

Design & Access & Heritage Statement.

Proposed Residential Development

on land adjacent to

**The Star Inn
Main Road
Hollington
Staffordshire Moorlands**

for

Mr G Adams

January 2016

Robert Berry MCIAT
Architectural Services

Contents

1.0	Introduction
2.0	Use/Planning Policy
3.0	Amount
4.0	Layout
5.0	Landscape
6.0	Appearance/Scale
7.0	Access
8.0	Heritage Statement
9.0	Comments on Refusal Reasons

1.0 Introduction

1.1 This Design & Access statement has been prepared in response to the Government's changes to the planning application process outlines in circular: *Guidance on Changes to the Development Control System*, which came into effect on 10 August 2006.

1.2 The statement provides an analysis and narrative of the proposals and is in line with guidance produced by CABE entitled *Design and Access Statements; how to write, read and use them*.

1.3 This is a 'second attempt' application following the refusal of application no SMD/2015/0456 dated 1/10/2015 for 3 no dwellings and seeks to respond to some of the reasons for refusal and issues raised in that application. This statement relates to a revised application now for the construction of 2no. detached dwellings within the beer garden and part of the existing car park serving The Star Inn, Main Road, Hollington.

The application is made in outline with all matters reserved except for access and siting. Although the application seeks only outline permission, approval is sought for siting in order to demonstrate how the site can accommodate 2 no. properties. The precise details of these properties, including their design and appearance, will be resolved at the Reserved Matters stage.

2.0 Uses/Planning Policy

2.1 The existing use of the site is a well established public house with living accommodation for the landlord at first floor level together with ancillary kitchen and dining facilities for the public house and the site also presently incorporates a large beer garden and car parking area to the side.

2.2 The site comprises part of the car park and play area of the public house and is therefore considered to be brownfield in nature on the basis of the NPPF definition of previously developed land which embraces land within the curtilage of developed land which, in this case, comprises the public house and its related car park and pub garden facilities. It is not located within the Draft Infill Boundary for Hollington, as indicated in the Site Options and Development Boundaries consultation draft, but within this boundary it is noted that there are no potentially suitable housing sites.

2.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of development proposals must be made in accordance with the Development Plan unless material considerations indicate otherwise. The adopted Core Strategy (March 2014) is the key development plan document for the purposes of decision-making.

- 2.4** There are a number of adopted Core Strategy policies which are relevant to this application. These comprise;
- SS1 'Development Principles'
 - SS1a 'Presumption in Favour of Sustainable Development'
 - SS2 'Future Provision of Development'
 - SS3 'Distribution of Development'
 - SS4 'Managing the Release of Housing Land'
 - SS6 'Rural Areas'
 - SS6c 'Smaller Villages'
 - SD1 'Sustainable Use of Resources'
 - H1 'Housing Development'
 - R1 'Rural Diversification'
- 2.5** The general application of these policies, and their status, is considered at paras 8-13 below but there are specific points regarding the relationship between the application proposal and these policies which are worthy of note. Policy SS2 states that *'sufficient deliverable land will be identified to provide at least 5 years of development at all times'*. Reference to the Housing Land Supply Schedule (Sept. 2014) indicates that there is insufficient supply of housing land to meet the aspirations of this policy.
- 2.6** Policies SS4 and SD1 both promote a preference for the development of brownfield sites; the application proposal utilises brownfield land within the curtilage of an existing commercial enterprise.
- 2.7** The actual relevance of specific housing policies, and the housing elements of the more general development policies referenced above, must be considered in the context of the Council's inability to demonstrate a five year supply of deliverable housing sites. The supply position as at September 2014 is very low with a published supply of only 2.08 years and the situation is worsening. In 2012 a supply position of 4.3 years was claimed, whilst in March 2014 a supply of 2.17 years was identified. The under-supply position is therefore acute and deteriorating.
- 2.8** National planning advice and guidance is set out in the National Planning Policy Framework (NPPF) which re-affirms that development proposals which accord with the development plan should be approved without delay and where the development plan is absent, silent or its policies are out of date permission should be granted unless, inter alia, the proposal's adverse impacts would significantly outweigh the benefits.

- 2.9** In relation to housing proposals, the NPPF seeks, at para.47, to boost significantly the supply of housing by a number of means, including the need for local planning authorities to identify and update annually a supply of specific, deliverable sites sufficient to provide 5 years worth of housing against their housing requirements. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Importantly, it adds that relevant policies for the supply of housing should not be considered up to date where a five year supply of deliverable housing sites cannot be demonstrated. In this case, the absence of a five year supply is clear and as such, policies relating to the **provision and distribution** of housing must be considered as either out of date or attract little weight in the decision making process.
- 2.10** In terms of the spatial distribution of new housing, policies which seek to restrict new housing to defined settlements must also be considered to be out of date. In this case, the application site is located outside a defined settlement but little or no weight can be attached to those Core Strategy policies which limit new housing to such locations. These include policies SS3, SS4 and SS6/6a. Recent appeal decisions confirm this position and the conclusions of these appeals, in the context of the status of development policies, represent important material considerations. The report which underpinned the refusal of the original application suggests that the NPPF imperative to attach little or no weight to out of date housing policies should only be followed if the site is considered to be sustainably located. This interpretation is not accepted as applied; policies are either up to date or out of date and whilst all proposals must be judged against the policies of the NPPF as a whole, no weight should be given to out of date housing policies, including those with a spatial dimension, as seems to have happened in this case.
- 2.11** A recent appeal at a rural site at Baldwins Gate (Ref. APP/P3420/A/14/2218530) for 100 houses was upheld, inter alia, on the grounds that a five year supply could not be demonstrated and little or no weight could be attached to those development plan policies which had a spatial housing dimension. In the Baldwins Gate case, Saved Newcastle-under-Lyme Local Plan policy H1 resists new housing outside development boundaries; Newcastle-under-Lyme and Stoke-on-Trent Core Strategy policy SP1 directs new housing to the urban core and Core Strategy policy ASP6 defines quantum of new housing as between urban and rural areas. In refusing the application, the Local Planning Authority had relied on these policies. The Inspector concluded that;
- “ ...the Council cannot demonstrate a 5 year housing supply and, therefore, the relevant policies for the supply of housing (LP Policy H1 and CSS Policies SP1 and ASP6) should not be considered up-to-date. The weight given to them, and to the defined village envelope, should therefore be significantly reduced”***

2.12 The issue of whether the lack of a five year supply of housing sites can be over-ridden by other plan policies which have a spatial dimension was considered in successful appeals relating to housing development at Droitwich Spa (APP/H1840/A/13/2199085 and 2199426). In these appeals a five year supply of housing sites could not be demonstrated but the LPA argued that a spatial policy, (**policy GD1**) which constrained development to defined settlement boundaries, was material. The Inspector considered that the policy was out of date in its own terms (as it applied to new development up to 2011) and was considered to be out of date, ***“in the context of today’s changed policy, economic and legal context”*** (para 8.12 of the Inspector’s report). The Secretary of State supported the Inspector’s view and noted (para 11 of decision letter) that,

“bringing forward housing development in the context of the district’s housing needs inescapably creates tension in particular with WDLP policies SR1 and GD1. He also agrees with the Inspector at IR8.14 that, for the reasons at IR8.12-8.14, policies GD1 and SR1 are out of date and paragraph 14 of the Framework applies, triggering the presumption in favour of sustainable development.” (emphasis added)

2.13 A recent appeal at Garston, Watford (Ref; APP/B1930/A/13/2207696), relating to a housing proposal for 100 dwellings, was upheld with the Inspector noting that;

“Whilst a lack of a five year land supply of deliverable housing land does not provide an automatic ‘green light’ to planning permission a balance must be struck. The deficiency in land supply would carry substantial weight in that decision balancing exercise”

2.14 Although these decisions apply to large scale housing proposals, the principles and approach to decision making taken in those cases have been successfully applied in relation to other housing development proposals and are relevant and applicable in relation to the application proposal which is made against a background of not only an absence of a five year housing land supply but also a deteriorating supply position as confirmed by the Council’s own evidence. Against this background there can be no reasonable planning policy objection to this application which will allow for the provision of new housing in Hollington where there is a publicly stated need for 10 new dwellings within the period 2011-2031 (‘Site Options and Development Boundaries’ consultation document). Moreover, the only candidate sites for the provision of new housing to meet this stated need are both greenfield and exhibit no superior sustainability credentials than the application site.

- 2.15** As the relevant development plan policies are clearly out of date in relation to housing supply and distribution, the application proposal must be determined in accordance with the requirements of paragraph 14 of the NPPF which supports sustainable development and requires, where the development plan is absent, silent or relevant policies are out of date, as is the case in this instance, that such development be granted 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.”*
- 2.16** In terms of para. 14 of the NPPF, the application site is not within an area where specific policies require development to be restricted (eg green belt) but it is necessary to consider whether the proposal will have adverse effects which outweigh its benefits and whether it represents sustainable development.
- 2.17** Although the application proposal is relatively modest in scale, it does deliver significant benefits and satisfies the roles of sustainable development as set out in the NPPF (para 7). In economic terms it will provide employment during the construction phase. A social role will be satisfied through the provision of new dwellings which will help to meet unmet housing need in the District where the availability of suitable land to meet housing needs is severely deficient. In addition, the release of the site will contribute towards maintaining the presence of the adjoining public house which is, as with many rural public houses, operating at the margins of viability and in so doing help retain a community facility. In environmental terms, the application involves the use of a brownfield site. The site’s redevelopment will not result in the loss of trees or habitats.
- 2.18** Overall, it is considered that the proposal is not in conflict with adopted policy on the basis that the relevant policies of the development plan, including those relating to the spatial distribution of new housing, are out of date. Little or no weight should be attached to relevant development plan policies which seek to direct new housing to settlements. In any event, emerging local policy indicates that Hollington will need to accommodate a modest amount of new housing and, if this is the case, the contention that the application site is unsustainably located is seriously eroded. The proposal derives general and specific support from the NPPF, notably paras 47 and 49. The proposal delivers tangible benefits and any harmful impacts arising from this scheme, which in any event

are difficult to identify, do not significantly and demonstrably outweigh the benefits. As such, and in accordance with the NPPF paragraph 14 imperative, the application should be approved.

3.0 Amount

3.1 This application now seeks permission for the construction of two dwellings having approximate footprint areas of 114 -118 sq m each which reflects the size of the other properties in the vicinity.

3.2 The dwellings are set in a generous, sized plot of approximately 0.15 ha in total

3.3 It is considered that the site can easily accommodate the proposed dwellings whilst achieving a generous private amenity garden area all around each of the proposed properties with the revised layout enabling the development to exceed the minimum Space About Dwellings Standards and achieve the minimum rear garden depths which was one of the concerns raised in the original application.

4.0 Layout

4.1 The revised layout, again whilst only being indicative at this stage has been determined to make the most efficient use of the site whilst also ensuring that the character and amenity of the locality is not compromised. Furthermore, it ensures that appropriate separation distances can be achieved between the new and existing properties adjoining the site.

The layout has been further influenced by the requirement to provide suitable car parking facility within the curtilage of the site for each of the dwellings. Account has been taken of the need to avoid impacting on the amenity and privacy of the dwellings on the opposite side of the road and by providing additional boundary cover and screening to ensure that any resultant development should not have any adverse visual impact.

The layout has been designed to make the most efficient use of the site whilst ensuring that the character and amenity of the locality is not compromised.

4.2 The layout of the proposal has been influenced by the site constraints and character of 'rural' dwellings found elsewhere in the vicinity with the aim being to provide properties which will sit comfortably within the rural location.

The site currently enjoys far reaching views to the south over open countryside which the proposed layout will seek to take advantage of.

5.0 Landscape

5.1 It is intended to provide a detailed landscaping scheme as a condition of any planning consent and so only the general principles are described in this statement.

- 5.2** The site presently comprises sporadic hedge screening and shrub planting to the periphery of the car parking area which where required will be removed and additional native tree and hedge planting will be provided to the whole periphery of the site specifically on the road side and to separate the residential element from the retained public house car parking area.

The landscaping details will be fully determined at any approval of reserved matters stage.

- 5.3** It is noted that concerns were raised about the possible loss of trees on the original application however there were only a couple of Silver Birch trees situated to the rear of the main car park area which have since been removed due to their poor condition and on this revised scheme compensatory tree planting is indicated to the whole site which on the whole is considered to add the landscape value of the site and its surround.

6.0 Appearance/Scale

- 6.1** In the immediate vicinity of the site the dwellings are predominantly two-storey in scale with a single storey outrigger to the public house being of a traditional rural simple architectural style comprising tiled pitched roofs set above either natural stone or red brick walls.

The exact detailing of the proposed dwellings shall be determined at the approval of reserved matters stage but it is envisaged that they would continue this existing simple rural theme utilising a pallet of traditional materials.

7.0 Access

- 7.1** For the purpose of this statement compliance with the current edition of the Building Regulation part M is assumed to be covered with the detailed design and proposals, as this is mandatory. It is not intended to therefore provide exhaustive coverage of all means taken to secure such compliance.

- 7.2** For the purposes of the statement of the definition of 'disability' is taken as that in Part 1 of the Disability Discrimination Act 1995.

All entrances into the building will be fully compliant with Part 'M' of the Building Regulations having a level approach and entrance door threshold.

A ground floor WC is provided to the property and all internal doors will be of a sufficient width to suit all users.

- 7.3** The car park is presently accessed directly off the main road and this will be slightly re-sited with a new separate access/private drive being formed to serve the dwellings. The present small stone wall running across the frontage will be suitably amended to suit the new access positions and will continue to be of a reduced height so as not to interfere with driver visibility when exiting both sites.

The proposed development will lead to some loss of present car parking facilities to the public house which presently comprise an unmarked open gravel parking area. The proposed revised public house car parking area will have suitably marked out car parking spaces and will still provide 22 no. car parking spaces which from the applicant's experience will be more than adequate to satisfy visitor numbers.

- 7.4** The new residential development will provide 2 no. car parking spaces to each dwelling served off a new porous brick paved private driveway.

8.0 Heritage Statement

8.1 Description of the Asset

Hollington is a small village in the parish of Checkley in Staffordshire situated 4 miles south east of Cheadle and 3 miles south of Alton.

The quarries at Hollington produce the notable red and white 'Hollington stone' (a form of sandstone) which has been used for centuries in the construction of churches and stately homes. It was used for the construction of the new Coventry Cathedral in the 1950s.

The pattern of development predominantly along the main road is fairly irregular but comprises a mixture of traditional rural 19th and 20th century dwellings two storey in scale set below tiled pitched roofs

Within the village there is a Grade II Listed Building known as Hollington house and described by English Heritage as

“Farmhouse. Early C19. Finely coursed dressed and squared Hollington sandstone; tiled roof on chamfered eaves band; verge parapets; end stacks; two storeys and gable lit attic; three-window front just off symmetry; glazing bar sashes with painted wedged heads; middle window set just to right of centre over entrance with plain surround and flat hood; overlight and 6-panel door”.

8.2 Assessment of its Significance

The building is situated to the western side of the application site behind The Star Inn on the opposite side of the road and is well screened from the roadside by mature tree and hedge planting and consequently will not be visible from the application site.

Whilst the building has historical significance and makes an important contribution in the development and history of the village it is not considered that the proposal will impact upon its setting.

8.3 The Design Concept

The submitted application is in outline only and therefore the precise design

details of the proposed new dwellings will be determined at approval of reserved matters stage however it is likely to reflect the design concept of the Listed Building and other traditional stone built dwellings in the vicinity.

8.4 The Impact

As previously discussed with the application site being at least 65mm from the Listed Building together with being on the opposite side of the main road and with being sited behind both the Star Inn along with the present mature tree planting and screening it is therefore not anticipated that the heritage asset will be adversely or at all affected by the proposal

9.0 **Comments on Refusal Reasons**

- 9.1** Although there are five refusal reasons, the fifth does not introduce any issue or objection which is not covered within reasons 1 to 4 inclusive. The first reason alleges conflict with policies which are demonstrably out of date by virtue of the absence of a five supply of housing sites. On the basis of NPPF imperatives, and specifically paragraph 49, such policies, including those with spatial dimensions, cannot be used as a basis for any refusal of this proposal. In terms of sustainability, which forms an element of the refusal reason, it has to be recognised that the application site is located within an existing settlement which is defined within the settlement hierarchy as a 'small village'. It is not an isolated site and, by virtue of the Council's own intention to direct a modest amount of new housing to Hollington, it is not accepted that the site represents an intrinsically unsustainable location. Taking these factors into account, it is considered that the first refusal reason does not stand up to scrutiny.
- 9.2** The second refusal reason alleges unacceptable density and layout characteristics with resultant harm to the character of the Hollington settlement. Criticisms of this nature are inevitably subjective and whilst counter arguments could be advanced, the applicant has chosen to reduce the level of development proposed and in so doing it is considered that the alleged shortcomings of the original scheme are overcome.
- 9.3** The third refusal reason alleged harm to trees and hedgerows which were claimed to contribute positively to local character and amenity. It is not accepted that trees and hedges made a particularly positive contribution and, in any event, the silver birch trees which were located to the rear of the car park were lost due to their poor condition. The revised application now provides the opportunity to deliver replacement and new planting at the site which will make a far greater beneficial landscape impact than does existing vegetation.
- 9.4** The fourth refusal identifies a contravention of space about dwellings standards. The shortcomings are modest in scale but the reduction in the number of units now proposed ensures that all relevant standards can now be met. As such, the fourth refusal reason is overcome.

- 9.5** The fifth and final refusal reason is, as stated, a drawing together of the substance of the first four reasons. Overcoming these four reasons nullifies the fifth. In this regard, the second, third and fourth refusal reasons are considered to have been overcome by the reduction in number of dwellings proposed and consequential changes to the site layout.
- 9.6** In conclusion, it is considered that those refusal reasons which deal with issues of detail, namely reasons 2 to 4 inclusive, are overcome in this revised proposal. The first refusal, which deals with issues of principle, seeks to draw upon policies and spatial principles which are demonstrably out of date and therefore carry no weight.'