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PLANNING / DESIGN & ACCESS STATEMENT



PROPOSAL : ERECTION OF TWO DWELLINGS

ADDRESS : LAND OFF BADGERS RISE, LEEK, STAFFS, ST13 8YF

APPLICANT : MRS K MURRAY

DATE : JULY 2016 **JOB No. : 2011-1776**

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1.0 INTRODUCTION

Sammons Architectural Ltd have been appointed by Mrs K Murray to prepare and re-submit a planning application to Staffordshire Moorlands District Council for the site in question, but this time it is for two dwellings. The most recent application that has been approved is SMD/2014/0558, which was for one dwelling that was approved on 18th December 2014. This application is very similar to the approved scheme, as the property has been effectively sub-divided into two dwellings. This new application is considered to represent a relatively straightforward submission of a similar scheme to one that has been previously approved recently, where the fundamental principles surrounding the proposal have generally remained unaltered.

2.0 USE

The application proposes a residential use by the erection of two semi-detached properties.

3.0 AMOUNT

The proposal is for the erection of a pair of semi-detached dwellings on a site that measures 0.0566 ha. This equates to a site density of about 34 dwellings/hectare. This accords with the Government's planning guidance which has removed minimum densities and allowed these to be determined at a local level to reflect local character. It also accords with the policies of the Core Strategy that requires the densities of proposals to be inkeeping with the pattern of development nearby.

4.0 LAYOUT

The layout reflects the pattern of development in the area with the front of the dwelling facing the road and allows parking for at least four cars. The size of the dwellings delivers family-sized rear and side gardens that exceed the recommended areas of the Local Plan Appendix 3. The layout is also heavily influenced by the need avoid compromising the health and safety of the two protected trees nearby, one within the site and the other off-site.

5.0 SCALE

The application proposes a two, two storey buildings which are inkeeping with buildings nearby which are also two storeys.

6.0 LANDSCAPING

The proposal retains the protected Ash tree on the site incorporating the recommendations of the Tree Report. Further tree planting is proposed on the northern boundary to provide a buffer between the site and the entrance to Brough Park from Hencroft.

7.0 APPEARANCE

The proposed dwelling is of a two storey height with a two storey front bay. Walls will be brick. A bay window reflects the character of nearby established development. Roof materials are to be plain tiles or slate.

8.0 ACCESS

The site is located within reasonable walking distance of Leek town centre where a range of public transport routes are available. Leek Bus Station is within easy reach by foot, bike or bus providing

access to other Moorland towns and villages and The Potteries. The properties will have their own direct access points onto Badgers Rise.

9.0 PLANNING POLICY

As you will be aware Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that when determining a planning application, the decision maker must make their determination in accordance with the Development Plan unless material considerations indicate otherwise. Given this obligation, this chapter therefore considers national guidance relevant to the application as well as the Core Strategy Development Plan Document (March 2014). The following is considered relevant:

Core Strategy,

SS1 – Development Principles
SS1a – Presumption in Favour of Sustainable Development
SS5a – Leek Area Strategy
SD1 – Sustainable Use of Resources
H1- New Housing Development
DC1 – Design Considerations
T1 - Development and Sustainable Transport

National Planning Policy Framework

There is considerable planning policy and guidance relevant to the planning application proposal at both local and national levels. The NPPF is significant as it sets out the Government's commitment for a positive response to planning proposals that would deliver sustainable development in order to assist growth to the economy. It has been made clear that the planning system has a key role in facilitating growth and development should be supported with a presumption in favour of granting planning permission. This change of emphasis provides an important background to the application proposal.

National Planning Policy Framework places a strong emphasis on promoting economic growth and sets out policies for the control of development. The Development Plan represents the starting point for the determination of this application, which in this instance is the Core Strategy. The guidance contained within the National Planning Policy Framework is also relevant, in particular the following Chapters:

Within the NPPF it is also worth noting the following relevant paragraphs:

- Planning decisions must be taken in accordance with the development plan unless material considerations indicate otherwise (para 2).
- Plans and decisions need to take local circumstances into account, so that they respond to the different opportunities for achieving sustainable development in different areas, (para 10)
- Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise, (para 11).
- At the heart of the NPPF is a presumption in favour of sustainable development. LPA's should approve proposals which accord with the development plan without delay (para 14).
- The Government is committed to securing economic growth in order to create jobs and prosperity, building on the country's inherent strengths, and to meeting the twin challenges of global competition and of a low carbon future (para 18)
- The Government is committed to ensuring that the planning system does everything it can to

support sustainable economic growth. Planning should operate to encourage and not act as an impediment to sustainable growth. Therefore, significant weight should be placed on the need to support economic growth through the planning system (para 19)

- Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites (para 49).
- The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people (para 56)
- A local planning authority should regard the construction of new buildings as inappropriate in Green Belt (para 89)
- Planning policies and decisions should encourage the effective use of land by re-using land that has been previously developed (brownfield land), provided that it is not of high environmental value. Local planning authorities may continue to consider the case for setting a locally appropriate target for the use of brownfield land (para 111)

10.0 SUMMARY

The introduction of the NPPF and the requirement for all Local Planning Authorities to demonstrate a 5-year housing supply. The latest figures for housing in Staffordshire Moorlands in the Annual Monitoring Report 2014 -2015, confirm that the Core Strategy identifies a net requirement of 6000 dwellings to be built across the whole District between 2006 and 2026. The current figures show that there is currently a supply of 1081 units, which gives a shortfall in the 5-year housing supply of 2638 units. This equates to the Council only having a housing supply of 1.84 years. It is therefore clear that the Local Authority is unable to demonstrate a 5-year deliverable supply of housing, and as a consequence paragraph 49 of the NPPF states that the relevant policies for the supply of housing should not be considered up-to-date.

The site has been the subject of applications for its development for housing in the past. The application site is situated within an area covered by an extant planning permission (reference 96/0694) for the development of 29 dwellings which was allowed at appeal. A later planning permission (reference 99/01142) amended the approved layout. A planning application for two dwellings on the site was refused in February 2012. This decision was appealed and dismissed. A later planning application to erect a single dwelling on the site was withdrawn following concerns expressed by the LPA to a single storey dwelling on the site. The most recent approval is SMD/2014/0558 for one dwelling.

The Council's planning policies clearly support the principle of residential development on the site. The site is in the town settlement boundary and can be adequately serviced. In terms of the NPPF, the proposal makes a positive contribution to all three of the sustainability roles- it has a clear economic role by proposing new building close to town centre services, employment opportunities, schools, doctors' surgeries and recreational facilities; it has a social and health role in that the closeness of the site to the facilities and services listed above will encourage walking and cycling as an alternative to the car. In addition, the neighbouring park accommodates outdoor sports facilities and a sports centre; and it has an environmental role in that it puts to use an unused area of land at the gateway to the town's central park. The Appeal Inspector was content that the development of the site for residential development was supported by Local Plan and NPPF policies. Since then the Local Plan has been superseded by the Core Strategy, but as can be seen in the

Planning Policy section, these new policies are also supporting of the principle of residential development on the site.

The application is supported by a Tree Report prepared by Tree Heritage. The Copper Beech in Brough Park is a mature tree and in good condition. It has a large root protection area (RPA) and is shown on the application drawings with the allowed 20% adjustment. It is considered that an adjustment is appropriate in this case as the remainder of the RPA is in the park where new development is unlikely to take place. Concern was expressed by the Council in the previous application that this tree would be overbearing when viewed from the rear of the proposed two houses and might then lead to pressure for its felling. This view was supported by the Appeal Inspector. The Ash tree at the north-west corner of the site is middle aged, in good condition and is considered in the Tree Report to be of moderate value. The Report recommends that it be retained and that its crown be lifted. The retention of this tree was also given significant weight by the Inspector. The tree referred to as T2 is a Sycamore that was in good physiological condition but poor structural condition. It had a weak main fork which is likely to fail and there is also some fire damage within the crown and a small cavity on the main stem. The Report recommended that this tree should be felled on the grounds of safety. This tree has now been removed and is not shown in the application drawings.

It is acknowledged that the development of the site by the erection of two detached dwellings previously raised issues with the need to provide each of these with a reasonable level of outdoor and indoor amenity suffered by the close proximity of two protected trees. However, it is considered that the form of the dwellings now as a pair of semi-detached properties has overcome these issues. This is further re-enforced through the internal design and layout. At ground floor the accommodation will generally be open plan and a first floor the rear bedroom is bedroom no.3, which is not considered to be a habitable room. It is considered that the development of the site now through a pair of semi-detached dwellings eases the relationship between the trees and the provision of a reasonable level of residential amenity.

11.0 CONCLUSION

The Government has a strong commitment to growth and provides a strong presumption in favour of development and is committed to increasing levels of growth. 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.

The application is considered to accord with the Development Plan Policies and guidance contained within the National Planning Policy Framework. Whilst the proposal is again for two dwellings they are now semi-detached in form compared to detached. Furthermore, the internal design will allow the ground floor accommodation to have a dual aspect through its open plan design and the rooms at the rear of the property at first floor are not defined or protected as habitable rooms. The design of the proposal will positively contribute to the visual amenities in the locality and the streetscene of which its forms part. The proposal will also contribute to the Council's 5-year housing supply that currently stands at 1.84 years. The Local Authority is politely requested to endorse this application and grant planning permission accordingly.