inspector concluded within the 'Interim Conclusions' that the Plan had a number of deficiencies in relation to soundness which resulted in a recommendation of non-adoption, in accordance with Section 20(7A) of the Act, until the deficiencies had been addressed.
- 5.5.2 The Council has requested that the Inspector recommend main modifications to make the Plan sound and capable of adoption. Fundamentally, this included an increase in housing provision from 5,500 to 6,000 additional dwellings to be completed during the period 2006 – 2026, together with a commitment to an early review of the Core Strategy for the period 2016 – 2031, including a review of the Strategic Housing Market Assessment.
- 5.5.3 The justification of adopting this approach is included at paragraph 38 of the Inspector's Report:

"Generally, the early review of Core Strategies goes against the concept of plans aimed at providing guidance and certainty over the longer term. In this respect the arguments of those opposed to the idea of an early review carry some weight. However, compared to the examples of core strategies brought to the attention of the Examination the case of the Staffordshire Moorlands Core Strategy is different particularly in that the housing figures were developed in co-operation with neighbouring authorities, and it reflects an agreed cross boundary approach to housing provision. In the circumstances I consider there is little to be gained by delaying its adoption whilst the evidence base is updated, including a review of the Strategic Housing Market Assessment."

- 5.5.4 The requirement of an early review established that significant strategic issues and the evidence base will need to be revisited, including matters of housing land supply. The Council's Strategic Housing Market Assessment has been prepared and issued and this indicates the housing requirement is likely to increase significantly, meaning additional sustainable sites will need to be identified in sustainable service centres, such as Leek.

5.6 Strategic Housing Market Assessment and Housing Needs 2014

- 5.6.1 SMDC published a Strategic Housing Market Assessment in June 2014, prepared in response to the Inspector's Report of the Core Strategy. The SHMA recommended that a

housing requirement of between 260 and 440 dwellings per annum presents a sensible range for Staffordshire Moorlands; however, it states that if the Council were to pursue a figure significantly lower than 440 dwellings per annum whilst also planning for annual job growth and an ageing population, it would need to justify how it would mitigate or avoid the adverse housing, economic and other outcomes to which a lower-growth approach would give rise.

5.7 Strategic Housing Land Availability Assessment 2012

- 5.7.1 The site has been assessed within the October 2012 SHLAA, under site reference LE147. Under the heading 'suitability', the SHLAA states; *'Development within the SBI would need to clearly outweigh the need to safeguard the intrinsic nature conservation value of the site'*.

5.8 Emerging Local Plan

- 5.8.1 The development of the Local Plan is still under preparation. The timetable for the early review is located on the Council's website (accessed 29th Sept 2014). This confirms consultation on the Site Options will commence imminently, with a view to progressing to adoption on schedule in 2016.

5.9 Housing Land Supply Schedule 31 March 2014

- 5.9.1 The latest housing land supply statement was published by the Council in July 2014. It states that SMDC has a 2.17 year housing land supply, with a base date of March 2014. The Authority applies a 20% buffer as a consequence of persistent under-delivery. The supply comprises all dwellings under construction and all unimplemented sites with valid planning permission, but excludes uncommitted sites identified in the Strategic Housing Land Availability Assessment which may be deliverable over the next 5 years.
- 5.9.2 The supply calculation is based against the Core Strategy figure of 300 dwellings per annum. The Authority has failed to meet this target in every year of the existing plan period (2006 – 2026) to date.
- 5.9.3 The Core Strategy directs that a minimum of 1800 dwellings will be delivered in Leek during the plan period 2006 – 2026. Within the 2014 Housing Land Supply Schedule, it shows only 403 dwellings have been completed in Leek since 2006, despite being nearly

half way through the plan period. There is an acute shortfall in housing delivery within Leek and the wider District. This equates an average annual development rate of 50 dwellings per annum within Leek, falling significantly short of the 82.5 dwellings per annum set out in paragraph 7.25 of the Core Strategy.

5.10 Leek Ecological Study 2010

5.10.1 A desktop study and field surveys were carried out to examine potential development areas in Staffordshire Moorlands District in 2009. The Leek Ecological Study was published in 2010. An assessment of Ladydale SBI found the following:

“Habitats

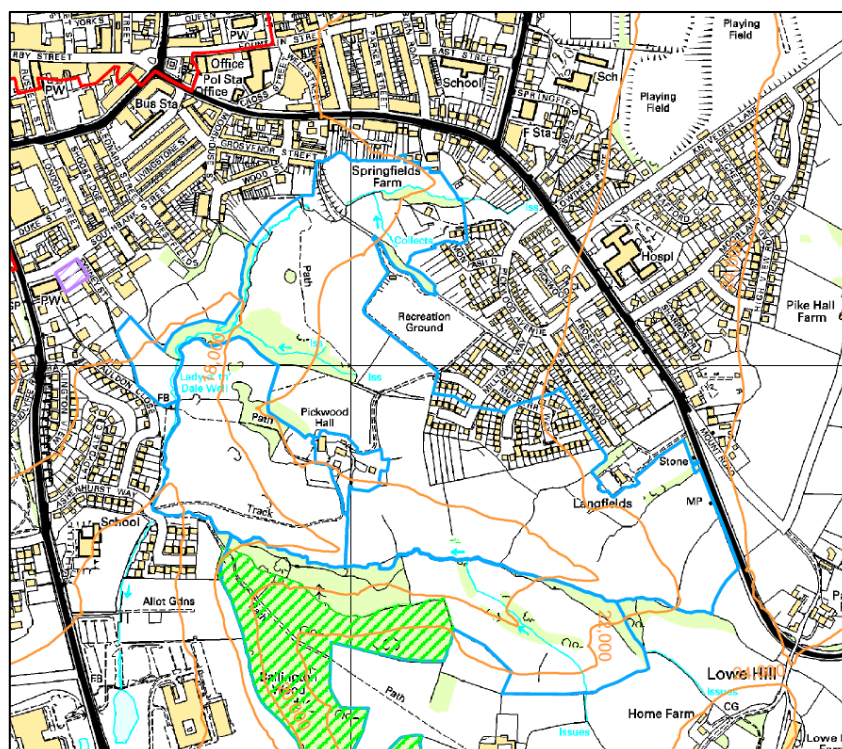
Habitats within Ladydale include semi-natural broad-leaved woodland, species rich semi-improved neutral grassland, poor semi-improved neutral grassland and marshy grassland. Surrounding habitats include parkland with veteran trees and a substantial area of broadleaved and coniferous woodland. There are also areas of housing, amenity grassland and farmland.”


5.10.2 It was through this exercise that the current boundary of the SBI was established. The conclusion of the survey at the time is that the area be protected from development.

5.11 Landscape and Settlement Character Assessment (LCA) 2008

5.11.1 The Landscape and Settlement Character Assessment was published in 2008. The overall aim of the study is to provide a framework to guide future development and management of the landscape of Staffordshire Moorlands, ensuring the distinctive character of the landscape is retained and change is managed positively.

5.11.2 The site is not formerly assessed by the study; however, the LCA ‘Leek Constraints Plan’ does provide the former boundary of Ladydale SBI, which was amended in 2009. The plan confirmed that the existing development on Milltown Way occupies a significant portion of the former SBI.



 Sites of Biological Interest

5.12 Development Capacity Study

5.12.1 The Development Capacity Study was undertaken in 2008/9 and updated in 2010/11. It provides an assessment of the following:

- the level and capacity of existing infrastructure services and facilities (including social and physical infrastructure) and accessibility
- assesses the viability of development sites
- appraises the potential impact of changes to the affordable housing targets

5.12.2 For the purposes of this application, it is the level and capacity of existing infrastructure that is of relevance. The 'Social Infrastructure' section confirms that Leek has significant capacity with education at primary, secondary, and college levels. It highlights that there could be a small reduction in expectation of future demand, as a consequence of the ageing population.

5.12.3 The study also confirms there is capacity to cater for future demand in community/social facilities, leisure facilities and emergency services. The study also confirmed that the GP Surgery is accepting new patients.

6. PLANNING APPRAISAL

6.1 Introduction

6.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 refers to the Development Plan as a whole and requires that:

“If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise”

6.1.2 This is in addition to Section 54A of the 1990 Act, and is a reiteration of the presumption in favour of development that accords with an adopted and up to date Development Plan, as qualified by Paragraph 12 of the Framework.

6.1.3 The key issues to determine in the consideration of this planning application are whether;

- the development proposals are in accordance with the relevant policies of the adopted Development Plan, insofar as they apply and the degree of weight that can be reasonably attributed to them; and
- the assessment of all other material considerations, including the National Planning Policy Framework and the application of the presumption in favour of sustainable development, point towards the appropriateness of a grant of planning permission in the planning balance.

6.2 Conformity with the Development Plan

6.2.1 The second part of Paragraph 14 of the Framework sets out clear guidance for decision makers, stating that unless material considerations indicate otherwise, the presumption in favour of sustainable development means;

“Approving development proposals that accord with the development plan without delay”

- 6.2.2 Having identified those parts of the development plan that are relevant and up-to date in the previous chapter, the following paragraphs assess whether the development proposals are in accordance with the Development Plan.

Development Plan: The Principle of Residential Development.

- 6.2.3 The Core Strategy comprises the principal adopted Development Plan document for SMDC. As set out in Chapter 4, the Core Strategy supersedes the saved policies from the Staffordshire Moorlands Local Plan, save for the development boundaries. The development boundaries are drawn tightly around the settlements and therefore constrain housing development. In accordance with Framework paragraph 49, they are demonstrably out-of-date in the absence of a 5 year housing land supply.
- 6.2.4 The proposal accords with the Spatial Strategy and Leek Area Strategy. The Core Strategy seeks to consolidate the role of Leek as the principal service centre and a market town and support its regeneration. It is described as a ‘highly sustainable settlement’ with the capacity to take further growth. This is confirmed within The Development Capacity Study, which identifies significant capacity within community facilities and services.
- 6.2.5 The Core Strategy directs a target of 1,800 dwellings towards Leek over the plan period. Since 2006, the town has only delivered 425 dwellings, a mere 50 dwellings per year. This is far short of the 82.5 dwellings rate set in the Spatial Strategy and there is already a significant net under-delivery in Leek of 235 dwellings against this local requirement.
- 6.2.6 ‘Strategic Aim 2’ states some greenfield land development for housing within the settlement boundary and on the edge of the town will be necessary. This conflicts with the statement that major greenfield sites will only come forward in the longer term. Brownfield sites in Leek have comprehensively failed to deliver the new homes Leek needs as we approach half way through the plan period. It is clear that the development of greenfield sites cannot be postponed any further.
- 6.2.7 As the site lies outside the existing defined settlement boundaries of Leek, Policies R1 & R2 (Rural Areas) are applicable. This seeks to strictly control new development in the rural areas. The proposals are therefore not consistent with the plan in this respect; however, considering the adverse housing supply situation the District faces, this non-compliance will need to be weighed in the planning balance against the provisions of the Framework,

including the presumption in favour of sustainable development and other benefits flowing from the development

6.2.8 The site is located within Ladydale Site of Biological Importance, which is a locally designated site. Policy NE1 states any development proposal which would directly or indirectly result in significant harm to geological and biodiversity conservation interests including ancient woodland, unless certain parameters are met. The proposal meets the policy requirements through demonstrating the following;

- There are no appropriate alternative sites available in Leek to meet the housing need, which is demonstrated by the severe under-delivery at local in Leek, and the lack of planning permissions;
- all statutory and regulatory requirements relating to any such proposal have been satisfied through the accompanying reports;
- appropriate conservation and mitigation measures are provided and enhancements and enhancements, resulting in a net gain in biodiversity; and
- The area proposed for development is, contrary to the findings of the 2010 report, of low conservation value. This was confirmed during a pre-application site visit with officers in August 2014. The acute need for housing, and benefit of, the development is demonstrated to clearly outweigh the need to maintain the SBI boundary, with the remainder of SBI within the site being conserved and enhanced through ecological management areas.

6.2.9 The proposed development would result in the two fields of species-poor semi-improved grassland being lost, and a small area of temporary disturbance of grassland habitat on the steep west facing bank in the northern section. All other habitats within the site are to be retained. The proposed long-term management of the southern section will make a positive contribution to the Staffordshire Biodiversity Action Plan, ensuring policy compliance.

6.2.10 The ecological appraisal has considered two sections of land, the northern section where development is proposed and the southern section which is land which is also within the control of the applicant. The collective site formed by these two areas of land form part of a larger area of the locally designated Site of Biological Importance SBI, which places the site as being of County importance.

- 6.2.11 Ladydale SBI extends to 24.11 ha and is formed by a variety of habitat types including seminatural broadleaved woodland; scrub; grassland; tall-herb fen and tall ruderal herb; running water; amenity grassland; hedged boundaries with trees and small areas of bare ground. The areas considered by the application site covers 35% of the SBI and includes examples of all the above habitats.
- 6.2.12 The proposed development would result in the two fields of species-poor semi-improved grassland being lost (c13% of the SBI). A small area of temporary disturbance of grassland habitat on the steep west facing bank in the northern section would also occur which can be mitigated. All other habitats within the site are to be retained and enhanced through positive management and a draft outline management plan is enclosed with the ecological statement. The two fields which would be lost to the development have been assessed through a detailed grassland survey and these support species-poor, semi-improved neutral grassland. The assessment confirms that the fields do not meet the SBI grassland selection criteria thresholds to be considered as SBI value.
- 6.2.13 The submitted ecological appraisal also assesses potential impacts on fauna. Habitat suitable to support reptiles on site is present but no reptiles are present. All of this habitat in any case will be retained. There is a low level of bat activity involving common bat species commuting along boundaries. All important features for bats will be retained, ensuring that the conservation status of any local bat population affected. There is evidence to suggest Badgers have crossed the northern section of the site where development is proposed; however there are no setts within the site or any in close proximity to the site.
- 6.2.14 National planning policy (NPPF) and local policies (NE1) seek to ensure that development results in positive gains for biodiversity. The proposed development achieves this by balancing the loss of the area of very low nature conservation value grassland with proposed landscaping within the development and most importantly a commitment to manage the retained and improved habitats within the northern section and all of the southern section sympathetically for nature conservation objectives. Implementation of this management will ensure that the proposed development is compliant with both national and local planning policy and can be secured through a S106 agreement.

Development Plan: Technical Matters

6.2.15 The technical information and reports submitted in support of the application demonstrate that the development proposals are capable of meeting the remaining requirements of the relevant Development Plan Policies as summarised below.

Access and Transport

6.2.16 Full details of the main vehicular and pedestrian access point to the site are submitted for approval with the application. The proposed Site access arrangements are presented in the Transport Assessment AHA Drawing No. 1332/01 accompanying the application. It is proposed to extend Milltown Way into the Site land to provide vehicular access to the residential development.

6.2.17 Milltown Way is a single carriageway road and circa 5.5m wide. There is footway on both sides of Milltown Way and street lighting is present. Milltown Way is a residential cul-de-sac road with direct driveway access to properties along most of its length. It also provides access to the residential road of Mulberry Way, 2no short cul-de-sac roads also named Milltown Way and access to Pickwood Hall.

6.2.18 The Transport Assessment has reviewed the existing highways network in the vicinity of the site and confirmed there is no trend in the occurrence of accidents that would require remediation works to be undertaken prior to development. Further, comprehensive modelling of the anticipated traffic impacts arising from the development demonstrate that there is no material detrimental impact on the operation of local junctions and that all will operate with significant spare capacity and limited queuing.

6.2.19 Additional modelling was also undertaken at the Springfield Road/Ashbourne Road junction, as requested by County Highways. It was identified that the Springfield arm of the junction is predicted to experience demand in excess of capacity during the peak hour by 2019. A mitigation scheme is provided on Drg 1332/07, which proposes the widening of Springfield Road junction.

6.2.20 In regard to potential emergency access to the site, the Manual for Streets (MFS) makes it clear that the fire authority considers access routes on the basis of response times and does not apply a number driven approach. Based on the MFS guidance, it is considered an

emergency access is not required in this instance; a point accepted by the Highways Authority.

- 6.2.21 An accessibility appraisal of the site has been undertaken which confirms the site is accessible by foot and by cycle and shops, services and facilities within Leek can be accessed by those means. In particular, it is proposed to connect to the public footpath directly to the northern boundary of the site, which will provide excellent connectivity to the town centre.
- 6.2.22 A Framework Travel Plan accompanies the application, as required by Policy T1 which outlines measures to encourage the use of sustainable transport. This will include the provision of 'Sustainable Travel Information Packs' to new residents to encourage the use of sustainable transport modes.
- 6.2.23 The proposals are therefore in accordance with Core Strategy Policies T1 & T2, which support development which reduces reliance on the private car for travel journeys, and reduces the need to travel.

Trees and Hedgerows

- 6.2.24 A total of sixty eight individual trees and seventeen tree groups, woodlands and hedgerows were surveyed as part of the arboricultural assessment. Tree stock on site is comprised predominantly of moderate to low value individual tree specimens, groups of trees, woodlands and hedgerows although there was a portion of which were individually considered to be of arboricultural high quality and value by virtue of their good physical condition and strong visual presence within the landscape (Category A trees). As part of the development proposals none of the category A trees are to be removed and the development could be designed to respect the Root Protection Areas (RPA) of those species.
- 6.2.25 The loss of a small and sporadically placed group of early mature to semi-mature deciduous trees, considered to be of a good overall condition and of a moderate retention value (category B), is required as part of the development proposals. From an arboricultural point of view, due to their relatively young age and un-established

forms/visual prominence, the loss of this group of trees would be acceptable through mitigation comprising new tree planting.

- 6.2.26 Further assessment of the layout in relation to impacts on trees and hedgerows will be necessary at the reserved matters application stage to ensure the protection of trees and hedgerows on site.
- 6.2.27 The proposals are therefore in accordance with Policy C3 and NE1 from an arboricultural perspective.
- 6.2.28 It should be noted that Staffordshire Moorlands District Council made a Tree Preservation Order, which relates to all trees within the application boundary on 19th December 2014. FPCR, on behalf of Gladman, have made an objection to the TPO on the basis it is not justifiable and wholly inappropriate in its current form.

Landscape and Visual Impact

- 6.2.29 A Landscape and Visual Impact Appraisal (LVIA) of the proposed development has been carried out as part of an iterative design process by FPCR Environment and Design. The site lies within the character area 'Dissected sandstone cloughs and valleys' from the 'Churnet Valley Landscape Character Assessment', 2011. The land to the east of Leek lies within 'Ancient slope and valley farmlands'.
- 6.2.30 Due to contours and the heavily wooded local area, there are relatively few residential receptors of the site. These are restricted to housing north of the site on the opposite side of the valley, and a small number of houses immediately adjacent to the site. Views of the site from the national footpath to the south are restricted by the woodland and topography.
- 6.2.31 In landscape and visual terms the assessment demonstrates that the Masterplan proposals respond well to the local landscape character of the site, recognising and responding to opportunities to retain views, extend local public open space and enhance the local landscape character.

- 6.2.32 The landscape proposals include new recreational linkages and footpath connections. Open spaces and roads will provide a series of attractive vistas and views throughout the development. Development of the site would not notably influence the character of the landscape beyond the immediate surrounds of the site.
- 6.2.33 For those properties adjoining the site, visual effects will be minimised by additional buffer planting. It is envisaged that a small number of these properties could experience some moderate adverse effects but for others these would be slight adverse. These impacts would be consistent with effects and relationships between properties commonly found in residential areas.
- 6.2.34 The Development Framework demonstrates a well-considered approach to the landscape and town context of the site and appropriate development of the site has the potential to bring landscape benefits to the local landscape context. The proposals therefore accord with Policies SD2, DC2, and DC3.

Heritage Assets and Archaeology

- 6.2.35 Although there are no heritage assets within the site, there are eleven within the vicinity of the site, as well as the Leek Conservation Area. The south-eastern area of the Conservation Area, the London Street and All Saints Church part, and the Grade II Listed Pickwood Hall were considered against the proposed development. The assets are of moderate (local) significance.
- 6.2.36 The Pickwood Hall Estate and fields lie to the west side of the site. The asset is not primarily experienced from its intermediate/wider setting; there is very limited intervisibility between the site and the asset due to a number of mature trees and also the sloping topography of the site, apart from a glimpse at the rear. Therefore, the proposed development would have a minor negative impact on the setting of Hall. The primary components of the asset's significance which are its special architectural and historic interest would be unaffected by the site's development.
- 6.2.37 Overall, the proposed development would have a neutral to minor negative impact on the setting of the Conservation Area. However, the Conservation Area is considered to be inward looking, meaning that the setting to which it is primarily experienced is from within

the town rather than in the surrounding landscape. There is likely to be some impact with the loss of the open fields through the development of the site which may affect the surrounding rural setting, but this wider setting is considered a secondary consideration. Maintaining the open space and woodland associated with the valley situated between the site and the south-eastern perimeter of the Conservation Area may assist in mitigating any negative impact.

6.2.38 The Archaeological Assessment considers the potential for as yet to be discovered assets and concludes that there is nil archaeological potential. Accordingly, it is considered that because of the particularly low potential of the site, in the context of NPPF section 12, no further archaeological work is justified.

6.2.39 The proposals are therefore in accordance with Policies DC1, DC2 & DC3. The proposed development will not lead to substantial harm, and therefore in accordance with Framework paragraph 134, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

Design and Open Space

6.2.40 The Design and Access Statement (DAS) demonstrates how the site will deliver a high quality sustainable residential development. The proposals are based on sound design principles that have taken into account site constraints and opportunities presented by the site. Consideration has also been given to achieving a sensitive integration between the proposed development and the existing settlement. The overarching objectives of the Framework Masterplan is to provide for a good mix of housing sizes and tenures with a range of housing, embracing a high quality design philosophy as required by the Framework.

6.2.41 The development has been designed taking into account the recommendations of the LVIA. The green infrastructure within the built development will sit as an integral part of the framework and is key in creating an accessible, open and engaging place within which to live. The proposal provides a strong green framework comprising;

- Retained buffer planting to the western and north-western boundaries, protecting views from Westfields, Moorfields, Wood Street and Grosvenor Street and providing a robust green edge.
- Green routes through the site for pedestrian and cycle paths to link with existing routes.
- Management and enhancement of the retained ecological areas.

6.2.42 As far as it can be reasonably expected for an outline proposal, it is therefore considered the proposals comply with Design Policies DC1, DC2 & DC3, Open Space Policy C2, Housing Policy H1, and Leek Area Strategy Policy SS5a. Whilst there is technical non-compliance with Policy NE1, the ecological management area and net gain in biodiversity outweigh this technical conflict.

6.2.43 The Development Framework demonstrates a well-considered approach to the landscape and town context of the site and appropriate development of the site has the potential to bring landscape benefits to the local landscape context. The proposals therefore accord with Policies SD2, DC2, and DC3.

Ground Conditions

6.2.44 A Phase I land quality assessment has been completed for the application site. Based on historic land-uses and its current operational use, the overall risk from land contamination at the site is considered to be very low for the current development, and low for a re-developed site. This would need to be confirmed by appropriate intrusive investigation, testing and assessment of the results of any future investigation. It is considered unlikely that the site would be classified as Contaminated Land under Part 2A of the EPA 1990.

Flood Risk Surface Water Drainage

6.2.45 The development lies outside of any fluvial flood risk areas, holding a Flood Zone 1 (low risk) classification. Therefore the development passes the requirements of the sequential and exception tests. The assessment has found the site to be at low risk of flooding from tidal, surface water, sewer, groundwater and artificial sources. There is no residual flood risk from the development site to the surrounding area, due to the mimicking of greenfield storm water flow rates to the drainage ditches, located on the northwestern and southern boundaries. Therefore, the development does not increase the risk of surface water

flooding to other adjacent properties or neighbourhoods. Out of chamber or gully flooding for the extreme 100 year plus climate change storm event, may potentially occur within the development site and is classed as exceedance flows. Flood water from such events will be contained within the site away from the residential units. This will be achieved by geocellular storage crates, situated to the northwest of the development site.

6.2.46 The proposals are therefore in accordance with Policy SD4.

Noise and Air Quality

6.2.47 The application is accompanied by a Noise Screening Report and an Air Quality Screening Report, which considers the various potential noise and air quality issues that may be associated with the proposed development, both from existing sources and from sources associated with the development on existing and future residents.

6.2.48 The noise report confirms road traffic on the A523 and the A520 has been identified as the main contributing source of noise affecting the proposed development; however this is unlikely to be significant. In addition, the road traffic generated by the development is likely to result in only a small but imperceptible increase in noise levels. It is therefore considered that a full noise assessment is not required.

6.2.49 The Air Quality Report confirms it is not anticipated that the proposed development will have a significant impact with regard to additional road traffic. Further, there will be no issue with pollutant emissions from the development affecting existing or proposed receptor locations. It is therefore not considered necessary to undertake a full air quality assessment at outline planning stage.

6.2.50 The proposals are in accordance with SD2 & SD4.

Section 106 Agreement and Affordable Housing

6.2.51 In accordance with Policy H2, the proposals will provide 33% affordable housing. It is proposed that this requirement be secured by condition, which accepted means of securing affordable housing provision.

- 6.2.52 On the basis of 90 dwellings, this would provide for 30 affordable dwellings, the mix and tenure of which would be determined through negotiation with the Council at the reserved matters stage. The Core Strategy states the limited supply of, and high demand for, housing in Staffordshire Moorlands has led to high prices and rents. It is now extremely difficult for local people on low incomes and increasingly those on middle incomes to afford a home of their own. The offer of a substantial quantum of affordable housing from this site to meet the needs of Leek as the principal town is therefore a significant positive material consideration in the determination of this application.
- 6.2.53 Gladman will seek to enter into constructive dialogue to agree obligations for on and off site provisions which are reasonably related in scale and kind to the proposed development and which meet the statutory tests set out in Regulation 122 of the Community Infrastructure Levy Regulations 2010.

Conclusion on Compliance with the Development Plan

- 6.2.54 Strong support at the strategic level for the development can be drawn from the Spatial Strategy, Strategic Objectives and Core Policies of the Core Strategy. Although the development boundaries within the Local Plan are still in force, they are demonstrably out-of-date as a consequence of the Council being unable to demonstrate a 5 year supply of housing sites, meaning the presumption in favour of sustainable development in Policy SA1 is engaged. Permission should only be refused if the harm significantly and demonstrably outweighs the benefits.
- 6.2.55 The application site is located within Ladydale SBI and therefore Policy NE1 is applicable. The policy does allow for development within a designated site subject to certain criteria being met. The ecological appraisal confirms that those policy requirements are met through appropriate mitigation and the proposed long-term management, ensuring a net gain in biodiversity.
- 6.2.56 This loss of grassland will be mitigated by securing long-term sympathetic management of the 3.82 ha of semi-improved neutral grassland and marshy grassland on the area of land to the south of the developed area, along with similar management of other areas of semi-improved neutral grassland located on the sloping bank to the west of the proposed

developed area. Long term targeted management of these areas will ensure diversity within these retained areas is increased.

- 6.2.57 The accompanying reports confirm that the loss of grassland would not significantly and demonstrably outweigh the benefits. In accordance with paragraph 14 of the Framework, and Core Strategy Policy S1a, planning permission should be granted.

6.3 Assessment of Other Material Considerations: Compliance with the National Planning Policy Framework

- 6.3.1 Both the Act and the Framework refer to other material considerations that may be taken into account in the decision-making process. In this case, the principal material consideration is the Framework, together with other relevant documents including the emerging development plan and relevant Ministerial Statements.

- 6.3.2 In the first instance, the proposed development accords with the following relevant Core Planning Principles set out at Paragraph 17 of the Framework. The development;

- No.3 - will help to pro-actively drive and support sustainable economic development to deliver the homes, business space and thriving local places that the country needs; every effort should be made to objectively identify and then meet the housing, business, and other development needs of an area and respond positively to wider opportunities of growth;
- No.4 - seeks to secure high quality design and a good standard of amenity for existing and future occupants;
- No.5 - takes account of the different roles and character of different areas and will support the thriving rural community in Leek;
- No.7 - contributes to conserving and enhancing the natural environment and creating new habitat;
- No.11 - promotes growth in a sustainable location where the fullest use of public transport, walking and cycling can be made, and;
- No.12 - takes account of and supports local strategies to improve health, social, cultural wellbeing for all and delivers community facilities to meet local needs.

The Presumption in Favour of Sustainable Development

- 6.3.3 Paragraph 6 of the Framework makes it clear that Sustainable Development means that development proposals must be assessed against Policies 18 to 219 of the document as a whole. Such an assessment should be read in the context of the social, economic and environmental dimensions set out in Paragraph 7 and the guidance at Paragraphs 8 to 17 of the Framework. All elements of a scheme should be balanced such that even if there is a conflict with one aspect of policy, an overall development may still be sustainable.

Building a Strong and Competitive Economy

- 6.3.4 Housing development is a key component of economic growth and this is fully recognised in Government policy and Ministerial guidance. The delivery of a sufficient quantum of housing of the right type, at the right time and in the right location, is fundamental and as much a part of the growth agenda as direct economic development.
- 6.3.5 The scale and scope of the development can make a significant contribution to the local economy and the prosperity of the District. Moreover, by generating substantial public revenue through new Council Tax receipts and New Homes Bonus revenue this development could provide an important source of revenue funding for the local authority and the parish in delivering public services as well as investing in, maintaining and enhancing infrastructure within the locality at a time when public sector funds are being squeezed.
- 6.3.6 The provision of quality family housing at Leek is central to the achievement of sustainable economic growth in the Staffordshire Moorlands and is fully supported by the requirements and advice of the Framework; indeed, paragraph 19 is clear that **“significant weight”** should be placed on the need to support economic growth through the planning system.

Delivering a wide choice of high quality homes

- 6.3.7 The Framework sets out the Government’s key housing objective, which is; ***“to boost significantly the supply of housing”***. Paragraph 47 sets out how LPAs should achieve this boost in the supply of housing, including a requirement to:

“identify and update annually a supply of specific deliverable sites sufficient to provide five years’ worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land”

- 6.3.8 Paragraph 49 provides extremely clear guidance on both how this should be achieved and how applications should be considered if it is not:

“...Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.

- 6.3.9 The proposals entirely accord with this national policy objective in so far as the application will deliver new housing development which will assist Staffordshire Moorlands District Council and contribute towards the central government objective of boosting significantly the supply of housing now.

Housing Land Supply

- 6.3.10 The Council acknowledges it cannot identify a supply of deliverable housing sites for the next five years and therefore the presumption in favour of sustainable development is engaged. As reported in Chapter 5 of this Statement, the March 2014 housing land supply statement calculates that SMDC has a 2.17 year housing land supply, with a base date of March 2014. The authority applies a 20% buffer as a consequence of persistent under-delivery. Whilst the claimed supply has not been interrogated in detail, Gladman has significant concerns regarding components of the supply and the assumptions applied by the Council.

- 6.3.11 The findings from the 2014 SHMA recommend a dwelling requirement of up to 440 dwellings per annum in order to meet the housing and economic needs of the District. This suggests the supply position is significantly worse.

Meeting the Challenge of Climate Change

- 6.3.12 Paragraph 95 of the Framework seeks “new development in locations and ways which reduce greenhouse gas emissions”, and urges LPAs to adopt national standards in order to drive for the delivery of sustainable development. The application proposal meets these criteria as it will be delivered to the relevant Building Regulations or equivalent standard applicable at the time of permission.

Framework Summary

- 6.3.13 The proposals achieve demonstrable accordance with the overall objectives and relevant policies of the National Planning Policy Framework (the Framework).
- 6.3.14 Housing needs in the Borough have been shown to be significant and it is essential housing permissions are granted without hesitation in sustainable locations in order to remediate this position. Further, there has been substantial under provision of affordable housing in the District and this shortfall will continue to be exacerbated, unless new housing development is granted now. Therefore, the ability of the application proposal to deliver a significant amount of affordable housing in compliance with policy without subsidy is a significant material planning benefit that should weigh heavily in favour of this proposal.
- 6.3.15 It has been demonstrated that the application proposals constitute sustainable development and in this regard the **‘presumption in favour of sustainable development’** is clearly engaged in respect of this scheme. It has been demonstrated that impacts of the scheme do not significantly and demonstrably outweigh the benefits of granting permission. Therefore, the proposals should be approved ‘without delay’.

6.4 Conclusion

6.4.1 The development proposals achieve strong accordance with the relevant aims, objectives of the Development Plan, as well as national planning policies set out in the Framework. There is a technical non-compliance with Policies R1 and R2 which preclude development outside settlement boundaries; however, the settlement boundaries are demonstrably out-of-date and the Council cannot demonstrate a 5 year supply of housing sites, meaning the presumption in favour of sustainable development of Policy SA1 and the Framework is engaged and permission should only be refused if the harm significantly and demonstrably outweighs the benefits.

6.4.2 In addition to the Framework, a range of other material planning considerations have been identified which weigh heavily in favour of the proposals.

7. CONCLUSIONS AND PLANNING BALANCE

7.1 Introduction

- 7.1.1 The proposals for a residential development in southeast Leek are in accordance with the Spatial Strategy, Strategic Objectives and Core Policies of the Core Strategy. The Core Strategy identifies Leek as the principal settlement within the District with a large range of facilities, and is increasingly important civic and service centre for its population and the District. Spatially, Leek is a suitable and sustainable location for development and is able to accommodate and deliver an appropriate proportion of the District's housing needs at a time when the District is significantly underperforming against its present housing targets.
- 7.1.2 The site is situated in an area where the policies of the adopted Development Plan would normally preclude new housing development; however, the relevant policies of the development plan which define the settlement boundaries are demonstrably out-of-date because the Council cannot identify a deliverable 5-year land supply in the District. In the circumstances, the development should be considered in the context of the presumption in favour of sustainable development set out in the Core Strategy and the Framework at paragraph 14.
- 7.1.3 The application site is located within Ladydale Site of Biological Importance, which is a locally designated site, and therefore Core Strategy Policy NE1 is relevant. The policy does allow for development providing certain parameters are met. The proposed development would result in the two fields of species-poor semi-improved grassland being lost and all other habitats within the site are to be retained. This combined with proposed ecological management areas, resulting in a net gain in biodiversity, policy compliance is achieved.
- 7.1.4 Paragraph 14 of the Framework, and Core Strategy Policy SA1, call for decision takers approve development which is consistent with the development plan without delay and to grant planning permission unless the harm of doing so would significantly and demonstrably outweigh the benefits. In this case, the application proposals comprise sustainable development in accordance with the definition set out in the Framework and when tested against all of the relevant sections of the Framework. The planning balance is considered below and it is also summarised in Appendix 4.

7.2 Harm Arising from the Development

- 7.2.1 The application is accompanied by a comprehensive suite of supporting information, considered above, which demonstrates that the application site is free from significant constraints. The site is not subject to any statutory any built or natural protection designations and the proposed housing development will not result in significant harm in terms of acknowledged amenity, community, heritage, landscape, environmental, traffic, technical or other acknowledged public interests.
- 7.2.2 The construction stages of the development may also have some effects which are short term, temporary in nature, and local to the site and immediate area. In any event best practice measures will be put in to mitigate any adverse temporary impacts in terms of noise, the operation of construction traffic, plant and machinery or the management of any other related disturbance or nuisance. This is likely to include controls on working hours and dust suppression measures.
- 7.2.3 Full details of these tried and tested measures to minimise construction impact can be secured through a Construction Environment Management Plan prior to the commencement of development.

7.3 Benefits Arising from the Development

- 7.3.1 The benefits of the scheme include:
- **A deliverable housing site** – A valuable contribution to the 5 year housing supply to Staffordshire and Leek.
 - **Creation of high quality residential environmental which respects the character of Leek** – The development has been carefully designed to respond positively and sympathetically to its built and environmental context and the character and appearance of the surrounding area.
 - **Improvements in housing mix and choice** – The proposed development of up to 90 dwellings will provide a balanced mix of dwellings providing a choice of type and size in response to the identified housing demand and market assessment for Leek, with an emphasis on a number of smaller homes for younger people and a range of family housing offering a choice of accommodation.

- **Ecological Enhancement Area** – The area of semi-improved neutral grassland located on the sloping bank to the west of the proposed development area will form an ‘ecological enhancement area’. This will provide long term targeted management of this area and ensure diversity will be retained and increased.
- **The retention of existing trees and hedgerows on site boundaries** – The proposals are based around the existing landscape features of the site, and seek to integrate them successfully into the overall design.
- **Development in a highly sustainable location** – Leek is identified as the principal settlement for growth. The site is within close proximity to the wide range of services and facilities the town has to offer, reducing the reliance on car.
- **Population Growth** – A sustainable increase in population within Leek to sustain and support the vitality and viability of the area and its businesses, services and facilities.
- **Economic Benefits** – Increased Council Tax revenue and receipt of New Homes Bonus payments to further invest back into the community.

7.3.2 From the above, it can reasonably be concluded that there are no material considerations or adverse impacts which demonstrably outweigh the benefits which flow from the development and planning permission should, therefore, be granted ‘without delay’, as instructed by the Framework.

APPENDIX 1

Draft Conditions

Appendix 1

Schedule of conditions in respect of outline planning permission granted for Outline application for up to 90 Dwellings with associated open space and landscaping with all matters reserved, except for access.

Time Period

1. Application for approval of reserved matters must be made not later than the expiration of 3 years from the date of this permission and the development must be begun not later than which ever is the later of the following dates:
 - (i) the expiration of 3 years from the date of this permission,
 - (ii) the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last such matter to be approved.

Reserved matters

2. Details of appearance, landscaping, layout, and scale, (hereinafter called "the reserved matters") shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

Approved Plans

3. The development hereby permitted shall comprise no more than 90 dwellings.
4. The development hereby permitted shall be carried out in accordance with the details shown on the approved Ashely Helme access drawing number 1332/01.

Conditions Precedent

External Materials

5. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the building hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Site investigation / contaminated land

6. No part of the development hereby permitted shall be commenced on site unless and until:
 - a. A site investigation has been designed for the site using the information obtained from the desktop investigation previously submitted in respect of contamination. This shall be submitted to and approved in writing by the Local Planning Authority prior to the investigation being carried out on the site; and
 - b. The site investigation and associated risk assessment have been undertaken in accordance with details submitted to and approved in writing by the Local Planning Authority; and
 - c. A method statement and remediation strategy, based on the information obtained from 'b' above, including a programme of works, have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved remediation strategy.

Tree protection measures

7. The development hereby approved, shall be carried out in accordance with recommendations of the approved FPCR Arboricultural Report dated September 2014 submitted with the application. No development shall begin until details of the means of protecting trees and hedges within and immediately adjacent to the site of the particular phase, including root structure from injury or damage prior to or during the development works have been submitted to and approved in writing by the Local Planning Authority. Such protection measures shall be implemented before any works are carried out and retained during building operations and furthermore, no excavation, site works, trenches or channels shall be cut or laid or soil, waste or other materials deposited so as to cause damage or injury to the root structure of the trees or hedges.

Protected Species

8. Before any development or other operations commence, and within one month of the planned commencement of works, an assessment of the site for evidence of badgers shall be undertaken by a licensed ecologist. A copy of the assessment report shall be submitted to the Local Planning Authority and any necessary mitigation plan shall be agreed, implemented and if necessary maintained in consultation with Natural England and confirmed in writing by the Local Planning Authority.
9. If found to be present, no development shall begin until a Badger mitigation strategy has been submitted to and approved in writing by

the Local planning authority. The development shall be implemented in accordance with the approved strategy.

10. Before any development or other operations commence, and within one month of the planned commencement of works, an assessment of the trees on the site for bat roosts shall be undertaken by a licensed bat ecologist. A copy of the assessment report shall be submitted to the Local Planning Authority and any necessary mitigation plan shall be agreed, implemented and if necessary maintained in consultation with Natural England and confirmed in writing by the Local Planning Authority

Nesting Birds

11. No clearance of trees or hedges in preparation for (or during the course of) development shall take place during the bird nesting season (March - August inclusive) unless a bird nesting survey has been submitted to and approved in writing by the Local Planning Authority to establish whether the site is utilised for bird nesting. Should the survey reveal the presence of any nesting species, then no development shall take place within those areas identified as being used for nesting during the period specified above.

Construction / Protection Method Statement

12. No development shall take place, including any works of demolition, until a Construction Method Statement has been submitted to, and approved in writing by, the local planning authority. The approved Statement shall be adhered to throughout the construction period. The Statement shall provide for:
 - a. the parking of vehicles of site operatives and visitors
 - b. loading and unloading of plant and materials
 - c. storage of plant and materials used in constructing the development
 - d. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate
 - e. wheel washing facilities
 - f. measures to control the emission of dust and dirt during construction
 - g. a scheme for recycling/disposing of waste resulting from demolition and construction works
 - h. a scheme to control noise during the construction phase.

Post Commencement / Pre-Occupation Conditions

Flooding and Drainage

13. The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment prepared by Hydrock (Hydrock Ref: R/14141/002) dated September 2014.

No development, other than the formation of the site access, shall begin until a surface water drainage scheme, including details of a surface water regulation system for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro geological context of the development has been submitted to and approved in writing by the local planning authority. If required, such details shall be submitted and approved on a phased basis. The submission(s) shall include details of how the scheme shall be maintained and managed after completion of the development and shall subsequently be implemented in accordance with the approved details before the development is completed.

Foul Drainage

14. No development, other than the formation of the site, access shall take place until a strategy outlining the system of drainage for foul and sewage waste arising from the entire site has been submitted to the Local Planning Authority and approved in writing.

Thereafter the detailed schemes for foul and sewage waste disposal for the development shall be submitted for approval in accordance with the strategy for the entire site approved under this condition. No dwellings shall be occupied until the approved foul drainage scheme has been completed in accordance with the approved details.

Landscaping Implementation

15. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following first occupation of the buildings hereby approved or the completion of the development, whichever is the sooner. Any trees or plants which, within a period of five years from the completion of the development, die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless the Local Planning Authority gives written consent to any variation.

Travel Plan

16. Prior to the first occupation of any dwelling, an Interim Travel Plan shall be submitted to and approved in writing by the Local Planning Authority.

Thereafter and prior to the occupation of the 50th dwelling, a Final Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. This Final Travel Plan shall include objectives, targets, mechanisms and measures to achieve targets and implementation timescales, monitoring and review provisions and provide for the appointment of a travel plan co-ordinator. The development shall thereafter be implemented in accordance with the approved Travel Plan.

APPENDIX 2

Draft S.106 Heads of Terms

Land off Milltown Way, Leek
Draft Heads of Terms for Section 106 Agreement

Proposed Development: Outline application for up to 90 dwellings with associated open space, landscaping and ecological management areas, with all matters reserved, except for access.

Application Date: September 2014

Local Planning Authority: Staffordshire Moorlands District Council
Moorlands House
Stockwell Street
Leek
Staffordshire
ST13 6HQ

Obligations:

1. Open Space

The Agreement will require the Developer to provide onsite informal open space. Appropriate phasing requirements will be specified together with the requirement to agree with the Council an appropriate scheme for the long term maintenance and management of these areas including off site commuted sums as applicable.

2. Affordable Housing

The agreement will make provision for a scheme of Affordable Housing to be agreed with the Council, to include;

- the numbers, type, tenure and location on the site of the affordable housing provision to be made which shall consist of not less than 33% of the total dwellings permitted;
- the timing of the construction of the affordable housing and its phasing in relation to the occupancy of the market housing;
- the arrangements for the transfer of the affordable housing to an affordable housing provider;
- the arrangements to ensure that such provision is affordable for both first and subsequent occupiers of the affordable housing; and
- the occupancy criteria to be used for determining the identity of occupiers of the affordable housing and the means by which such occupancy criteria shall be enforced.

3. Biodiversity Management Plan

A plan to be agreed in accordance with Appendix C of the submitted Ecological Statement to secure long term management of the residual parts of the SBI.











4. Other

Other contributions may be identified through the planning consultation process, and subject to meeting the appropriate tests of necessity and reasonableness, consideration will be given to their inclusion.




APPENDIX 3

Sustainability Matrix

Gladman Sustainability Matrix – Milltown Way, Leek

Sustainability Criterion	Factor	Sustainability Outcome	Commentary	Document Reference
1 Primary Check List	Is the site outside Green Belt, National Park, AONB and other protected landscapes?		The site sits outside the Green Belt that is located on the south side of Leek.	See Landscape and Visual Assessment
	The scheme does not affect a wildlife sensitive location – SSSI, SNIC, LNR?		The site is not located within a statutory wildlife sensitive location.	See Ecological Assessment
	Will the site contribute to a shortfall in the 5-year housing land supply?		Staffordshire Moorlands cannot demonstrate 5 year land supply. The 2014 Housing Land Supply Schedule states the authority has a supply of 2.17 years (inclusive of a 20% buffer)	See Planning Statement
	the site is: Available		Yes	See Planning Statement
	the site is: Suitable		Yes	See Planning Statement
	the site is: Achievable		Yes	See Planning Statement
	Does the scheme accord with delivery of the Council's Regeneration Strategy?		The Core Strategy identifies Leek as the principal settlement within the District with a large range of facilities, and is an increasingly important civic and service centre for its population and the District. Spatially, Leek is a suitable and sustainable location for development and is able to accommodate and deliver an appropriate proportion of the District's housing needs at a time when the District is significantly underperforming against its present housing targets.	See Planning Statement
2 Sustainable Settlement and Location	Is the site adjoining or within a recognised Sustainable Settlement or Location for Growth in LPA Policy?		Leek is identified as the principal settlement within the Core Strategy (March 2014). The strategy states that the target will increase from 57 to 82.5 dpa. It will receive 30% of future housing and employment allocations. The net requirement for Leek is identified as 797 dwellings (P.75 of the 2014 Core Strategy)	See Planning Statement
	<i>What makes this location sustainable?</i> Accessibility to local and neighbourhood facilities within or just beyond the 800m walking distance.- maximum acceptable walking distance (IHT)		ATM 556m Esso/Spar Amenity Are 291m to entrance of Milltown Way Recreation Area Early Years Care Provision 1038m Zipadee Day Nursery Food shop 572m Esso/Spar Primary School 966m Leek First School Bus Stop 414m Ashbourne Road Pub 473m The Flying Horse Pub Post Office 1.1km Co-op/Post Office Shopping hub (5+ shops) 785m Smithfield Centre Sports Facility 1.36km Brough Park Community Centre 799m St Lukes C of E Small Park 291m to entrance of Milltown Way Recreation Area Pharmacy 1050m Boots Pharmacy 707m Co-op Pharmacy	See Design and Access Statement and Transport Assessment
	<i>What makes this location sustainable?</i> Accessibility to district services within or just beyond the 2,000m walking distance - maximum distance commutable for walking (IHT)		Train Station 15.4km Congleton Train Station Health Centre 910m Leek Heath Centre Dentist 970m Russell Street Dental Practice Secondary School 1050m Leek High College/Higher Education 1.1km Leek College Leisure / Arts Centre 1.3km Brough Park Library 1.1km Leek Library Large Park 1.3km Brough Park District Centre 1.1km Leek Town Centre Supermarket 720m Farm Foods and Aldi District Sports Facility 1.3km Brough Park Employment Area 1.1km Leek Town Centre 1.9km Barnfield Road, Industrial Estate Bank 730m Barclays	See Design and Access Statement and Transport Assessment
	Development restricted to flood zone 1 / able to contain rainfall from 1:100 year rain events		The site is not at risk from flooding.	See FRA
	Areas of ecological and geological interest are unaffected / mitigated by the proposals		The site is located within a Site of Biological Importance. The development is located within the habitats of least conservation value, which is currently	See Ecological Report

			in intensive agricultural use. The provision of an 'ecological management area' will provide long term targeted management to ensure diversity within these retained areas is increased.	
	Development at this location will not lead to an avoidable loss of Best and Most Versatile (BMV) agricultural soils?	✓	The site is of moderate to low agricultural quality (sub-grade 3b to 4) and does not constitute best and most versatile agricultural land.	See Soils Resources Report
	Additional capacity provided to ensure existing education / medical facilities will cope	✓	Any additional need that may arise from the additional dwellings on this site will be negotiated through the section 106 agreement.	Statement of Community Involvement
3 Sustainable Transport	All homes within 5km of long distance public transport services (railway station/bus service)	✓	No. 108 Bus service to Leek Bus Station, Ashbourne Bus Station and Macclesfield Bus Station. Service from 08:50 – 19:23 every 2 to 3 hours. No. 18 Leek Bus Station to Stoke-on-Trent Hanley Bus Station. Service from 05:50 – 23:42 every 20-30 minutes. No.118 Leek Bus Station to Hanley Bus Station and Buxton Market Place. Service from 08:00 – 16:20 every 2 to 3 hours.	See Transport Assessment
	Development site within 800m of hourly bus service	✓	No. 18 Leek Bus Station to Stoke-on-Trent Hanley Bus Station. Leek station is located on Cromwell Terrace.	See Transport Assessment and Travel Plan
	Simple street pattern of indicative scheme gives priority to pedestrians and cyclists linking outwards to as many local facilities, public transport and natural green spaces as possible.	✓	A new network of footpaths and cycle ways within the site would link to the existing Public Rights of Way and Main Road providing direct links into Leek.	See Design & Access Statement
	Travel Plan Co-ordinator to provide site-specific Travel Pack detailing measures to reduce car-reliance and give access to lift share	✓	A Travel Pack will be prepared for new residents.	See Transport Assessment and Travel Plan
	High quality paving materials used to control traffic speed, encourage shared-use, amenity, recreation and community	✓	Pavements and shared surfaces will be utilised to provide a pedestrian friendly environment and reduce traffic speeds.	See Design & Access Statement
4 Economic Benefits	Does the scheme promote aims of Planning for Growth?	✓	The proposals are consistent with Planning for Growth, see the following.	See Planning Statement
	Benefits to LPA: New Homes Bonus, Council Tax revenue, CIL / S106 contributions; Job creation (f/t, p/t), Economic value of works	✓	Benefits associated with the provision of up to 90 dwellings. This includes New Homes Bonus payments to further invest back into the community, along with other tangible economic benefits that will benefit the community of Leek and the District.	See Planning Statement
	Proposal that increases the viability and reinforces the sustainability of local businesses and facilities.	✓	Pedestrian access routes tie into the existing footpath network including a route alongside the recreation area near Milltown Way which will benefit the wider resident and business community.	See Design & Access Statement
	Existing dwellings within settlement benefiting from increased sustainability by provision of new facilities on-site	✓	Provision of new open space on-site will be made easily and readily available to both the new development and the surrounding housing.	See Design & Access Statement
5 Housing	Does the provision of Affordable Housing distributed throughout the site contribute to the major local shortfall of affordable housing	✓	Affordable housing is not to be grouped or pushed to the site boundaries but appropriately pepper potted throughout the development and positioned in close proximity to local facilities	See Affordable Housing Statement
	Diversity of housing stock: • flexibility within homes to enable home-working • Achieve Lifetime Homes standard in all social housing and other tenures	✓	Proposal promotes the highest quality sustainable design, creating a 'place' which is both safe and attractive and which enhances quality of life, health and social well-being, supporting 'building for life' and 'lifetime homes'	See Design & Access Statement
	Meet Local Housing needs, maintain land supply and reduce waiting lists by providing a range of types, sizes and tenures of market housing based on socio-economic demographics.	✓	Proposal provides a choice of housing size and tenure in order to help create a mixed community, including provision of affordable housing.	See Affordable Housing Statement
6 Education, Community & Sports provision affecting quality of life	Enable safe routes to schools	✓	The proposals are within walking distance of several local schools accessible via footpath and pavements.	See Design & Access Statement
	Will create a balanced community by increasing affordability and introducing a younger demographic of working age population.	✓	The site's close proximity to Leek town centre provides easy access to existing community amenities including educational, health and retail facilities.	See Design & Access Statement
7 Linkages Integration Design (Intrinsic Factors)	A high quality built environment with a network of connected streets with active frontages responsive to local vernacular as reference points for design	✓	The proposed development has been carefully designed to respond positively and sympathetically to its built environmental context and appearance of the surrounding area.	See Design & Access Statement
	Provide multi-functional green spaces on-site achieving Local Plan and / or NPFA standards for recreation and play space, incorporating • Local landscape features,	✓	The proposal will retain existing trees and landscape features as far as possible and allow for ecological enhancement. The provision of an 'ecological management area' will provide long term targeted management to ensure diversity within these retained areas is increased.	See Design & Access Statement

	<ul style="list-style-type: none">Existing vegetation / native planting schemeSUDS including swales, open water course, reed beds or ponds			
8 NPPF: Para 14: “At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking... For decision-taking this means (unless material considerations indicate otherwise)...”	“approving development proposals that accord with the development plan without delay;”		It has been demonstrated that the proposals are in broad compliance with the overall objectives of national planning policy	See Planning Statement
	“and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:”		The relevant policies of the Local Plan, which define the settlement boundaries, are absent and the plan is demonstrably out-of-date, given the absence of a 5 year housing land supply.	See Planning Statement
	“ –any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole;”		There are a number of significant benefits associated with the development.	See Planning Statement
	“or specific policies in this Framework indicate development should be restricted (SSSI, Green Belt, AONB etc.).”		The site represents a suitable location on the edge of the town and unlike other sites on the edge of Leek it does not lie within the National Park, flood risk zone or Green Belt	See Planning Statement

APPENDIX 4

Planning Balance Table

Leek – Material Planning Benefits and Negative Factors

Purpose

The purpose of this supplementary document is to encapsulate the relevant material considerations, and demonstrate in the planning balance that the benefits demonstrably outweigh the negative factors of the proposal.

Sustainable development is about positive growth – making economic, environmental and social progress for this and future generations. The document will show that the proposal strongly accords with the three dimensions of sustainable development; economic, social and environmental.

Economic

Material Consideration	Description	Positive benefit, Neutral, or Negative Factor
New Jobs	<p>The estimated build cost for the scheme is in the region of £9.7 million. This will support around 60 construction jobs (full time equivalent) during the construction period.</p> <p>There are currently around 35 people in Leek District (July 2014) claiming Job Seekers Allowance and seeking work in the construction and building trade. As such, the proposed development could contribute to enabling unemployed construction workers in the area to find employment.</p>	Positive benefit
Labour Force/ demography	<p>The proposed development would accommodate around 240 residents, with a large number (around 155) likely to be of working age and around 125 residents likely to be in employment. The scheme will therefore directly contribute to ensuring the availability of a local labour force and would be of direct benefit to local businesses.</p> <p>The increase in population would also generate additional demand and support for local services such as nurseries, schools and colleges. The increase in population will support jobs in a range of services in both the public and private sectors.</p> <p>There is an ageing population within Leek, with population growth in younger age groups lagging. Increased housing choice will attract a younger demographic 'new blood' into the town and promote the future vitality and sustainability of the settlement.</p>	Positive benefit
Resident Expenditure	<p>Residents of the proposed development would generate annual household expenditure of £0.62 million (Number of affordable dwellings multiplied by the typical weekly spend of the 'Constrained by Circumstances' grouping and multiplying the number of market dwellings by</p>	Positive benefit

	<p>their typical weekly spend and then multiplied by 52 to give annual figure).</p> <p>Household moves generated by the development would bring some benefits to the local economy through expenditure with local firms on services such as estate agents and conveyancers, as well as on new fixtures and fittings.</p>	
New Homes Bonus	Staffordshire Moorlands District Council would receive an estimated total of £0.68M in New Homes Bonus (NHB), with the last payment of the NHB monies occurring six years after completion and registration for Council Tax purposes of the final property.	Positive benefit
Vitality & Viability	The additional residents of 90 households will increase demand for, and use of local services and businesses within Leek. This increased demand and spending will help to maintain and enhance the services available and accessible within the town and increase their viability.	Positive benefit
Council Tax Revenues	The Council will also receive Council Tax payments of approximately £0.65m over 10 years. This provides an important source of revenue funding for the local authority in delivering services as well as investing in the locality.	Positive benefit
Ageing Population	By providing a range of family housing, especially three and four bed homes, the proposed development is expected to attract families. This will help to respond to the challenges of an ageing population such as reduced local spend and increased pressure on local services and the labour market.	Positive benefit
Economic Recovery	Delivery of this site will assist economic recovery more quickly.	Positive benefit

Social

Material Consideration	Description	Positive benefit, Neutral, or Negative Factor
Building Sustainable Communities	<p>The proposals will assist in building and maintaining a mixed and balanced community that will help sustain the vitality of community life in Leek.</p> <p>The Core Strategy Leek will be an increasingly important civic and service centre for its population and the District and will further strengthen its role as the principal town in the District.</p>	Positive benefit

Housing Need (Market & Affordable)	<p>The development of the proposed housing is a very efficient way of meeting existing housing need quickly. The site is easy to develop and has very few constraints, which will ensure that the site will rapidly contribute to increasing the supply of housing within the district.</p> <p>The proposals will make a valuable contribution to the housing supply in circumstances where the Council acknowledge they do not have a 5 year supply. Within the Housing Land Supply Schedule 31 March 2014 the Council claim a devastatingly poor housing land supply of 2.17 years.</p> <p>The proposals meet an identified Housing Need for people in both the market and affordable housing sectors which will “ensure choice and competition in the market for land” (NPPF Paragraph 47).</p> <p>New homes in Leek will enable people to access the housing market locally rather than being forced to move away due to a lack of available housing. The proposals will assist in helping to maintain and enhance to vitality of the community (NPPF Paragraph 55).</p> <p>The mix of house types to attract the economically active and improve economic competitiveness, diversify local age structure and contribute to the “objective of creating mixed and balanced communities” (NPPF Paragraph 50).</p>	Positive benefit
Design & Access (Social Dimension)	<p>The planning permission would enable delivery of a mix of housing - up to 90 new dwellings, offering 2-5 bedroom properties, comprising a range of house types from linked townhouses to detached properties. This will add to the choice of high quality homes available in the district.</p> <p>The proposal sets a framework to enable the delivery of a high quality residential development. Existing and new residents of the settlement will benefit from the additional social infrastructure provision on-site.</p> <p>Strategic areas of landscape and open space will include formal recreation, footpaths and an Ecological Management Area. The existing vegetation along the boundaries will be reinforced with new tree and hedgerow planting, which will benefit people and wildlife alike. The amount of Public Open Space exceeds the requisite amount as specified within district guidelines.</p> <p>The scheme will ensure a well-designed pedestrian network that links with the existing</p>	Positive benefit

	settlement. New footpath linkages to existing facilities in Leek will be established.	
Transport Impact	<p>The location of the site provides the opportunity for residents to undertake journeys on foot and by cycle, for a variety of purposes, including school, recreation, leisure, local amenity shopping and employment.</p> <p>The proposals provide funding to achieve improvement to enhance the highway network for all users in terms of ease of movement and improving safety. Pedestrian friendly linkages for new and existing residents will enhance safety and access.</p> <p>The proposals will support the sustainability of established bus services which serve Leek.</p>	Positive Benefit
	There is a modest increase in traffic flows in the area but the analysis in the Transport Assessment show the increase is not material. There is ample capacity available on the road network.	Neutral Factor
Travel Plan	<p>The Travel Plan (TP) promotes sustainable travel awareness and encourages sustainable travel choices other than single occupancy vehicle journeys. This Framework TP is prepared taking account of currently available best practice guidance (DfT 2009) and complementary residential guidance (DfT 2005).</p> <p>The TP will be managed and operated by the Travel Plan Coordinator (TPC) to be appointed by the residential developer(s), and to be in post at least three months prior to first occupation of a house at the site.</p> <p>As this is a new development, sustainable travel habits can be encouraged from the outset of occupation. The early appointment of the TPC will maximise this opportunity to influence travel choices.</p>	Positive benefit
Archaeology and Heritage	No designated heritage assets are present on the application site. 6.2.28 The Heritage Assessment considers that while there may be some potential for impact on Pickwood Hall this is likely to be negligible. Overall, the proposed development would have a neutral to minor negative impact on the setting of the Conservation Area. However, the Conservation Area is considered to be inward looking, meaning that the setting to which it is primarily experienced is from within the town rather than in the surrounding landscape.	Neutral Factor

Environmental

Material Consideration	Description	Positive benefit, Neutral, or Negative Factor
Landscape & Visual Impact	Due to contours and the heavily wooded local area, there are relatively few residential receptors of the site. These are restricted to housing north of the site on the opposite side of the valley, and a small number of houses immediately adjacent to the site. Views of the site from the national footpath to the south are restricted by the woodland and topography. In landscape and visual terms the assessment demonstrates that the Masterplan proposals respond well to the local landscape character of the site, recognising and responding to opportunities to retain views, extend local public open space and enhance the local landscape character.	Neutral Factor
	The landscape proposals include new recreational linkages and footpath connections. Open spaces and roads will provide a series of attractive vistas and views throughout the development. Development of the site would not notably influence the character of the landscape beyond the immediate surrounds of the site.	Positive Benefit
Flood Risk Assessment (FRA)	The surface water drainage design will attenuate water run-off to less than the existing greenfield run-off rate and take account of future climate change in accordance with National Planning Policy Guidance. This is a material environmental benefit.	Positive benefit
Health and Well Being	Residents of the new housing will benefit from the new recreational and leisure infrastructure available within the settlement, which will integrate with the existing public rights of way network and other public open space and provides greater opportunities for access to existing residents.	Minor positive

<p>Ecological Impact</p>	<p>The site is located within Ladydale Site of Biological Importance, which is a locally designated site. The proposed development would result in the two fields of species-poor semi-improved grassland being lost, and a small area of temporary disturbance of grassland habitat on the steep west facing bank in the northern section.</p> <p>However, The two fields which would be lost to the development have been shown to support species-poor semi-improved neutral grassland. The extent of the low nature conservation value that these fields have has been demonstrated by the grassland survey. They do not meet the SBI grassland selection criteria thresholds to be considered as SBI value.</p> <p>The proposed development would result in the loss of approximately 35% of the area considered by this appraisal, all of which is grassland habit of very low nature conservation value. The remaining 65% will be managed sympathetically for nature conservation objectives, resulting in a net gain of biodiversity.</p>	<p>Positive benefit</p>
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Planning Balance

From the above, it can reasonably be concluded that there are no material considerations or adverse impacts which demonstrably outweigh the benefits which flow from the development.