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**Town and Country Planning Act  
1990**

**Statement of Case  
Grounds of Appeal**

**Outline Planning Application for  
Residential Development at  
Endon Riding School, Bagnall,  
Stockton Brook, Staffordshire**

**Statement prepared by:**

**Russell Adams  
MSc, BA Hons, MRTPI**

**On behalf of the Landowners**

**December 2015**

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**For and on behalf of the  
Landowners**

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**Ref: 2014/19b**

Approved by:

A handwritten signature in black ink, appearing to read 'Russell Adams', with a stylized flourish at the end.

**Russell Adams - Director**

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# 1.0 Introduction

- 1.1 This Appeal Statement has been prepared by Adams Planning + Development Ltd (hereafter referred to as APD) on behalf of the Directors of Endon Riding School against the decision of Staffordshire Moorlands District Council (SMDC) to refuse planning permission for the following description of development:

***“Part demolition of existing buildings and provision of up to 10 no. dwelling houses with ancillary facilities and associated infrastructure in outline with access defined.”***

- 1.2 This Outline Planning Application (Ref: SMD/2014/0838) was initially approved by SMDC's Planning Committee on 13<sup>th</sup> August 2015; however, due to an unsubstantiated administrative error by SMDC, the planning application was subsequently called in for determination at a second Planning Committee on 17<sup>th</sup> September 2015, and was subsequently refused. This unsubstantiated administrative error will be highlighted further in a separate Costs Claim.

- 1.3 The Decision Notice identifies that the Outline Planning Application has been refused planning permission for the following reason:

1. *“In rural areas, Policies SS6c and R2 of the Adopted Core Strategy Development Plan Document (March 2014) seek to limit new housing in the countryside to, amongst other things, affordable housing or that essential to meet an identified local need. This is reinforced within the National Planning Policy Framework (NPPF), which states that Local Planning Authorities should plan housing development to reflect local needs, particularly affordable housing. Endon Riding School, the application site, is within the open countryside, which is designated as Green Belt. Given, however, the remote location of the application site to established service and facilities centres, it is considered that future occupiers of the dwellings would most likely rely on the use of the private car to access such essential services and facilities. This significant issue would substantially undermine the proposal's sustainability credentials and would clearly not overcome the Council's overriding sustainability concerns to the proposed housing scheme. The significance of housing within this unsustainable location is contrary therefore to Policies SS1, SS1a and SS6c of the Adopted Core Strategy Development Plan Document (2014) and the NPPF more generally promoting sustainable modes of transport.”*
2. *“Overall, the benefits of the residential development of this site would not be sufficient in this case to significantly and demonstrably outweigh the harm identified above contrary to Policies SS1, SS1a and SS6c of the Adopted Core Strategy Development Plan Document (2014) and the NPPF (National Planning Policy Framework) more generally.”*

- 1.4 A copy of the Decision Notice is contained within **Appendix 1** of this Appeal Statement.

- 1.5 The Outline Planning Application was originally submitted for upto 12 units, and comprised of the following information:

- A Covering Letter – Adams Planning + Development.
- Planning Application Forms & Certificates.
- Existing & Proposed Plans, including the following plans:
  - A Location Plan (Drawing No. 610-LOC-01)
  - A Site Analysis Plan (Drawing No. 610-SA-01)
  - A Controlling Parameter Plan (Drawing No. 610-CPP-01)

- An Illustrative Site Layout (Drawing No. 610-SL-04 A)
- An Existing Area Assessment Plan (Drawing No. 610-E-APP-01B)
- A Proposed Area Assessment Plan (Drawing No. 610-P-APP-01)
- Illustrative Housetypes;
- 5 bed. det. house (Drawing No. 610-2484-01)
- 5 bed. det. house (Drawing No. 610-1929-01)
- 5 bed. det. house (Drawing No. 610-1738-01)
- 2 bed. mews house (Drawing No. 610-592-01)
- Detached garage (Drawing No. 610-DG-01)
- House – Existing Plans (Drawing No. 610-H-E-P-01)
- House – Existing Elevations (Drawing No. 610-H-E-E-01)
- Annexe – Existing Plans (Drawing No. 610-A-E-P-01)
- Annexe – Existing Elevations (Drawing No. 610-A-E-E-01)
- Annexe – Proposed Plans (Drawing No. 610-A-P-P-01)
- Annexe – Proposed Elevations (Drawing No. 610-A-P-E-01)
- Site Analysis Photographs.
- A Supporting Planning Statement (December 2014 – Ref: 2014-19b).
- A Design & Access Statement - Picea Design.
- A Transport Technical Note, Accession Assessment, and Accessibility Technical Note – SCP.
- A Landscape Visual Impact Assessment – Barnes Walker.
- A Tree Survey & Report – TBA.
- Ecological Appraisals of the site, including:
  - A Phase 1 Survey.
  - A Bat Survey Report.
  - A Badger Survey Report.
  - A Reptile Survey Report.
  - A Water Vole and Otter Survey Report.
- A Flood Risk Assessment & Preliminary Drainage Strategy – Campbell Reith.
- A Phase 1 Geoenvironmental / Contamination Report – Lees Roxburgh.

1.6 The scheme was reduced in scale to a maximum of 10-units, and the following information was updated during the course of the determination:

- A Financial Viability Appraisal – Grasscroft Property Ltd.
- An Addendum to the Planning Statement (June 2015 – Ref: 2014-19b).
- Existing and Proposed Area and Volume Calculations (12<sup>th</sup> August 2015).
- Updated Plans, as referenced in the 'Development Proposals' section below.
- A draft Section 106 Agreement.

## Site and Surrounding Area

1.7 The revised Application Site area comprises of previously developed (brownfield) part-residential and part-commercial site that covers an area of approximately 0.62 hectares (1.52 acres) in total. The site area has been reduced significantly from the original 15-unit scheme by reducing the extent of the western boundary to remove any encroachment into the open fields (referred to in correspondence as 'greenfield Green Belt') that border the western side of the revised land area. The application site is part of a larger land area that is controlled by Endon Riding School, with the remainder of the site comprising of open fields to the north and northwest.

1.8 The southeastern side of the site accommodates a substantial three-storey residence, the original structure dating back to at least 1879, together with a bungalow and a separate two-storey residential property that houses a number of bedrooms, a toilet and shower

facilities. The majority of the remainder of the proposed development site is made up of buildings and hardstanding areas associated with Endon Riding School.

- 1.9 The main body of the proposed development site currently comprises an impermeable surface, on which a significant number of equestrian-related buildings are sited. The site is dominated by a very substantial steel frame building that accommodates an indoor arena for showing/training horses, with associated seating areas. This main arena building has a number of adjoining stables, storage sheds and facilities that adjoin it on the northern side, and a large hardstanding area to the south used for car parking. The north-eastern side of the site accommodates more stables and storage sheds with a large area of hardstanding lying between all of the aforementioned buildings.
- 1.10 The main access road to the site currently runs down the western side of the large indoor arena through to a gravel parking area, which accommodates a timber shed and carport. This area is raised above the steep banking at roughly the same land levels as the main body of buildings and a small paddock area that lies directly west of the main access road and the main body of buildings. The access road carries on down a steep banking, through the mature band of trees, over a bridge and through to a further hard standing area that accommodates a ménage, a horse walker, and an informal parking area for cars and horseboxes etc. Beyond this area, to the north, lie a number of open fields that are under the control of Endon Riding School.
- 1.11 The amended development site removes the small 267m<sup>2</sup> area of paddock that lies to the west of the main access road, which was detailed on the 12-unit scheme.
- 1.12 Along the southern boundary of this paddock area there is a mature tree line and hedge, beyond which lies a few residential properties whose combined curtilage areas extend well beyond the revised western boundary of the proposed development site. The western boundary of the paddock area will accommodate a post and rail fence. There is an access road retained through to the fields to the west that is clearly identified as being for pedestrian and agricultural purposes only.
- 1.13 Beyond the boundary of the development site, to the north lies a band of mature trees that follow the line of an unnamed stream, and provide excellent natural screening of the site, which will be reinforced as part of a comprehensive landscaping scheme outlined in the Landscape Visual Impact Assessment's landscaping proposals; to the east there are a number of residences and their curtilage areas; to the south lies Stanley Moss Lane, and to the west lies two small fields surrounded by hedges and mature trees, beyond which is a small estate of detached houses.
- 1.14 The northern boundary of the site has been reduced to follow the existing mature tree line. The full extent of the northern boundary is lined by a mature band of trees which forms a physical and visual barrier, which is punctuated by a small access road which leads to a small bridge that achieves access to the open fields to the north that are under the ownership of the applicants. This access road is identified as being strictly for pedestrian and agricultural purposes at the request of the local residents at the pre-application consultations.
- 1.15 Although Endon Riding School is located within the rural area of the Staffordshire Moorlands District, the site is sustainably located given its relative proximity to Endon, Stockton Brook, Bagnall and Stanley. It lies within easy walk distance of a good range of services, including many everyday services such as a post office, convenience store, GP surgery, dentist, pharmacy, children's nursery and primary school. Other facilities include pubs, hairdressers, village hall, a selection of shops and leisure facilities including a golf club, tennis club and outdoor pursuits centre. This is clearly identified in the supporting Accessibility Assessment provided by SCP, and is enlarged upon as part of the analysis of the Reasons for Refusal.

- 1.16 The site has good public transport links, with one bus stop within 800m of the site, a second at approximately 920 metres, and further bus stops on the A53, Leek Road which link through to further services and facilities within the many villages towards Hanley, Burslem and other Potteries' Towns in the west and Leek in the east.

## Background

- 1.17 The Outline Planning Application was submitted on 22<sup>nd</sup> December 2014 following extensive pre-application consultations with SMDC and the local community, full details of which are provided within Section 2 of Adams Planning + Development Ltd's Planning Statement (Ref: 2014-19a).
- 1.18 The Outline Planning Application was originally submitted with a scheme for upto 12 units (see Controlling Parameter Plan Drawing No. 610-CPP-01, and Illustrative Site Layout Drawing No. 610-SL-04 A).
- 1.19 In the pre-application discussions with the Council and the residents the applicants tabled a 15-unit scheme that encroached further into the 'greenfield' Green Belt land, however, due to concerns over the encroachment, the proposed build zone was revised and reduced in the north-western corner of the site, resulting in a 12-unit scheme that provided a very minor encroachment into the Green Belt, and a rounding off of the previously developed (i.e. brownfield) site.
- 1.20 The 12-unit scheme did include a building zone that extended beyond the extent of the existing previously developed (brownfield) site in order to accommodate on-site affordable housing. The rationale for why the applicants felt the encroachment was justified and appropriate is provided within the Very Special Circumstances Case and analysis presented in Section 5 and 6 of the Planning Statement (Ref: 2014-19a).
- 1.21 Despite the applicants' view that the original 12-unit scheme was suitable and appropriate in light of (amongst other reasons) the acute housing shortfall and the lack of other more suitable candidate sites, the Development Management Officer requested that the applicants amended the scheme to revise the line of the north-western building zone so that it now extends to a line within the existing extent of the brownfield site.
- 1.22 The applicants have subsequently amended the application, reducing the maximum number of units to 10 units, supplementing these amendments with an updated Addendum Planning Statement (June 2015 – Ref: 2014-19b) and the updated plans outlined in the 'Development Proposals' section below.
- 1.23 These amendments removed the need to provide a Very Special Circumstances case to justify the encroachment in the 'greenfield' Green Belt in light of Paragraph 89 of the NPPF allowing for the limited infilling or complete redevelopment of brownfield sites (such as Endon Riding School), which would not have a greater impact upon the openness of the Green Belt.

## Development Proposals

- 1.24 The Outline Planning Application seeks planning permission for:

***“Part demolition of existing buildings and provision of up to 10 no. dwelling houses with ancillary facilities and associated infrastructure in outline with access defined.”***

- 1.25 This planning application is submitted in Outline with Access defined in order to first agree the principle of the proposed residential development of the site. This Outline Planning Application is supported by a number of illustrative plans that demonstrate the

appropriateness and deliverability of the development. The Controlling Parameter Plan indicates the maximum parameters being applied for, to enable it to be conditioned as part of the Outline consent and ensure an appropriate level of control the scale and form of the development proposals at the Reserved Matters stages of the full planning application process, to accord with the Development Management Procedure Order (April 2015).

1.26 The proposed plans have been informed and evolved through the analysis of the aforementioned (see paragraph 1.5) supporting technical reports, the contents of which respond to the advice received from SMDC's Planning Department and the local residents within the pre-application consultations.

1.27 The Outline Planning Application for upto 10 units is supported by the following plans:

- A Location Plan (Drawing No. 610-LOC-01C)
- An Existing Areas Plan (Drawing No. M-DLD-15-007-006)
- A 3D Model of Existing Buildings (Drawing No. M-DLD-13-005B)
- A Site Analysis Plan (Drawing No. 610-SA-01)
- 4 no. perspectives of the 3D Models
- A Controlling Parameter Plan (Drawing No. 610-CPP-01E)
- An Illustrative Site Layout (Drawing No. 610-SL-07A)
- An Existing Area Assessment Plan (Drawing No. 610-E-APP-01B)
- Illustrative Housetypes;
  - 5 bed. det. house (Drawing No. 610-2484-01)
  - 5 bed. det. house (Drawing No. 610-1738-01)
  - 2 bed. mews house (Drawing No. 610-592-01)
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  - Annexe – Proposed Plans (Drawing No. 610-A-P-P-01)
  - Annexe – Proposed Elevations (Drawing No. 610-A-P-E-01)
- Site Analysis Photographs

1.28 The Location Plan (Drawing No. 610-LOC-01C) outlines the full extent of the land ownership of Endon Riding School in blue, and the proposed development site in red. This illustrates that the full extent of the development site only covers approximately 13% of the land under the applicant's land ownership, reducing the proposed development area by 15% from the previously submitted scheme.

1.29 The Controlling Parameter Plan inserts a number of key controls to accord with the requirements of Part 2 of the Town & Country Planning (Development Management Procedure) Order 2010, and to address the feedback received at the public consultations. These include:

- A Building Zone – Within which there is a 2-storey height restriction, with a maximum building height of 8.5 metres, with the minimum height being zero.
- The Proposed Adopted Vehicular Access Point – This is identified by a red arrow, with the location being chosen to ensure deliverable visibility splays.
- A Landscaping Zone – This includes the retention of all existing tree cover and the provision of additional tree planting on the northern and western boundaries, including fruit trees for screening and badger/ecological enhancement.
- Access Points to the north and west of the site that are clearly labelled "Strictly for pedestrian and agricultural purposes only."



- All existing trees are identified as being retained, with the root protection areas identified to ensure no buildings encroach into these areas.
- Retention of the existing stone wall on the southern boundary and provision of a multi-aspect dwelling at the entrance to the site.

1.30 The Illustrative Site Layout Plan (Drawing No. 610-SL-07A) identifies the maximum number of housing units being applied for as part of this Outline Planning Application. The proposed layout provides a mixture of family-sized accommodation ranging from more affordable starter homes to executive-style detached homes. Each residential property has private parking and amenity space that accord with the Council's standards.

1.31 The site is currently comprised of the following split of built and landscaping areas:

**Table 1 – Existing Areas**

Description	Areas Ha (acres)	Percentage
Proposed Application boundary	1.30 Ha (3.20 acres)	100%
Existing buildings	0.26 Ha (0.64 acres)	20%
Existing hard landscaping, hardstanding & paved areas	0.52 Ha (1.28 acres)	40%
Existing soft landscaping & greenspace areas	0.50 Ha (1.24 acres)	38%
Existing stream	0.02 ha (0.04 acres)	2%

1.32 The redevelopment of the site will involve the demolition of the significant Equestrian Arena, stables and numerous outbuildings. The existing buildings and site arrangements are illustrated on the Existing Area Assessment Plan (Drawing No. 610-E-APP-01B).

1.33 When comparing the overall floor area of the existing buildings to the proposed development, the total floor area will be reduced by some 2,550 sqft (i.e. in the region of 20%) on the basis of the redevelopment envisaged, with the current building and yard/car parking areas comprised in the existing Equestrian use of being removed and replaced with gardens/additional landscape areas.

1.34 The development proposals will provide a far more efficient and sustainable use of the site by replacing the existing buildings with energy efficient and contemporary designed residential residences that will help redress the housing shortfall in Bagnall and the wider Staffordshire Moorlands District, the design of which will be agreed at the reserved matters stages.

1.35 The proposed plans maximise the retention of the existing tree cover and hedgerows that will give the site a well established but self-contained feel, which will be well screened from the surrounding countryside. It is important that Staffordshire Moorlands delivers this type of higher end and lower density housing given their current housing shortfall as a result of their 'saved' Local Plan policies being out of date (see section 4.28 to 4.34 of APD's Planning Statement Ref: 2014-19a), and due to the important role the Bagnall Parish plays in retaining and attracting higher earners that work in the wider Stoke and Staffordshire

areas, as outlined in paragraphs 6.13 to 6.35 of APD's Planning Statement (Ref: 2014-19a).

- 1.36 The Controlling Parameter Plan (Drawing No. 610-CPP-01E) illustrates and controls the provision of 2-storey dwellings, retention of the existing mature trees and landscaping, and the location of the primary access point. The maximum parameter of up to 10 no. residential units is also controlled via condition (see Section 8 of the Addendum Planning Statement Ref: 2014-19b) in order to offer Staffordshire Moorlands Council complete control over the scale of the development, with the detailed designs be evolved as part of the future 'Reserved Matters' Planning Applications.
- 1.37 A Table comparing the Existing and Proposed Floor Areas and Volumes was forwarded to the Council on 12<sup>th</sup> August 2015, and is detailed below for ease of reference.

**Table 2 – Existing and Proposed Volumes**

<b>Endon Riding School – Existing and Proposed Volumes</b>						
<b>Existing Volume (m<sup>3</sup>)</b>	<b>Proposed</b>					
<b>All Equestrian Buildings</b>	<b>Plots</b>	<b>Description</b>	<b>Floor Area (Footage)</b>	<b>No.</b>	<b>Total (sqft)</b>	<b>Proposed Volume (Cubic Metres)</b>
10,449.98 m <sup>3</sup>	6, 7 & 10	5 bed det. house	2484	3	7452	4485m <sup>3</sup>
	6, 7 & 10	Garages	135.4	3	406.2	427.2m <sup>3</sup>
	8 & 9	5 bed det. house	1738	2	3476	2422.5m <sup>3</sup>
	4 & 5	2 bed FOG (Mews)	592	2	1182	880m <sup>3</sup>
2042.37 m <sup>3</sup>	1	Existing House (Farmhouse)	2940	1	2940	2042.37 m <sup>3</sup>
	3	2 bed duplex apartment (Annexe)	1398	1	1398	
	2	3 bed duplex apartment (Annexe)	1166	1	1166	

<b>12,492.35 m<sup>3</sup></b>	<b>TOTAL</b>	<b>10</b>	<b>17,614<sup>1</sup></b>	<b>10,257.07 m<sup>32</sup></b>
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- 1.38 The appropriateness of the development proposals will be evidenced further in the analysis of the Reasons for Refusal.

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<sup>1</sup> This reflects a reduction of 2,550 sqft from the 12-unit scheme

<sup>2</sup> 10 units scheme is 82% of existing, representing an 18% reduction in built form

## 2.0 Reasons for Refusal

### Introduction

2.1 The planning application was refused on two grounds, namely:

1. *“In rural areas, Policies SS6c and R2 of the Adopted Core Strategy Development Plan Document (March 2014) seek to limit new housing in the countryside to, amongst other things, affordable housing or that essential to meet an identified local need. This is reinforced within the National Planning Policy Framework (NPPF), which states that Local Planning Authorities should plan housing development to reflect local needs, particularly affordable housing. Endon Riding School, the application site, is within the open countryside, which is designated as Green Belt. Given, however, the remote location of the application site to established service and facilities centres, it is considered that future occupiers of the dwellings would most likely rely on the use of the private car to access such essential services and facilities. This significant issue would substantially undermine the proposal’s sustainability credentials and would clearly not overcome the Council’s overriding sustainability concerns to the proposed housing scheme. The significance of housing within this unsustainable location is contrary therefore to Policies SS1, SS1a and SS6c of the Adopted Core Strategy Development Plan Document (2014) and the NPPF more generally promoting sustainable modes of transport.”*
2. *“Overall, the benefits of the residential development of this site would not be sufficient in this case to significantly and demonstrably outweigh the harm identified above contrary to Policies SS1, SS1a and SS6c of the Adopted Core Strategy Development Plan Document (2014) and the NPPF (National Planning Policy Framework) more generally.”*

### Planning Policy Considerations

- 2.2 Section 38 (6) of the Planning and Compulsory Purchase Act 2004 identifies that decisions on planning applications *“must be made in accordance with the [development] plan unless material considerations indicate otherwise.”*
- 2.3 The planning policy of relevance to the planning application is comprised in the National Planning Policy Framework (‘NPPF’) and the statutory ‘development plan.’
- 2.4 The ‘Development Plan’ for the Staffordshire Moorlands is the Core Strategy adopted in February 2014. The adopted Core Strategy policies have replaced the saved policies of the former Staffordshire Moorlands Local Plan.
- 2.5 Given that this Planning Application is being submitted in Outline, the main issues for consideration are the suitability of the Endon Riding School site for residential purposes having regard to the adopted ‘Development Plan’ policies; the housing evidence base, which comprises of the Strategic Housing Market Assessment (June 2014) and the most up-to-date position on housing land supply (March 2014); and any recent housing applications decisions within the District and Nationally that are of particular relevance to this development proposal.

## Local Planning Policy

- 2.6 The reasons for refusal identify that the proposals are contrary to Policies SS1, SS1a, SS6c and R2 of the Adopted Core Strategy Development Plan Document (2014). A copy of these Planning Policies and the associated Justification is provided within **Appendix 2** of this Statement.

## National Planning Policy

- 2.7 On 23rd March 2011 the Minister for Decentralisation, Greg Clark, published a statement entitled 'Planning for Growth'. This document, together with the more recently published National Planning Policy Framework ('NPPF') provided a major shift in emphasis of the planning system towards a more positive approach to development, with Greg Clark stating that:

*"The Government's top priority in reforming the planning system is to **promote sustainable economic growth and jobs**. Government's clear expectation is that the answer to development and growth should wherever possible be 'yes', except where this would compromise the key sustainable development principles set out in national planning policy". (Note: Bolded text is APD emphasis).*

- 2.8 The Coalition Government published the NPPF on 27th March 2012. The NPPF replaces and supersedes all previous National Planning Guidance. The planning guidance contained within the NPPF will shape all future planning policy evolution and is therefore a strong material consideration in the determination of this Planning Application.

### **Decision Making**

- 2.9 Paragraph 14 of the NPPF identifies that:

*"At the heart of the NPPF is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking."*

- 2.10 In terms of decision-making this means Local Planning Authorities should be:

*"Approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless 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; or specific policies in this Framework indicate development should be restricted."*

- 2.11 The NPPF explains that:

*"Pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to)...widening the choice of high quality homes. Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas...Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area."*

## *Housing*

- 2.12 Paragraph 47 of the NPPF requires all Local Planning Authorities to “**boost significantly the supply of housing**” and identifies that in order to maintain a five-year rolling supply of housing Local Planning Authorities should:

*“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**”.*

- 2.13 The NPPF clearly states at paragraph 49 that:

***“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.”***

- 2.14 Paragraph 50 states that:

*“To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities **should plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community.**”*

- 2.15 Even in cases where a Council can demonstrate a five-year supply of deliverable housing sites based upon a credible evidence base, paragraph 14 and 49 of the NPPF makes it clear that the presumption in favour of sustainable development will still apply to housing planning applications.

- 2.16 Paragraph 55 of the NPPF identifies that in order “to promote sustainable development in rural areas, housing should be located where it will **enhance or maintain the vitality of rural communities**. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- The essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- Where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- **Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; or**
- The exceptional quality or innovative nature of the design of the dwelling. Such a design should:
- Be truly outstanding or innovative, helping to raise standards of design more generally in rural areas

- 2.17 Paragraph 158 to 160 of the NPPF also stresses that Local Planning Authorities should have a clear understanding of housing need within their areas, based upon an up-to-date

Strategic Housing Market Assessment (SHMA) and a realistic Strategic Housing Land Availability Assessment (SHLAA), in order that the Local Plan and Housing Delivery is based upon a sound and credible evidence base.

2.18 Paragraph 197 states that:

***“In assessing and determining development proposals, local planning authorities should apply the presumption in favour of sustainable development.”***

2.19 Paragraphs 214 to 216 of the NPPF are of particular relevance to housing delivery in Newcastle District Council. They identify that:

*“For 12 months from the day of publication, decision-takers may continue to give full weight to relevant policies adopted since 2004 even if there is a limited degree of conflict with this Framework. In other cases and following this 12-month period, due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).*

*From the day of publication, decision-takers may also give weight to relevant policies in emerging plans according to:*

- *The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- *The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- *The degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).”*

#### **Green Belt Policy;**

2.20 Paragraph 79 of the NPPF identifies that:

*“The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”*

2.21 Paragraphs 80 sets out the five purposes that Green Belt land fulfills, namely:

- *To check the unrestricted sprawl of large built-up areas;*
- *To prevent neighbouring towns merging into one another;*
- *To assist in safeguarding the countryside from encroachment;*
- *To preserve the setting and special character of historic towns; and*
- *To assist in urban regeneration, by encouraging the recycling of derelict and other urban land.*

2.22 Paragraphs 87 to 89 are of particular relevance to this proposed development. Paragraph 87 states that:

*“As with previous Green Belt policy, inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.”*

2.23 Paragraph 88 identifies that:

*“When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will*



*not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations."*

2.24 Paragraph 89 identifies a number of acceptable forms of development within the Green Belt, and includes:

- *Buildings for agriculture and forestry;*
- *Provision of appropriate facilities for outdoor sport, outdoor recreation and for cemeteries, as long as it preserves the openness of the Green Belt and does not conflict with the purposes of including land within it;*
- *The extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building;*
- *The replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces;*
- *Limited infilling in villages, and limited affordable housing for local community needs under policies set out in the Local Plan; or*
- **Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.** (Note: Bold and underlined text is APD emphasis).

2.25 Paragraph 90 also identifies that the re-use of buildings that are of permanent and substantial construction is not inappropriate in the Green Belt, provided that they preserve the openness of the Green Belt and do not conflict with the purposes of including land within it.

2.26 Paragraph 111 of the NPPF identifies that:

2.27 *"Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value."*

### ***Viability***

2.28 The relative viability of a development proposal is highlighted as an important factor to weigh into the planning balance (i.e. the cost/benefit approach of the NPPF) as identified in Paragraph 173 and 187 of the NPPF.

2.29 Paragraph 173 states that:

*"Pursuing sustainable development requires careful attention to viability and costs in plan making and decision-taking. To ensure viability, the costs of any requirements likely to be applied to development, such as requirements for affordable housing, standards, infrastructure contributions or other requirements should, when taking account of the normal cost of development and mitigation, provide competitive returns to a willing land owner and willing developer to enable the development to be deliverable."*

2.30 The NPPF identifies that in certain instances, financial viability may be relevant to the context of seeking to depart from planning policy, this is implied within Paragraph 187 of the NPPF, which states that:

*"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."*



- 2.31 The NPPF and the associated Planning Practice Guidance identify that viability can be important consideration where planning obligations or other costs are being introduced. In these cases decisions must be underpinned by an understanding of viability, ensuring realistic decisions are made to support development and promote economic growth. Where the viability of a development is in question, local planning authorities should look to be flexible in applying policy requirements wherever possible.

## 3.0 Analysis of the Reasons for Refusal

### Introduction

- 3.1 In setting the Policy Context against which this application should be judged, the Committee Report outlines that the Core Strategy Policy SS1a establishes a 'Presumption in Favour of Sustainable Development' as contained within the National Planning Policy Framework (i.e. Paragraph 14 of the NPPF), and states that where: (1) planning applications that accord with policies within the Core Strategy will be approved without delay, and (2) where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless 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; or specific policies in this Framework indicate development should be restricted.
- 3.2 The Committee Report also identifies that Paragraph 47 of the NPPF requires the Council to identify a five-year supply of deliverable housing land sites, including a 5% buffer to allow for choice and competition in the market for land, with this being increased to a 20% buffer where there is a persistent under-delivery in past years (as is the case in the Staffordshire Moorlands District Council's District), in order to provide a realistic prospect of achieving the planned supply and ensure choice and competition in the market for land.
- 3.3 Our analysis of the Council's Housing Land Supply (see Paragraph 6.27 to 6.42 of APD's Addendum Planning Statement Ref: 2015-19b), references the Council's most up-to-date assessment of Housing Supply (31<sup>st</sup> March 2014), and identifies that the Council has a 2.17 years supply of housing. This is an acute housing shortfall that falls significantly below the Government's requirements.
- 3.4 Paragraph 49 requires housing applications to be considered in the context of the presumption in favour of sustainable development, and identifies that:
- "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."*
- 3.5 The Reasons for Refusal cite Policies SS1, SS1a, SS6c and R2. Policies SS1 and SS1a are general development-related policies that we will address in our planning policy analysis; however, Policies SS6c and R2 are rural housing supply-related policies that, by virtue of Paragraph 49, are out of date due to the acute housing shortfall present in the SMDC District. It follows, therefore, that the Council should be assessing this application in accordance with the NPPF's presumption in favour of sustainable development, as outlined in paragraph 49 of the NPPF.
- 3.6 Furthermore, in addition to SMDC's Core Strategy housing-related policies being out-of-date, the Council has only recently (July 2015) commenced with their initial consultations on the Site Allocations Development Plan Document (Site Allocations DPD). This Site Allocations DPD will distribute the housing delivery requirements outlined in the Core Strategy by allocating suitable housing sites. The current lack of identified housing sites goes some way to explaining why there is such an acute housing shortfall at present.
- 3.7 Given that the Council's housing-related policies are out of date, Paragraph 14 identifies that in applying the 'presumption in favour of sustainable development', decision-takers should:

*“Grant permission unless the any adverse of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies in this Framework indicate development should be restricted.”*

- 3.8 Paragraph 89 of the ‘Framework’ (also referred to as the NPPF) does not restrict the proposed redevelopment of the previously developed Endon Riding School, but instead, identifies that the *“Limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), is acceptable as long as it does not have a greater impact upon the openness of the Green Belt.”*
- 3.9 The analysis contained within Table 2 of this Statement proves that the massing of the buildings will be reduced in this instance. As such, the NPPF indicates that the residential development can be supported in principle, and subject to the development qualifying as ‘sustainable development’.
- 3.10 In judging whether the proposed redevelopment of Endon Riding School constitutes sustainable development, this judgement needs to be based upon a full understanding of ‘sustainable development’, as defined in Paragraph 7 of the NPPF. We have presented a number of contributing factors that result in the site being ‘sustainable’ given the rural, as outlined in Section 6 of the Addendum Planning Statement (Ref: 2014-19b), which have not been afforded sufficient weight in the planning balance.

## **First Reason for Refusal**

- 3.11 In reviewing the first reason for refusal and the Committee Reports, it would appear that the Council does not appear to be generally contesting the sustainability credentials of the site, or the fact that the proposed development complies with Paragraph 89 of the NPPF (see Paragraph 14 of the Committee Report), but rather, the Council’s key concern relates to the locational sustainability of the site. The reason for refusal specifically states that:

*“Given...the remote location of the application site to established service and facilities centres, it is considered that future occupiers of the dwellings would most likely rely on the use of the private car to access such essential services and facilities. This significant issue would substantially undermine the proposal’s sustainability credentials and would clearly not overcome the Council’s overriding sustainability concerns to the proposed housing scheme. The significance of housing within this unsustainable location is contrary therefore to Policies SS1, SS1a and SS6c of the Adopted Core Strategy Development Plan Document (2014) and the NPPF more generally promoting sustainable modes of transport.”*

- 3.12 In judging the sustainability credentials of this rural housing site, we have previously referred the Council (see Paragraphs 6.4 of APD’s Addendum Planning Statement) to Paragraph 29 of the NPPF which states that:

*“The Government recognises that different policies and measures will be required in different communities, and opportunities to maximise sustainable transport solutions will vary from urban to rural areas.”*

- 3.13 In order to evidence the relative sustainability of this site, the applicants commissioned SCP Consultants to formally assess the accessibility of the site (see Accessibility Technical Note Ref: DR/14164/TN02 – see **Appendix 3**). In the absence of a comparable West Midlands Region measure, SCP utilised the North West Sustainability Checklist to assess the accessibility of the site. Although the checklist has been specifically designed for the North West, it is based on sound research principles has been referenced as a very helpful guide to a site’s accessibility/sustainability in a number of recent Appeal Decisions. In particular, it as specifically referenced as a helpful guide in the Appeal Decision ‘Land at 4,

Audlem Road, Hankelow, Nr Crewe (Appeal Ref: APP/R0660/A/13/2190651, February 2014 – see SCP Technical Note Appendices), in which the Inspector deemed the site to be *“reasonably accessible for a rural settlement.”*

- 3.14 In order to arrive at a judgement on the sustainability of Endon Riding School (ERS) in location terms, SCP have undertaken a sustainability assessment comparing the service provision of Endon Riding School site; the aforementioned Audlem Road, Hankelow appeal site; and a site referred to as ‘Land opposite Rose Cottages, Holmes Chapel Road, Brereton Heath, Somerford, Nr Congleton’ (Appeal Ref: P/R0660/A/13/2192192, February 2014 - see SCP Technical Note Appendices), which was approved at Appeal, with the Inspector identifying *“for a rural area the site scores reasonably well in locational sustainability.”*
- 3.15 As Government guidance and Paragraph 29 of the NPPF clearly acknowledges, rural sites, such as the Application site, are not going to meet with all of these standards; however, the checklist nevertheless serves as a helpful guide. SCP has measured the distances from the 22 services (comprising of Open Space, Local Amenities and Training Facilities) identified in the North West Checklist for ERS and the two appeal sites.
- 3.16 The tables enclosed in Appendix 3 of the ‘Accessibility Technical Note’ demonstrate that Hankelow fails to meet 17 of the 22 service criteria, and Brereton Heath fails to meet 16 of the specified distances. By comparison, ERS only fails to meet 7 of the service criteria, thus ERS has three times the amount of services at acceptable distances than Hankelow, and just less than three times of the services within acceptable distances when compared to the Brereton Heath site.
- 3.17 Furthermore, the Application site is closer to the ‘key’ day-to-day facilities of a Primary School, Convenience Store and Post Office than the two Appeal sites. Overall, the Endon Riding School site out-performs the Hankelow site on all but 3 of the specified distances and out-performs the Brereton Heath site on all but 6 of the 22 distances to local services and facilities.
- 3.18 The Application site is, therefore, evidently far better located in relation to local facilities than the two sites at Hankelow and Brereton Heath, which were both found to be acceptable on sustainability grounds at Appeal.
- 3.19 We consider that the accessibility of the Application site is acceptable for a rural settlement. The two comparison sites are located in Cheshire East Council, a district which had a housing shortfall at the time that the relevant Inspectors were determining the Appeals, but the shortfall in Cheshire East was not as acute as that being experienced in Staffordshire Moorlands at the time of this Planning Application. It is reasonable to assert, therefore, that the housing shortfall in Staffordshire Moorlands would hold more material weight in the planning balance, and this is something we feel requires careful consideration given the advice imparted in Paragraphs 29 and 49 of the NPPF.
- 3.20 Furthermore, we would like to draw the Inspector’s attention to two other recent planning approvals for residential development on sites in rural locations. These are:
- 1 Dwelling at Briarwood, Goostrey Lane, Cranage (Ref: 13/4501C) – This was refused by Cheshire East Council but approved at Appeal by the Planning Inspectorate (see **Appendix 4**)
  - 4 Dwellings at Big Stone Cattery, Goostrey Lane, Cranage (Ref: 15/0053C) – This was approved by the Council, which it had to approve given the findings of the Planning Inspector in the Briarwood application (see Committee Report in **Appendix 5**).
- 3.21 The Committee Report for the 4 dwellings at Big Stone Cattery identifies that:

*“Sustainability was considered by the Inspector in considering an appeal for a new dwelling on land at Briarwood, Goostrey Lane, Cranage (13/4501C refers). This site bounds the application site to the south-east. The Decision Letter contains relevant information in terms of the sustainability of this area. The Inspector noted that Cranage is very dispersed in nature and has a limited range of facilities. However, **a wider range of facilities, including a primary school, train station and limited range of shops are found within Goostrey which is approximately 1.5km from the site.** The Inspector commented that while the road linking the site to Goostrey had no pavements, it was not unduly narrow and it was relatively lightly trafficked. The lack of pavements was not in this case considered to be a deterrent to walking or cycling. **A greater range of facilities can also be found in Holmes Chapel which is approximately 3km away.** A limited bus service exists close to the site which means that facilities can be accessed by means other than the private car. The Inspector found the development at Briarwood to be a sustainable form of development.*

3.22 ***It is considered that on balance there are enough facilities within proximity of this site to support this limited housing development. However locational sustainability is only one factor to be weighed in the planning balance.”*** (Note: Bolded text is APD emphasis).

3.23 Using the distances indicated in SCP’s Accessibility Technical Note (Ref: DR/14164/TN02), Endon Riding School has 19 of the 22 amenities and facilities listed in the North West Sustainability Checklist within 1.5 kilometres of the site, and has all but one of the facilities within the 3 kilometre range identified as being appropriate by the Planning Inspector in the above Briarwood, Goostrey Lane Appeal. We consider that this Endon Riding School site is, therefore, locationally sustainable.

3.24 We would also draw the Inspector’s attention the Inspector’s conclusions on locational sustainability in the attached Appeal Decision at Rowney Farm, Loggerheads (Ref: APP/P3420/W/15/3008866 – see **Appendix 6**). The Inspector observes:

*“It is therefore reasonable to conclude that the occupiers of the appeal property would be predominantly reliant on travel by private car to access local services. This potentially places the appeal proposal within the realm of being unsustainable in terms of transport access. However, Framework paragraph 14 requires that development should be permitted unless its benefits would be Appeal Decision outweighed by significant and demonstrable adverse effects or where other specific policies indicate that it should be restricted. As aforementioned, the appeal proposal would make a contribution of one additional dwelling to the housing stock in an area of acknowledged shortfall. Whilst therefore very modest, it would nonetheless represent a net benefit.”*

3.25 Exercising the same logic and rationale as the above Inspector, this Endon Riding School site will provide a net benefit of eight additional dwellings, on a previously developed site, in an area of acknowledged shortfall, with a design that accords with the requirements of point six of Paragraph 89 of the NPPF. Although there will be some reliance on the motor car, this concern does not significantly and demonstrably outweigh the benefits. We consider, therefore, that there will be significantly more net benefits in the case of this Endon Riding School site than Rowney Farm, and the accessibility and range of amenities and facilities being superior to the five other housing sites identified above, all of which were approved by the Council or the relevant Inspectors.

3.26 Both SCP and APD consider that Endon Riding School is locationally sustainable, with a good range of amenities and facilities; hence, the proposals should be approved in accordance with the presumption in favour of sustainable development.

3.27 Furthermore, SMDC recently undertook their first consultation on the Site Allocations DPD via the publication of the Site Options Consultation Booklet (see **Appendix 7**), which was

consulted on between 6<sup>th</sup> July and 14<sup>th</sup> September 2015. SMDC's Cabinet approved a revised consultation and adoption timeframe for the Site Allocations DPD on 1<sup>st</sup> December 2015. The Site Allocations DPD needs to undergo two more rounds of consultation, and the Council's Planning Policy Team are targeting the release of the Submission Version of the document for Examination in mid-2017.

- 3.28 Given the lack of an up-to-date Local Plan and the acute housing shortfall, the Council needs to take urgent steps to redress their current under supply, and cannot wait for the adoption of the Site Allocations Development Plan Document to allocate sites if they are to accord with the National Planning Policy Framework's (NPPF's) clear message that LPA's need to *"boost significantly the supply of housing"* (paragraph 47) to make up for a persistent housing shortfall.
- 3.29 Endon Riding School is located within the Bagnall Parish. Prior to submitting the planning application, the applicants undertook extensive consultations with the general public, and with the Bagnall Parish (see Section 2 of the Addendum Planning Statement). Within these consultations, the Parish Council identified three potential Candidate Sites for Bagnall.
- 3.30 APD subsequently undertook a review of the other potential candidate sites in the Bagnall Parish, but also reviewed other sites in the Stanley Endon, and Stockton Brook settlements, as outlined in Paragraphs 6.36 to 6.40 and Appendix 11 of the Addendum Planning Statement.
- 3.31 The Site Options Consultation Booklet (July 2015) identifies that Bagnall needs to provide a minimum of 10 houses to meet local needs. It also identifies three candidate sites (Ref's: BG008, BG014, and BG015) on Map 5.1 (Page 64), all of which are 'greenfield' Green Belt sites, and all of which will have a very strong reliance on the private motor car given that the settlement of Bagnall is at the top of a hill, and all key facilities such as a Post Office, Pharmacy, Convenience Store and Schools are all some distance away, and further away in most instances than the Endon Riding School site from these key amenities.
- 3.32 We have also reviewed the housing allocation for Stanley (5 units) and Stockton Brook (15 units) given the relative proximity and inter-related nature of the communities in this rural area. These sites are equally as remote as the Endon Riding School site, which is not isolated, but part of a hamlet, with residential development to the east, south and west. Again, all of the candidate sites for Stanley and Stockton Brook are greenfield Green Belt sites, and the settlements all have a very limited range of amenities, and the Candidate sites do not out-perform the Endon Riding School site in terms amenities and facilities. Development of these 'greenfield' Green Belt sites would conflict with the fundamental aims of the Green Belt, as outlined in Paragraph 79 of the NPPF (see Paragraph 2.20 of this Statement) by affecting its openness and permanence.
- 3.33 The previously developed (i.e. brownfield) site of Endon Riding School is also a short walking distance from Endon, identified as a 'Large Village' in the Core Strategy that serves as a key rural service centre due to it being the fifth largest settlement in the District, with a housing allocation of 85 dwellings over the plan period. With the exception of one small site (Ref: EN128), it is apparent that all of Endon's SHLAA sites are greenfield Green Belt sites located outside of the settlement boundary.
- 3.34 Given the relative proximity of this Application to Endon, providing housing at Endon Riding School can make a valuable contribution to meeting the needs of Endon and the wider Housing Market Area. Aside from the single exception, all of the other Candidate sites are outside of the settlement boundaries, located on greenfield Green Belt sites. As such, they are less preferable to this Application Site given the Government's commitment to redeveloping previously developed (brownfield) sites first in the Green Belt (see Paragraphs 17, 55, 89 and 111 of the NPPF). This is a view shared by Staffordshire

Moorlands Council in Modification No 58 of the Main Modifications to the Core Strategy - Approved by SMDC on 4 June 2013, which recognises that:

- 3.35 *“National policy guidance and Policy SDI promotes the use of previously developed land for development and the efficient use of land. It would only be in exceptional circumstances that a non-allocated green field site would be given preference”. (Note: Council’s underlining/emphasis)*
- 3.36 Paragraph 89 of the NPPF allows for the limited infilling or complete redevelopment of brownfield sites (such as Endon Riding School) which would not have a greater impact upon the openness of the Green Belt. There is, therefore, general planning policy support for the proposed redevelopment of this brownfield site given that it will provide a net reduction of built form and thus impact upon the openness of the Green Belt. The other sites in the Site Options Consultation Booklet will involve the loss of agricultural land, and are likely to have a far greater negative impact on the openness and character of the Green Belt/open countryside than would be the case with the Application Site’s sympathetic redevelopment.
- 3.37 We are aware from our detailed discussions with the Parish Council both pre and post-submission of the Outline Planning Application that they have no objections, and support the proposed redevelopment of Endon Riding School. At our consultations it was made clear that the Parish Council would not be supportive of developing out the other Candidate sites given the encroachment into greenfield Green Belt land.
- 3.38 We have enclosed the Parish Council’s Meeting Minutes from 8<sup>th</sup> September (see **Appendix 8**) which confirms their lack of objection to the Endon Riding School proposals, and whilst they do raise some concerns over traffic flow, this issue was addressed in full within SCP’s Highways Assessment of the site, and the Council’s Highways and Planning Departments accept that the traffic flow will not generate additional road safety concerns.

## **Second Reason For Refusal**

- 3.39 The second reason for refusal is related to the first, but highlights SMDC’s view that *“Overall, the benefits of the residential development of this site would not be sufficient in this case to significantly and demonstrably outweigh the harm identified above contrary to Policies SS1, SS1a and SS6c of the Adopted Core Strategy Development Plan Document (2014) and the NPPF (National Planning Policy Framework) more generally.”*
- 3.40 Our analysis of the first reason for refusal demonstrates that SMDC believes that the site is not sustainable due to their belief that future occupiers will most likely rely on the private motorcar to access essential services and facilities, with the second reason for refusal identifying that this causes harm that is sufficient to significantly and demonstrably outweigh the benefits.
- 3.41 Our analysis of the first reason for refusal demonstrates that despite the applicants providing a well rationalised analysis of the locational sustainability of this rural site, SMDC have over stated this harm, and their view is inconsistent with Inspectors’ decisions highlighted in SCP’s Technical Note, and the additional examples cited in Paragraphs 3.20 and 3.21 of this Statement.
- 3.42 Furthermore, given the rural nature of this area of SMDC’s District and the acute housing shortfall, the benefits of housing delivery weigh heavily in favour of approving this small-scale residential development proposal, and particularly given the scheme’s overall compliance with Paragraph 89 and 111 of the NPPF.

3.43 It is evident that SMDC has also not adequately weighed in to the planning balance the significant economic, social and environmental benefits that will ensue from the proposals, which were highlighted within the Introduction and Section 6 of the Addendum Planning Statement (Ref: 2014-19b), and can be summarised as follows:

- 1) The proposed development site will retain the existing three residential units on site, providing a net additional 8 units (10 units in total) to assist the Council in redressing their acute housing shortfall, and the identified local need in Bagnall Parish.
- 2) The redevelopment of the site will involve the demolition of the significant Equestrian Arena, stables and numerous outbuildings, which currently comprise a very prominent and high density/cramped layout. The new residential dwellings will be lower in their collective scale and massing, resulting in a reduced impact upon the openness and character of the Green Belt location.
- 3) The massing of the buildings will be reduced by approximately 18% on the basis of the redevelopment envisaged in the Illustrative Site Layout (Drawing No. 610-SL-07A).
- 4) The existing building and hardstanding areas cover 60% of the development site, and this is to be reduced to 29% of the proposed development site, with much of the current building and hardstanding/paved areas comprised in the existing Equestrian use being converted to gardens and/or additional landscape areas, resulting in a 'greening up' of the site.
- 5) The proposed development will retain and reinforce the dense band of mature trees which form an effective existing visual and physical barrier to the north. This will be extended along the western boundary through the introduction of native tree, fruit tree planting, and a bund that will screen the development site and create a wildlife corridor and improved foraging habitat.
- 6) The Outline Planning Application includes an extensive assessment of the site, including an assessment of ecology, trees, highways, drainage, contamination and landscape impacts in order to demonstrate that the proposals provide a net aesthetic and ecological benefit and are technically deliverable, with no objection from the Council's internal and/or statutory consultees.
- 7) The resulting scheme provides a variety of family-sized accommodation ranging from the more affordable starter homes to executive-style detached homes.
- 8) Redevelopment of the site for residential purposes will result in a net improvement to highways safety. The proposals will close off the two existing accesses points and provide a single central access to the site, thus improving the visibility for vehicles accessing/egressing the site, and moving the access further away from the neighbouring properties.
- 9) We calculate that approval of the development by the end of 2015 will secure a payment in the region of £80,000 from the Government's New Homes Bonus Scheme, as well as a payment in the region of £15,000 per annum from Council Tax receipts.
- 10) The development will also provide local employment over the construction period of its development with the additional residents stimulating the local economy in more general terms.
- 11) Redevelopment of this predominantly brownfield site will assist Staffordshire Moorlands Council in meeting its five-year housing land supply requirement quickly, and accord with the Government's policy objective of '*boosting significantly*' the supply of housing in the District. It should also assist in saving virgin Green Belt and "best



and most versatile" land in terms of its agricultural quality, from being developed elsewhere in the District and the immediate area, given that there are no suitable available alternative housing sites when one inspects the Council's evidence base.

- 3.44 Paragraph 55 of the NPPF identifies that in order *"to promote sustainable development in rural areas, housing should be located where it will **enhance or maintain the vitality of rural communities,**"* and allows for new homes in the countryside *"Where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting"*
- 3.45 Paragraph 187 also stresses that *"Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area."*
- 3.46 When one inspects the Endon Riding School buildings it is evident that they have seen better days, and are not up-to-date with modern Equestrian standards. The redevelopment of the site for residential purposes will compliment the existing residential properties on and surrounding the site, resulting in an enhancement to the immediate setting and making a more efficient and appropriate use of the site. Furthermore, within Paragraphs 6.43 and Appendix 9 of the Addendum Planning Statement, we have evidenced that the School is running at a loss, and is no longer viable; redressing the general decline in business will require a further cash injection that the Directors cannot afford. Redeveloping the site for residential purposes will enhance the immediate setting and will enhance the vitality of rural communities by providing a range of houses, thus making a valuable contribution to the general prosperity and vitality of the area in years to come.

## 4.0 In Conclusion

- 4.1 This Appeal Statement evidences that the site is suitable, available and deliverable for development and will assist SMDC in addressing the acute shortfall in their housing supply, with the Outline Planning Application approach offering sufficient flexibility to agree the design, and adapt to any potential market changes to ensure the development is suitable and deliverable in the near future.
- 4.2 The Council's housing-related planning policies are out-of-date by virtue of Paragraph 49 of the NPPF. Accordingly, the Inspector should be approving the development in the absence of an up-to-date Local Plan and an adopted Site Allocations Development Plan Document, and given the acute housing shortfall.
- 4.3 Paragraph 55 and 89 of the NPPF identifies that there is general support for the proposals, and the benefits of the sympathetic regeneration and redevelopment of this brownfield site far outweigh the only perceived harm, i.e. the locational sustainability of the site, which we have addressed in full.
- 4.4 The numerous benefits of the proposals, when properly weighed into the balance, are strong material considerations that weigh in favour of approving this planning application. Redevelopment of this brownfield small-scale housing site will boost the supply of housing by delivering housing in the short term, and will accord with the aims of Paragraph 47 of the NPPF, with urges Council's to make up for housing early on in the plan period. Added to this, the development is of a scale that will prejudice the Council's key strategic decisions on delivering growth in the District in the future.
- 4.5 The technical reports submitted as part of the Outline Planning Application (see Section 7 of the Addendum Planning Statement) evidence that the site is appropriate for residential development at the scale being proposed in this instance.
- 4.6 Accordingly, the appellants urge the Inspector to approve this appeal in accordance with the information submitted and the guidance contained within paragraphs 49 and 14 of the NPPF.

## 5.0 Planning Contributions and Planning Controls

- 5.1 There have been detailed discussions on the planning contributions and planning controls during the course of the determination of the Outline Planning Application.
- 5.2 The Planning Committee Report identifies that the Council's independent valuer (Lambert Smith Hampton) agrees that, on the strength of evidence presented, it is reasonable that no affordable housing is provided as part of the proposed 10-unit scheme. The Committee Report identifies the proposed insertion of a mechanism to review the costs analysis alongside the submission of the reserved matters application, and the Directors of Endon Riding School have agreed to this suggestion in writing on 12<sup>th</sup> August 2015.
- 5.3 A draft Section 106 Agreement was submitted to the Council as part of the scope of planning application documents. The Section 106 and Planning Conditions will be reviewed in APD's Response to the Council's Appeal Statement and Third Party Representations.

## **6.0 Appendices**

***Appendix 1 – Decision Notice (Ref: SMD/2014/0838)***

***Appendix 2 – Staffordshire Moorlands District Council's Core Strategy Policies***

***Appendix 3 – SCP Accessibility Technical Note (Ref: DR/14164/TN02)***

***Appendix 4 – Appeal Decision for site at Briarwood, Goostrey Lane, Cranage***

***Appendix 5 – Committee Report for Big Stone Cattery, Goostrey Lane, Cranage***

***Appendix 6 – Appeal Decision at Rowney Farm, Loggerheads***

***Appendix 7 – Site Options Consultation Booklet (July 2015)***

***Appendix 8 – Bagnall Parish Council Meeting Minutes, 8<sup>th</sup> September 2015***