Design & Access Statement

Proposed Residential Development

at site of

The Pride of the Moorlands
Junction Road
Leek
Staffs

for

Mr W Earley

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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 an outline planning application for the demolition of the existing public house known as The Pride of the Moorlands at Junction Road, Leek, Staffs with a redevelopment to construct 7 no. residential dwellings.

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 7 no. properties. The precise details of these properties, including their design and appearance, will be resolved at the Reserved Matters stage.

1.4 The premises formerly known as The Herdsman are situated in a predominantly residential street with an access running down to Leek Cattle Market with a large industrial estate on the opposite side of the disused railway line to the rear of the site.

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 facilities and function room to the rear.

2.2 The site comprises both a public house and the existing car park to the side and rear.

Pre-application discussions have taken place with the Local Authority and it has been confirmed that the Local Planning Authority is required to determine planning applications in accordance with the development plan, unless there are material circumstances which indicate otherwise in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations. The Council's Development Plan is formed of the Core Strategy Development Plan Document (adopted March 2014) and the Saved Local Plan Proposals Map/Settlement Boundaries (adopted 1998.

The Core Strategy and National Planning Policy Framework promote the prioritisation of Brownfield sites before Greenfield sites. Policies SD1(1), SS1 and SS4, all expect that (sustainable) Brownfield sites should be explored

before non-allocated Greenfield sites. In this instance officers consider that the site represents a Brownfield site, it is also located within the Leek development boundary and on this basis the development of this site can be considered.

Currently, there is less than a 5 year land supply (2.08 years as at end of September 2014) against the recently adopted Core Strategy figure. The NPPF states that where the local planning authority cannot justify a 5 year land supply, relevant policies for the supply of housing should not be considered up to date. Therefore permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF or specific policies in the NPPF indicate development should be restricted. The Council is progressing its Site Allocations Development Plan Document, which has now gone out to public consultation. In this document it estimates that Leek requires 1200 additional dwellings. This site has not been identified in the Site Allocations document as it is located in the development boundary.

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 The general application of current policies, and their status, is to be considered 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.

2.5 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.

2.6 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.

2.7 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.

2.8 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."

2.9 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.

2.10 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.

2.11 It was noted in the pre-application response dated 30 June 2015 that the building should be marketed to demonstrate that no other commercial uses are viable also in addition the premises were considered to constitute a community facility.

With these comments in mind the applicant has continued to operate the public house since he purchased the premises in November 2014 (prior to this the property had been marketed and failed to be sold at a public auction due to lack of interest).

As with many public houses which are still closing at a rate of 29 per week nationally they are becoming increasingly unviable to operate and even in the short period since November 2014 the income has fallen by 25-30% which is now making the business financially unviable, indeed if the applicant did not own the premises outright the income would fall well short of meeting any required rental or mortgage obligations and would not provide a sustainable salary for even one person.

There is a small function room to the rear which has very limited demand therefore suggesting that there are sufficient alternative facilities of this kind within the vicinity.

The site is situated within walking distance of Leek town centre which is well served by public houses, restaurants and would appear to meet local demand which the downturn in income suggests.

Furthermore the building which we understand was constructed in the 1960's is falling into a state of disrepair requiring large investment to repair roofs, replace windows and generally refurbish to meet modern standards which cannot be substantiated by the falling income levels.

Other uses have been considered such as retail but the premises are slightly outside the main shopping area and in very close proximity to Morrisons Supermarket.

2.12 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. In contrast, 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 the application should be approved.

3.0 Amount

3.1 This application seeks approval for 7 no. dwellings having approximate floor areas of 74sq m each which reflects the size of the other properties in the vicinity.

3.2 The dwellings are set in a reasonably sized plot of approximately 1550sqm in total

3.3 It is considered that the site can easily accommodate the proposed dwellings whilst achieving a reasonable private amenity garden area all around each of the proposed properties enabling the development to achieve the minimum Space About Dwellings Standards.

4.0 Layout

4.1 The 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 dwellings found elsewhere in the vicinity with the aim being to provide properties which will sit comfortably within this location.

The proposed residential redevelopment is considered to be more in keeping with the residential nature of the area and the removal of the public house will overcome the odd noise disturbance issues that currently occasionally occur.

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.

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

6.0 Appearance/Scale

6.1 In the immediate vicinity of the site the dwellings are predominantly two-storey in scale being of a traditional urban simple architectural style comprising tiled pitched roofs set above 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 urban 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 both Junction Road and a small access drive which will be continued with this redevelopment.

7.4 The new residential development will provide 2 no. car parking spaces to each dwelling.

7.5 The site is considered to be in a sustainable location being within walking distance of a large supermarket, primary schools, main bus routes and Leek town centre.