Rob Duncan
Planning
Consultancy

PLANNING STATEMENT

LAND OPPOSITE THE COTTAGE, HILL TOP, BROWN EDGE

MAY 2016

Site Address:
Land opposite The Cottage, Hill Top, Brown Edge, Staffordshire, ST6 8TY

Applicant:
Mr. J. Brayne

Proposal:
Proposed Erection of Dwelling

Planning Statement:
Date Issued: 19th May 2016
Job Reference: RDP/2016/051

Report Prepared By:
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1 Introduction

1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Mr. J. Brayne to seek planning permission for the re-development of a disused commercial site on land opposite The Cottage, Hill Top, Brown Edge, to form a single storey residential dwelling.

1.2 The proposed dwelling will occupy a footprint of approximately 114m^2 and encompass a lounge, kitchen/diner, bathroom and two bedrooms. It will be constructed from facing brickwork, horizontal cedar cladding and have a profiled metal roof. The ridge of the dwelling will stand to approximately 4 metres, and as a whole it will have a total volume of 343m^3.

1.3 The existing building on site was previously used for the storage of materials associated with the applicant's drainage and building business. The applicant commenced operations from the site approximately 30 years ago and the business operated without restriction, including 24 hour a day operation. It was last used for such purposes approximately 10 years ago when the applicant relocated his business to Burslem, and there have been no intervening uses. The building occupies a footprint of approximately 129m^2, stands to a maximum height of 3.7 metres and encompasses a volume of 363m^3.

2 Site & Surroundings

2.1 The application site is located within the North Staffordshire Green Belt, and comprises an elongated, triangular shaped parcel of land that extends to approximately 0.07 hectares. At the southernmost end of the site there is an established vehicular access, which leads into a large area of hardstanding where the applicant previously stored vehicles and some materials. At the

northernmost end of the site lies the existing single storey commercial building. To the north and south of the site lie residential dwellings, whilst to the west there are open agricultural fields. The eastern boundary of the site comprises Hill Top, beyond which there is further residential development. An aerial photograph showing the site in its surrounding context is shown in Figure 1 overleaf.

Figure 1 – Aerial Photograph of Site



Source: Google Maps

3 Planning Policy

3.1 Section 38(6) of the Planning and Compulsory Purchase 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. The Development Plan for this area comprises the Staffordshire Moorlands Core Strategy (2014) of which the following policies are considered to be of relevance:

3.2 Policy SS1a of the Core Strategy states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in the Core Strategy will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole;*

- *or specific policies in that Framework indicate that development should be restricted.*

3.3 Policy SS6c of the Core Strategy relates to the 'Other Rural Areas Area Strategy' and states that these areas will provide only for development which meets an essential local need, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside. The policy goes on to state that the Council will meet essential local needs by (amongst others):

- *restricting new build housing development in the countryside to that which is essential to local needs.*

3.4 Policy SS6c furthermore states that the Council will enhance and conserve the quality of the countryside by:

- *Giving priority to the need to protect the quality and character of the area and requiring all development proposals to respect and respond sensitively to the distinctive qualities of the surrounding landscape;*

- *Limiting uses which generate a substantial number of regular trips in areas that are not well served by public transport;*

3.5 Policy SS6c goes on to state that strict control will continue to be exercised over inappropriate development within the Green Belt, allowing only for exceptions as defined by Government policy.

3.6 Policy R2 of the Core Strategy relates to Rural Housing and states that only the following forms of housing development will be permitted in the rural areas outside the settlement and infill boundaries of the towns and villages:

- *Affordable Housing;*

- *A new dwelling that meets an essential local need, such as accommodation for an agricultural, forestry or other rural enterprise worker, where the need for such accommodation has been satisfactorily demonstrated and that need cannot be met elsewhere;*

- *Proposals for replacement dwellings, provided they do not have a significantly greater detrimental impact on the existing character of the rural area than the original dwelling or result in the loss of a building which is intrinsic to the character of the area;*

- *Extensions to existing dwellings provided they are appropriate in scale and design and do not have a detrimental impact on the existing dwelling and the character of the rural area;*

- *The conversion of non-residential rural buildings where the building is suitable and worthy in physical, architectural and character terms for conversion and it can be demonstrated that agricultural or commercial use is not viable or suitable.*

3.7 Policy SD1 of the Core Strategy relates to 'Sustainable Use of Resources' and seeks to encourage the re-development of brownfield sites, stating that development on non-allocated greenfield land will only be considered acceptable where the proposal relates to the provision of needed development which cannot be accommodated on a deliverable, previously developed site or other allocated site in the locality, and is in a sustainable location.

3.8 Policy DC1 of the Core Strategy relates to 'Design Considerations' and states that all development should be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council's Design SPD. It goes on to state that new development should (amongst others):

- *be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area;*

- *be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance;*

- *protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping;*

- *provide for safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use; ensure that existing drainage, waste water and sewerage infrastructure capacity is available.*

3.9 Policy E2 of the Core Strategy relates to existing employment areas and states that the re-development of such areas for housing, retail or other non-employment uses will not be permitted unless:

- *the site is identified in the Site Allocations DPD for re-development, or*

- *it can be demonstrated that the site would not be suitable or viable for continued employment use… and evidence can be provided that no suitable and viable alternative employment use can be found, or is likely to be found in the foreseeable future; or*

- *substantial planning benefits would be achieved through redevelopment which would outweigh the loss of the site for employment use.*

4 Other Material Considerations

National Planning Policy Framework

4.1 The National Planning Policy Framework confirms that inappropriate development in the Green Belt should only be permitted where very special circumstances exist to clearly outweigh the harm by inappropriateness and any other harm. It sets out a number of categories of appropriate development, which includes the re-development of previously developed land where it has no greater impact on openness than the existing development. The content of this document is explored in more detail in the Planning Assessment below.

Staffordshire Moorlands Housing Land Supply Statement (March 2015)

4.2 This document sets out the Local Authority's performance in respect of housing land supply and housing delivery. It confirms that the Local Authority has a deliverable supply of housing land equivalent to 1.84 years supply.

5 Planning Assessment

Principle of Development

5.1 The application site lies within the North Staffordshire Green Belt and proposes the replacement of an existing commercial building with a residential dwelling. Paragraph 2 of the National Planning Policy Framework (NPPF) confirms that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. It goes on to confirm that the NPPF is a material consideration in planning decisions.

5.2 Policy SS6c of the adopted Core Strategy states that the rural areas, of which the application site forms part, will provide only for development which meets an essential local need, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside. The policy goes on to state that the Council will meet essential local needs by restricting new build housing development in the countryside to that which is essential to local needs, and allowing the conversion, extension or replacement of an existing rural building in accordance with policies R1 and R2. Policy SS6c goes on to state that strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government policy. Policy R2 of the Core Strategy is reflective of policy SS6c and seeks to restrict new housing within the rural areas to a limited number of categories, which include affordable housing, a new dwelling that meets an essential local need such as accommodation for an agricultural worker, proposals for replacement dwellings, extensions to existing dwellings, and the conversion of rural buildings.

5.3 It is acknowledged that this proposal does not constitute a proposal for residential development that is essential for the operation of agriculture or forestry, nor does it involve the reuse of a rural building or propose a replacement dwelling. As a consequence the proposal is acknowledged to conflict with the provisions of policies SS6c and R2 of the Core Strategy. Nevertheless, whilst the conflict of this proposal with the aforementioned policies is recognised, it is considered that the principle of development is acceptable having regard to the provisions of the National Planning Policy Framework.

5.4 The National Planning Policy Framework (NPPF) is a material consideration in the determination of this application, and one which should be afforded

significant weight. It introduces a presumption in favour of sustainable development, and identifies a number of Core Principles that should underpin decision-taking. Core Principle 3 states that planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs.

5.5 To this end paragraph 47 (bullet 2) of the NPPF states that Local 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% to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, as is the case within the Staffordshire Moorlands, the NPPF states that local planning authorities should increase the buffer to 20%.

5.6 Paragraph 49 of the NPPF goes on to state that housing applications should be considered in the context of the presumption in favour of sustainable development, and 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"*

5.7 The latest housing land supply figures for Staffordshire Moorlands, as set out within the Staffordshire Moorlands Housing Land Supply Statement March 2015 confirm that the Local Authority is currently unable to demonstrate a five year deliverable supply of housing (1.84 years supply). As a consequence, the provisions of policies SS6c and R2 of the Core Strategy, insofar as they relate to the supply of housing, have to be considered out-of-

date. Accordingly they should be afforded lesser weight in the determination of this application.

5.8 Paragraph 14 of the NPPF confirms that where the development plan is absent, silent or out-of-date (as is the case here), planning permission should be granted unless:

> *"any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework as a whole"* (my emphasis).

5.9 For the reasons which will now be discussed, this proposal is considered to constitute a sustainable form of development.

5.10 In terms of Green Belt policy, paragraph 89 of the NPPF confirms that local authorities should regard the construction of new buildings as inappropriate within the Green Belt. It nevertheless goes on to list a number of exceptions which includes:

- *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".*

5.11 The proposed development would entail the demolition of the existing commercial building on the site and the removal of the majority of the existing hardstanding, to be replaced by the proposed bungalow. The existing building on site has a volume of some 363m^3 and a footprint of

129m^2. By comparison the proposed dwelling will have a smaller footprint of 114m^2 and a lesser volume of 343m^3. It will therefore represent a significant beneficial enhancement to the Green Belt despite the proposed dwelling being modestly higher than the existing building (4.4m compared to 3.7m). As a consequence I submit that the proposed development would not have a greater impact on the openness of the Green Belt than the existing development, and thus it constitutes an appropriate form of development within the Green Belt.

5.12 The NPPF lists in paragraph 80 the five purposes of Green Belts, which are as follows:

- 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.

5.13 It goes on to state in paragraph 81 that once designated, local planning authorities should plan positively to enhance the beneficial use of the Green Belt, such as looking for opportunities to provide access; to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity; or to improve damaged and derelict land.

5.14 I submit that owing to the reduction in built development on this site, both in footprint and volumetric terms, there will be a beneficial enhancement in terms of the five purposes of Green Belts. I furthermore submit that the use

of the Green Belt would be enhanced by reason of removing the non-comforming commercial building and improving the appearance of this redundant site. These benefits are accordingly considered to weigh strongly in favour of the proposed development.

5.15 The proposed development is also considered to accord with the provisions of paragraph 55 of the NPPF. This states 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. Paragraph 55 goes on to state that local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances.

5.16 This proposal will not result in the creation of an isolated home in the countryside. The site is closely related to existing residential development to the north, south and east, and is furthermore located within easy walking and cycling distance of the various local services and facilities on offer within Brown Edge. In this regard I would draw the Local Authority's attention to its recent grant of planning permission for a similar form of development to that proposed in this application at Coppice Farm, Hill Top, Brown Edge, (LPA Reference: SMD/2013/0452) where the site was found to be sustainable.

5.17 In addition to the above, the proposal will derive a number of benefits. Paragraph 7 of the NPPF identifies three dimensions to sustainable development: economic, social and environmental. These roles are mutually dependant and should be jointly sought to achieve sustainable development.

5.18 In terms of the economic dimension of sustainable development it is considered that the proposal will derive benefits to the local economy, both to local tradesmen during the construction phase, and through the expenditure associated with one additional household.

5.19 The loss of the existing employment site, which has been vacant for a considerable period of time and is of a poor quality, is not considered to materially detract from the overall economic benefits of the development, and having regard to the provision of policy E2 of the Core Strategy I submit that a number of material planning benefits would ensue as a consequence of this development to justify approval, including:.

- Removal of non-conforming commercial/industrial use from an otherwise residential / semi-rural environment;

- Cessation of commercial / industrial use which owing to the passage of time is immune from enforcement action, and benefits from 24 hour unrestricted usage;

- Creation of improved vehicular access, affording better visibility on egress onto Hill Top;

5.20 In terms of the social dimension of sustainable development the proposal would secure the delivery of a new dwelling that would contribute to the supply of housing within the District and in turn help the Local Authority to meet its shortfall in housing delivery. Such benefits are considered to be worthy of significant weight, and in this regard I would draw the Local Authority's attention to the conclusions of the Planning Inspector in determining appeal reference: APP/B3438/A/14/2217581 at Mount Pleasant Farm, Gillow Heath where the Planning Inspector commented as follows:

> *"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 deficit of*

housing in the area. This is a clear economic and social benefit associated with the scheme to which I attach significant weight"

5.21 In terms of the environmental dimension of sustainable development, the proposal would derive a number of benefits. The proposal would entail the redevelopment of a brownfield site, something which is explicitly encouraged by Core Principle 8 of the National Planning Policy Framework and supported by policy SD1 of the Core Strategy. The site is not of high environmental value and is considered to represent an opportunity to deliver a new home to meet the Local Authority's shortfall of housing land supply on a site that has already been developed, thereby helping to minimise the requirement for greenfield developments elsewhere in the village and the wider District.

5.22 The proposal will contribute further to the environmental dimension of sustainable development having regard to sustainable travel patterns, highway safety and the beneficial enhancement of the Green Belt discussed above. The existing site has unrestricted 24-hour use and in the past has been used by various 7.5 tonne vehicles as well as land rovers, transit vans and trailers. It also has a rudimentary site access onto Hill Top, with no visibility splays. This application will secure the cessation of the existing commercial use and in turn bring about more sustainable travel patterns and fewer movements on the local highway network by vehicles that are unsuitable for it. The application also proposes the closure of the existing access, and the creation of a new vehicular access further northwards within the site. New hedgerows will be planted behind the new splays and across the existing access point. Whilst this new access will not afford visibility to meet the usual required standards, it does represent a significant betterment compared to the current situation, and I submit that this constitutes a material benefit that weighs strongly in favour of the proposed development.

5.23 Having regard to the considerations discussed above it is concluded that the proposal represents an appropriate form of development within the Green Belt that will result in a beneficial enhancement to its character and openness. The proposal will not result in the creation of an isolated home in the countryside and will furthermore derive a number of benefits in terms of the three dimensions of sustainable development set out in the NPPF. This leads me to conclude that the proposed dwelling is acceptable in principle and constitutes a sustainable form of development that should be supported in the context of paragraph 14 of the NPPF.

Design

5.24 In terms of design, policy DC1 of the Core Strategy states that new development should be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area. Proposals should be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance.

5.25 It is submitted that this proposal will have a neutral to positive impact on the character and appearance of the surrounding area. The removal of the existing commercial building, which is non-comforming in both its use and its general appearance, and its replacement with a dwelling constructed from materials that are more in-keeping with the locality will derive enhancements to the character and appearance of the surrounding area. The proposed bungalow adopts a simple style of design, with brick, cedar cladding and profiled metal roof, and adopts a single storey scale and form in order to reflect the characteristics of the existing building. The overall scale, massing, external appearance and materials of construction are accordingly considered to reflect the character and appearance of the surrounding area.

5.26 The proposed dwelling will be provided with a substantial area of private amenity space, principally to the north of the building, with parking provision for two vehicles, and turning space to enable vehicles to exit the site in a forward gear. The orientation of the dwelling within the plot and its disposition in relation to surrounding development furthermore means it will not give rise to any harm to the amenity of neighbouring residential occupiers. The proposed development is therefore considered to accord with the provisions of policy DC1 of the Core Strategy.

6 Conclusion

6.1 It is submitted that the proposal represents a sustainable form of development having regard to the following conclusions:

- The proposed dwelling involves the reuse of previously-developed land and will result in a beneficial enhancement to the openness of the Green Belt;

- The proposal will not result in the creation of an isolated home in the countryside;

- The proposal will derive a number of benefits in terms of the economic, social and environmental dimensions of sustainable development;

- The loss of the existing employment site is justified by virtue of the planning benefits that will ensue through the cessation of the use;

- The proposal will derive betterment to highway safety in the locality;

- The proposed dwelling is of a scale, massing, layout, external appearance and materials of construction that are in-keeping with the character and appearance of the surrounding area;

- The proposed development will not give rise to harm to neighbouring amenity;

6.2 The conflict of this proposal with the provisions of policies SS6c and R2 of the Core Strategy are acknowledged, but it is considered that this conflict is clearly outweighed by other material considerations, in particular the National Planning Policy Framework. It is furthermore considered that the proposal will not result in any adverse impacts to significantly and demonstrably outweigh the benefits of the development.

6.3 The Local Authority is therefore respectfully request to grant planning permission for the proposed development in accordance in accordance with the presumption in favour of sustainable development set out within policy SS1a of the Staffordshire Moorlands Core Strategy and paragraph 14 of the National Planning Policy Framework.