PLANNING STATEMENT INCLUDING DESIGN & ACCESS CONSIDERATIONS

- Date Issued: April 2016

SITE ADDRESS:

- 127 Station Road, Cheddleton, ST13 7EE

APPLICANT:

- Mr Andrew Smith

PROPOSAL:

- Outline planning application for the erection of a single dwelling

KEN WAINMAN ASSOCIATES LTD
31a St. Edward Street, Leek, Staffordshire, ST13 5DN • 01538 386808 • ken@sgaplanners.co.uk

1. INTRODUCTION

1.1 This statement is submitted in support of a planning application for the erection of a single dwelling on land adjacent to 127 Station Road, Cheddleton. The application is in outline with means of access, layout and scale sought. Matters of appearance and landscaping are reserved for subsequent approval. The application has been submitted by Ken Wainman Associates Ltd on behalf of Mr Andrew Smith and is accompanied by an indicative site layout plan, arboricultural report and topographical survey.

1.2 This statement analyses the site, the proposals and the policy context within which the proposals are made. Thereafter, it provides justification for approval of the proposal, primarily on the basis that the development would constitute infill development and the shortage of a five year supply of deliverable housing land in the Staffordshire Moorlands.

1.3 This statement concludes that the proposed development would be in accordance with Development Plan policies as it represents an appropriate form of infill development within a sustainable edge of village location without harm or detriment to the character and appearance of the site and wider surrounding area. Furthermore, it is not considered that the proposed development would be prejudicial to residential amenity, detrimental to highway safety, adversely affect any protected trees or harm any established ecological interests.

2. APPLICATION SITE AND ITS SETTING

2.1 The application site comprises of a broadly rectangular plot of garden land which extends to some 856sq.metres. The application site, which lies on the northern side of Station Road sits approximately 3m higher than the adjacent public highway with the levels across the site continuing to climb in a northerly direction. To the east of the site lies a short row of terraced properties whilst a large detached dwelling lies to the west. Open countryside lies to the north with industrial buildings located on the Churnetside Business Park to the south west. The application site is bound by a hedgerow to the front and has mature planting alongside the western and northern boundaries.

2.2 The site occupies a sustainable location within easy walking and cycling distance of the numerous services and facilities on offer within Cheddleton village. For the purposes of the Development Plan however the site is considered to lie on the edge of the village within the North Staffordshire Green Belt where restrictive development plan policies apply.

2.3 The following Google Earth image shows the location of the site and its context:-



2.4 Photographs of the site and neighbouring surroundings are shown below:-

Adjacent dwelling 127 Station Road



From highway looking N.W



From highway looking North



From highway looking S.E



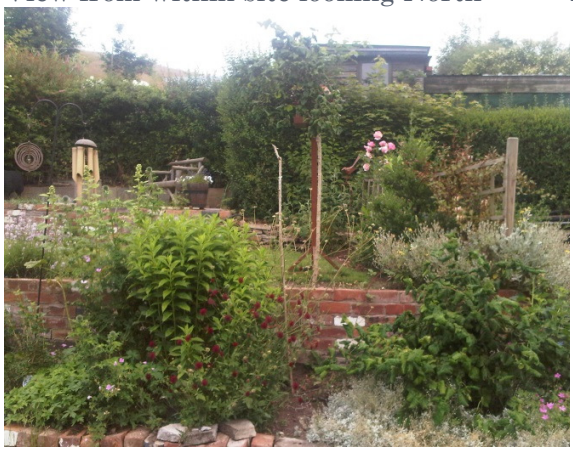
View from within site



View from within site



View from within site looking North



Neighboring dwelling to west



View from within site looking East



View from within site looking South



3. THE PROPOSED DEVELOPMENT

3.1 The application proposes the erection of a single dwelling. The scheme is in outline with means of access, scale and layout considered. Matters of appearance and landscaping are reserved for subsequent approval. The indicative plan which has been submitted in support of this application shows the provision of a 'L' shaped detached dwelling with a footprint of 118 sq. metres. Access to the site will be taken directly off Station Road via a new vehicular access which will be created in the south eastern part of the site.

3.2 The scheme is shown on the submitted drawings numbered 1399-01 Site and Location Plan and is accompanied by an Arboricultural Report prepared by Tree Heritage and topographical survey which should be read in conjunction with this Planning Statement.

4. PLANNING POLICY

4.1 Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

4.2 The National Planning Policy Framework (NPPF) was published on 27th March 2012 and replaced a significant proportion of central government

planning policy advice with immediate effect. It is the Government's clear intention that the document should be considered to be a material consideration and as such carries particular weight where development is not addressed by planning policies in the existing Development Plan, which in this area comprises of the adopted Core Strategy (2014).

4.3 Whilst the recently published NPPF does not change the statutory status of the Development Plan as the starting point for decision making it does provide guidance to LPA's and is a material consideration in determining planning applications (para 12). The NPPF confirms that at the heart of the guidance is a presumption in favour of sustainable development (para 14) and that for decision making this means approving development proposals that accord with the Development Plan without delay unless material considerations indicate otherwise.

4.4 The most relevant policies of the adopted Core Strategy are considered to be SS1 (Development Principles); SS2 (Future provision of Development); SS3 (Distribution of Development); SS4 (Managing the Release of Housing Land); SS6 (Development in Rural Areas); SS6a (Larger Villages Area Strategy); H1 (New Housing); R2 (Rural Housing); DC1 (Design Considerations) and DC3 (Landscape and Settlement Setting). There is no overarching Green Belt policy in the Core Strategy and instead it relies on the Green Belt policies in the NPPF. Of particular relevance to this application is paragraph 89 of the NPPF. For the sake of brevity these policies are not quoted in full but they are referred to where appropriate in the following section.

4.5 Also of particular relevance to this application is the Staffordshire Moorlands Housing Land Supply Statement (March 2015) which sets out the Local Authority's performance in respect of housing land supply and housing delivery.

5. KEY PLANNING ISSUES

5.1 As set out above this is an application for the erection of a single detached dwelling. The key issues are considered to be:

- The principle of development and whether the proposal constitutes inappropriate development in the Green Belt for the purposes of the NPPF and Development Plan policy;
- If the proposed development is considered to be inappropriate whether the harm by reason of inappropriateness, and any other harm is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

- The effect on the openness and visual amenity of the Green Belt and the purposes of including land within it;
- Sustainability of the proposed development
- Means of access;
- Impact on residential amenity; and
- Any other material considerations

Principle of development

5.2 For the purposes of the Development Plan the site lies on the outer edge of Cheddleton village within the North Staffordshire Green Belt as indicated on the Proposals Map of the former Staffordshire Moorlands Local Plan. As such there are tighter controls on what form of development can be permitted. The National Planning Policy Framework (NPPF) includes a section on the management of development in the Green Belt. This policy and the adopted policies of the Development Plan are similar. These policies state that the construction of new buildings in the Green Belt is "inappropriate" and that inappropriate development is by definition harmful to the Green Belt unless it is one of the exceptions listed in the NPPF or unless very special circumstances apply.

5.3 One of the exceptions listed in the NPPF (paragraph 89) is “limited infilling in villages”. This is such a case. There is no mention in paragraph 89 of village boundaries. The site lies in an existing garden between 127 Station Road and 109 Station Road. Under the previous Local Plan – now defunct – the site was outside but adjacent to the designated village development boundary. However, as the policies within the former Local Plan (H4 &H5 which related to development boundaries) were not saved it is considered that there is no formal village boundary for Cheddleton. Even if it is contended that the former settlement boundary still exists this policy would be out-of-date because the District does not have a five year supply of deliverable housing land. The adopted Core Strategy policy SS6 t states that the Site Allocations DPD will define the urban areas of larger villages but a Development Boundary and will allocate sites for development. Although the draft proposed site allocations plan is out to consultation and therefore still in its early stages this site is included in the proposed settlement boundary for Cheddleton.

5.4 Policy SS6a (Larger Villages) of the Core Strategy states that local housing needs will be met primarily , but not totally, within the built-up area. It is the applicants contention that the application site is within the built up area and that the proposal is therefore in accordance with policy SS6a.. There is housing either side to the west and the east; an industrial site to the south across the

road; and there is a garden belonging to No. 131 Station Road which lies to the north behind the site.

5.5 In order to significantly boost the supply of housing para 47 of the NPPF asks LPA's to have a 5 year continuous supply (including an additional 5% buffer) of deliverable land at all times. It also goes on to state that housing applications should be considered in the context of presumption in favour of sustainable development (para 49). It further advises that where a LPA cannot demonstrate a five year supply of deliverable housing sites, the relevant policies for the supply of housing should not be considered up to date.

5.6 The development plan identifies a net housing requirement of 6,000 additional dwellings during the period 2006 to 2026. Currently there is less than a 5 year land supply against the emerging Core Strategy figure. The latest housing land supply figures for Staffordshire Moorlands, as set out in the Local Authority's Housing Land Supply Statement, demonstrates that the Local Planning Authority is only able to demonstrate 1.84 years of deliverable housing supply - a shortage of about 1138 houses. This falls significantly short of the 5 year supply required by paragraph 49 of the NPPF, and represents a continued decline in the Council's housing supply position over the last few years. As a consequence the provisions of paragraph 14 of the NPPF become relevant.

5.7 Paragraph 14 of the NPPF confirms that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking. It goes on to state that for decision taking this means:-

"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."

5.8 These provisions are reflected in policy SS1a of the Core Strategy. The absence of a five year deliverable supply of housing means however that the adopted policies of the Core Strategy, insofar as they relate to the supply of housing have to be afforded less weight. By comparison the provisions of the NPPF and the clear lack of a 5 year housing supply are material considerations which should be afforded the highest weight. In the absence of any specific policies to indicate that permission should be refused it is concluded that

permission for this proposal should be granted unless any adverse impacts of doing so would substantially and demonstrably outweigh the benefits of the development. Given this shortfall it is contended that it would be appropriate and beneficial to allow limited infill in villages.

5.9 It is furthermore considered that the application site constitutes a sustainable location for new development that is located within easy walking and cycling distance of the numerous local services and facilities on offer within Cheddleton. Cheddleton straddles the main A520 immediately to the south of the River Churnet and Caldon Canal. It is acknowledged within the adopted Core Strategy as a larger village and is served by 3 public houses, a veterinary surgery, off license, shop, post office and two churches. The village is also fortunate to have a regular bus service operating with the 106 Leek-Cellarhead-Stoke bus passing through Chedldleton five times a day. This is a sustainable location for new housing as it lies close to the services and amenities that Cheddleton has to offer. As a consequence the development of this site would not result in the creation of an isolated dwelling in the context of paragraph 55 of the NPPF.

5.10 The proposal will also derive a number of benefits notably helping the Local Planning Authority to meet its housing delivery targets, contributing to the local economy , and generating employment during the construction phase. The site is furthermore considered to be well related to the surrounding residential character of the area. Such benefits are considered to be worthy of significant weight and in this regard the Local Authority's attention is drawn to comments made by a Planning Inspector in the appeal decision enclosed as Appendix A (APP/B3438/A/14/2217581). In allowing an appeal for the erection of a dwelling within the Green Belt near Biddulph the Planning Inspector commented that:-

"15. At the heart of the Framework is the presumption in favour of sustainable development. There are three dimensions to sustainable development: economic, social and environmental. These roles are mutually dependent and should be jointly sought to achieve sustainable development."

"16. The Council have confirmed they cannot demonstrate a five-year supply of deliverable housing sites. The proposal would add to the local housing stock and make a positive, albeit modest, contribution towards reducing the current defecit of housing in the area. This is a clear economic and social benefit associated with the scheme to which I attach significant weight."

"17. The appeal scheme through the construction of the dwelling and expenditure associated with an additional household in the area would deliver further economic benefits. I afford modest weight to these considerations. "

5.11 Similarly in allowing an appeal for a single dwelling in the Green Belt at Knypersely (APP/B3438/A/14/2223274 - Appendix B) an Inspector held that the provision of a new dwelling was a significant benefit to the scheme. It was also held that the lack of a 5 year supply was a significant consideration to be weighed in favour of the proposed development.

5.12 Having regard to the above considerations it is concluded that the principle of development is wholly acceptable on this site and that the proposal constitutes a sustainable form of development.

The effect on the openness and visual amenity of the Green Belt

5.13 The NPPF confirms that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open, and confirms that their essential characteristics is their openness and permanence. Station Road in this location is characterised by a mix of housing types and sizes. The application site makes a very limited contribution to the openness of the Green Belt at this point due to its topography and screening. The erection of a single dwelling on the plot would ensure that the proposed development would be in keeping with the scale and density of the locality and would continue the ribbon of development along Station Road. The character of the area would therefore not be harmed. Whilst the provision of a single dwelling would result in some loss of openness to what is effectively a green and undeveloped site it is considered that any loss of openness would be minimal as it would be mitigated to a large degree by the presence of houses and field boundaries in the wider area. Although appearance and landscaping, are details reserved for later consideration it is considered that the nature of the site is such that a sensitive detailed design and appropriate landscaping of the proposed dwelling could overcome any possible unacceptable affect on the openness and visual amenity of the Green Belt. The proposed development would therefore be compliant with adopted Development Plan policies.

Highways

5.14 In terms of highway safety considerations Paragraph 32 of the NPPF states that "development should only be prevented or refused on transport grounds where the residential cumulative impacts of development are severe". Core Strategy Policy DC1 states that development proposals should provide for safe and satisfactory access whilst also meeting the parking requirement for the

necessary car use. Means of access is sought for approval as part of this application. The proposed dwelling would be served by a new vehicular access directly off Station Road. This would require an opening to be made in the existing boundary hedge. The proposed vehicular access will achieve adequate visibility on egress in both directions. The indicative site layout plan shows adequate parking, turning and manouvering space to serve a single dwelling. The proposed development would not therefore be detrimental to highway safety and would accord with the provisions of paragraph 32 of the NPPF and Core Strategy policy DC1 in this regard.

Other Material Considerations

5.15 The recent Court of Appeal judgment in the case of Hopkins Homes and Richborough Estates v Suffolk Coastal DC, Cheshire East and the Secretary of State widens the definition of out of date policies where there is a lack of deliverable housing land significantly. In this case as the District does not have a deliverable five year supply of housing land the Council should consider as being out of date all policies, including the Green Belt, which restrict housing development. In such circumstances the NPPF advocates that unless the adverse effects outweigh the benefits planning permission should be granted. It is contended that in this case the benefits of an approval are considerable. The proposed dwelling will complement its surroundings and provide a valuable addition to the housing sock and address an acknowledged need.

Trees

5.16 In terms of ecological considerations paragraph 109 of the NPPF places an emphasis on minimising impacts of development on biodiversity and providing net gains in biodiversity where possible. These provisions are reflected in Policy NE1 of the Core Strategy.

5.17 The application is accompanied by an independent tree survey. This document identifies 6 trees on the site. The proposed scheme allows for the retention of the most important trees and as such the proposal will preserve their existing presence within the streetscene. The Arboricultural Survey does suggest the felling of 1 x Leyland Cypress on safety grounds however this is classified as U category due to its poor shape and decay on the base and stem. Its removal will therefore not result in significant loss of biodiversity and the applicant would be willing to undertake appropriate replacement tree planting elsewhere within the site in mitigation. The Arboricultural Survey also highlights the importance of installing tree protection measures on the site to safeguard the remaining trees and incorporates details of these protection measures and the

position they should be provided in. A suitably worded planning condition can ensure that these tree protection measures are delivered, and subject to such a condition, the proposed development will accord with the provisions of policy NE1 of the Core Strategy.

Amenity

5.18 Policy DC1 states that new development should protect residential amenity in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping. The indicative site plan, which has been submitted as part of the application, indicates that the site could easily accommodate a single dwelling with associated curtilage and parking without causing demonstrable harm to the amenity of surrounding dwellings. The neighbouring property to the east, 127 Station Road does not have any principal windows facing towards the site. As a consequence this neighbouring property will not overlook the private amenity space of the proposed dwelling. Likewise the siting of the proposed dwelling will avoid any adverse overlooking of this neighbouring property. The proposal will not be prejudicial to the reasonable enjoyment of the occupiers of the neighbouring properties nor will future occupiers of the proposed dwelling be subject to poor living conditions. The proposed development therefore accords with the provisions of policy DC1 of the Core Strategy in this regard.

Design

5.19 Policy DC1 also outlines that all development should be of high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area. Proposals should also be designed to respect the site and surroundings through scale, density, layout, siting, landscaping, character and appearance in line with the Council's adopted Supplementary Planning Document. These provisions are reinforced by paragraphs 56 and 58 of the NPPF. Whilst the application is made in outline with matters of detailed design and appearance reserved for later consideration it is considered that the provision of a single dwelling within the site would be an acceptable form of development which is in keeping and relates well with the general pattern of development along this part of Station Road. The siting shown on the indicative site layout plan demonstrates that the erection of a dwelling on this site would preserve and reinforce the existing ribbon pattern of development that prevails within the locality. The proposed dwelling would take the form of a modest two storey dwelling which will respect the character and appearance of the surrounding area which is characteristred by a mix of housing types and sizes. The proposal would therefore be well integrated and quickly assimilated into its surroundings and therefore accords with the provisions of policy DC1 in this regard.

6. Conclusion

6.1 Paragraph 186 of the NPPF states that Local Planning Authorities should approach decision taking in a positive way to foster the delivery of sustainable development. it goes on to state in paragraph 187 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.

6.2 For the reasons given above it is considered that the proposed development would be in accordance with Development Plan policies as it represents an appropriate form of infill development without harm or detriment to the character and appearance of the site and wider surrounding area. Whilst the proposed development will, through the provision of a single dwelling, only make a small contribution to the identified housing shortfall it is considered that it is acceptable in principle given the Authority's lack of housing provision and the sustainable location of the site. Furthermore, it is not considered that the proposed development would be prejudicial to residential amenity, detrimental to highway safety, adversely affect any protected trees or harm any established ecological interests. The proposed development therefore accords with the provisions of policies SS1, SS1a, SS2, SS3, SS5, SS6a, DC1 and NE1 of the Staffordshire Moorlands Core Strategy DPD and guidance contained within the NPPF. The LPA is therefore respectfully requested to approve outline planning permission for the erection of a single detached dwelling on land adjacent to 127 Station Road, Cheddleton subject to any planning conditions it may feel are necessary.

DESIGN

Use

The application proposes the use of the application site for residential purposes. The application is in outline within means of access, siting and layout considered. All other matters are reserved for subsequent consideration. This form of development is considered to reflect the nature and character of existing development which surrounds the site.

Amount

The application proposes the erection of a single dwelling. This amount of development is considered to comply with Green Belt policy and is in keeping with the nature and character of existing development which surrounds the site.

Scale

The indicative site plan depicts a 'L' shaped dwelling which would have a footprint of approximately 118 sq. metres and a floor area of 185.2 sq. metre (167.3 sq metre dwelling + 17.9 sq. metre garage). The proposed dwelling would be two storey in height with a maximum ridge height of 8.9 metres and an eaves height of 6.4 metres.

Landscaping

The site is located within a rural setting and benefits from substantial existing mature landscaping and it is not considered that any additional landscaping will be required. Whilst landscaping is a matter which is reserved for later consideration the indicative site plan demonstrates that a single dwelling can be accommodated on the site without harm to the existing trees or their root protection areas.

Appearance

Appearance is a reserved matter that would be appropriately dealt with in a detailed application.

Access

The proposed development would be served by a new vehicular access directly off Station Road. The site is located on the edge of the village which provides retail, leisure and employment opportunities. Public transport links are easily accessible to Leek and other parts of the Staffordshire Moorlands as well as the neighbouring city of Stoke on Trent.