Rob Duncan
Planning
Consultancy

PLANNING STATEMENT

LAND ADJACENT 246A PARK LANE, KNYPERSLEY

OCTOBER 2016

Site Address:
Land adjacent 246A Park Lane, Knypersley, Staffordshire, ST8 7NR

Applicant:
Exors. of Mr. N. Rowe

Proposal:
Erection of detached dwelling (outline)

Planning Statement:
Date Issued: 31st October 2016
Job Reference: RDP/2016/120

Report Prepared By:
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1 Introduction

1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by the Executors of the estate of Mr. N. Rowe to seek planning permission for the erection of a detached dwelling on land adjacent to no.246A Park Lane, Knypersley. The application is made in outline and seeks approval of means of access and layout only. Matters of appearance, scale and landscaping are reserved for subsequent approval.

1.2 The application is accompanied by a site layout plan that shows the provision of a detached dwelling set between nos. 246 and 246A Park Lane. The proposed dwelling will occupy a footprint of 96.8sq.m. Access to the site is to be taken direct off Park Lane via the creation of a new vehicular access which will lead into a parking and manouvering area which will enable vehicles to exit the site in a forward gear.

2 Site & Surroundings

2.1 The application site lies within the North Staffordshire Green Belt and comprises part of the substantial domestic curtilage of no.246A Park Lane. The site itself will extend to some 0.05 hectares and is currently laid to grass with some ornamental planting. No. 246A Park Lane lies to the east of the site at an elevated level and comprises a dormer bungalow. No. 246 Park Lane lies to the west and comprises a two-storey dwelling. To the south the site will be enclosed by the retained domestic curtilage of no.246A whilst the northern boundary comprises Park Lane itself. The site furthermore occupies a sustainable location within easy walking and cycling distance of the numerous services and facilities on offer within the town. The location of the site in its surrounding context is shown in Figure 1 overleaf.

Figure 1 – Aerial Photograph of Site



Source: Google Earth

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 DPD (2014) of which the following policies are 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 adopted 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 strict control will continue to be exercised over inappropriate development within the Green Belt, allowing only for exceptions as defined by Government policy and 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;*

- *Allowing the conversion, extension or replacement of an existing rural building in accordance with policies R1 and R2.*

3.4 Policy R2 of the Core Strategy relates to 'Rural Housing' and states that other than sites allocated for housing development in the Site Allocations DPD only the following forms of housing development will be permitted in the rural areas outside the settlement and infill boundaries of the town and the villages:

- *Affordable housing which cannot be met elsewhere, in accordance with Policy H2.*

- *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 for residential use 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.

3.5 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. Proposals should also protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping. Development should also provide for safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use.

3.6 Policy T1 of the Core Strategy states that the Council will promote and support development which reduces reliance on the private car for travel journeys, reduces the need to travel generally and helps deliver the priorities of the Staffordshire Local Transport Plans, where this is consistent with other policies. This will be achieved by, amongst others, ensuring that all new development is located where the highway network can satisfactorily accommodate traffic generated by the development or can be improved as part of the development.

4 Other Material Considerations

National Planning Policy Framework

4.1 The National Planning Policy Framework sets out guidance in respect of safeguarding the Green Belt, as well as requirements in terms of housing delivery and securing high quality design. The content of the National

Planning Policy Framework is explored in more detail within the Planning Assessment below.

Staffordshire Moorlands Housing Land Supply Statement (March 2016)

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 1.87 years supply.

Appeal Decision APP/B3438/A/14/2223274

4.3 This appeal decision related to the erection of a detached dwelling on land adjacent to 157 Park Lane, Knypersley which had been refused on the grounds of the proposal constituting inappropriate development within the Green Belt. The appeal was allowed and the conclusions of the Planning Inspector, which constitute material considerations of the highest weight, are referred to in more detail within the Planning Assessment below. A copy of the appeal decision is enclosed as Appendix A.

Appeal Decision - APP/B3438/A/14/2217581

4.4 This appeal decision relates to the erection of a detached dwelling within the Green Belt at Gillow Heath, and was found to be acceptable to the Planning Inspector in that it would derive a number of benefits and the Local Authority was unable to demonstrate a five year supply of housing. A copy of this appeal decision is enclosed as Appendix B and is referred to in more detail within the Planning Assessment below.

5 Planning Assessment

Principle of Development

5.1 The application seeks outline consent for the erection of a detached dwelling on a parcel of land that currently forms part of the domestic curtilage of no.246A Park Lane. The site lies within the North Staffordshire Green Belt, wherein the erection of new buildings is generally regarded as inappropriate. Paragraph 89 of the National Planning Policy Framework nevertheless identifies a number of exceptions to the general presumption against new buildings, which includes:

> *"limited infilling in villages"*

5.2 This site is considered to fall within a village, a conclusion I reach having regard to the conclusions of the Planning Inspector who conducted the appeal into land at no.157 Park Lane, Knypersley (Appeal Ref. 2223274), a short distance to the west. In allowing the appeal the Planning Inspector concluded that:

> *"The appeal site lies within a lengthy ribbon development along Park Lane. The setting of this ribbon development is largely rural, but it continues along Park Lane where it meets with more widespread residential development. In my judgement it has the qualities of a village and can be regarded as such for the purposes of applying Green Belt policy. The proposal is for a single dwelling on a modest plot, which has existing dwellings on either side. Accordingly the proposal amounts to limited infilling" (paragraph 6 refers).* (my emphasis)

5.3 The application site bears the same characteristics as that described by the Planning Inspector as it also lies within a lengthy ribbon development which is a continuation of that which extends down Park Lane to the west of the site. It too has the qualities of a village and the proposal involves the erection of a dwelling on a modest plot which will have dwellings on either side. This nearby appeal decision weighs heavily in favour of the proposed development and in light of the Inspector's conclusions I consider the proposed development to constitute limited infilling in a village. The proposal therefore amounts to an appropriate form of development within the Green Belt and thus accords with the relevant provisions of policy SS6c of the Core Strategy and paragraph 89 of the NPPF.

5.4 The site is also noted to lie outside the settlement boundary of Biddulph (as defined by the 1998 Local Plan) and thus will be regarded by the Local Authority as being within the rural area. Policy SS6c of the Core Strategy states that within the rural areas, new build housing development will be restricted to that which is essential to local needs, or involves the conversion, extension of replacement of an existing rural building in accordance with policy R2 of the Core Strategy. The proposed development would not constitute one of the forms of development considered to be acceptable under policies SS6 and R2 and thus the proposal is in conflict with the development plan in this regard.

5.5 It is nevertheless considered that the provisions of these policies are out-of-date having regard to the requirements of paragraphs 47, 49 and 14 of the National Planning Policy Framework. These require Local Authorities to maintain a five-year deliverable supply of housing at all times. The Local Authority is currently only able to demonstrate a 1.87 year supply of housing and as a consequence policies SS6c and R2, which relate to the supply of housing, have to be considered out-of-date. Paragraph 14 of the NPPF (and

policy SS1 of the Core Strategy) goes on to confirm that in such circumstances 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 this Framework taken as a whole; or*

- *specific policies in this Framework indicate development should be restricted".*

5.6 As discussed above the proposal accords with Green Belt policy and thus there are no specific policies which indicate that development of this nature should be resisted. Furthermore, the site lies within easy walking and cycling distance of the numerous local services and facilities on offer within Knypersley and Biddulph. 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.

5.7 In terms of the benefits of the development, the proposed development will derive benefits to the local economy, both to local tradesmen during the construction phase, and though the expenditure associated with one additional household. Such benefits lend weight in favour of the application being granted.

5.8 The proposal will also derive significant social and economic benefits, derived from the delivery of a new dwelling to help meet the significant shortfall within the District. 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 who conducted an appeal into a site at

Gillow Heath for the erection of a new building (Appeal Ref. 2222484). The Planning Inspector commented that:

> *"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"*
>
> (my emphasis)

5.9 I draw comparisons between that appeal decision and the current application in that the circumstances in which that decision was made are equally applicable to this site. The Council continues to have a shortfall in housing land supply, indeed it is now worse than it was when the aforementioned appeal was determined, and the proposal, like that appeal, will secure the delivery of a new dwelling to help reduce the current deficit of housing in the area. As such the social and economic benefits of this proposal should be afforded significant weight.

5.10 The aforementioned commentary leads me to conclude that the principle of development is wholly acceptable on this site, and in the context of paragraph 14 of the NPP and policy SS1a of the Core Strategy, planning permission should only be refused if any adverse impacts of doing so will *significantly and demonstrably* outweigh the aforementioned benefits.

Impact on the Character of the Area

5.11 The surrounding area, in particular on the southern side of Park Lane, is residential in character and comprises a wide variety of house types set within differing sized plots. Dwellings in the locality comprise a mixture of

single storey, 1½ storey and two storey developments and thus the character of the locality is somewhat varied. The properties in the locality do nevertheless generally share a common characteristic in that they are all set back from the highway behind frontage parking areas.

5.12 The proposed dwelling will reinforce this common characteristic and incorporate a dwelling sited such that it continues the ribbon pattern of development that extends along the south side of Park Lane. The dwelling will sit comfortably within its plot, with good space on either side thereby achieving a spacious relationship with its surroundings, and will benefit from a large area of private amenity space to its rear. The resultant plot size is furthermore commensurate with other plots in the wider locality.

5.13 On approach to the site along Park Lane the dwelling will appear as a continuation of the existing ribbon development which prevails in this area, and thus would not appear intrusive or out-of-keeping with the locality. The proposal will therefore not result in a significant and demonstrable adverse impact to the character and appearance of the area, and thus accords with the provisions of policy DC1 of the Core Strategy.

5.14 The detailed design and scale of the dwelling is not known at this stage and such matters are reserved for subsequent approval. It is however envisaged that the dwelling would adopt either a 1½ storey or two-storey form, thereby reflecting the character of the area. No. 246A sits at a higher level to the application site, so a two-storey dwelling would not appear unduly strident in the locality. Such matters are however for consideration at the Reserved Matters stage.

Impact on Residential Amenity

5.15 The dwelling has been sited such that it will not result in any contravention of the Local Authority's informal amenity standards. The existing property (no.246A) does have a side-facing window at a high level which overlooks the site, but this room is also served by another window and the applicant would therefore be agreeable to the installation of obscure glazing to this side facing window in the interests of avoiding overlooking of the new plot. The property remains in the ownership of the applicant and thus this arrangement can be secured by way of a Grampian style condition. The proposed dwelling will benefit from a good-sized area of private amenity space to its rear and the host dwelling will furthermore retain a very substantial area of curtilage. The proposal will therefore not result in a significant and demonstrable adverse impact to residential amenity, and accords with the provisions of policy DC1 in this regard.

Highway Safety

5.16 The application proposes the creation of a new vehicular access onto Park Lane. The highway verge in this locality is in excess of 2m in depth and as a consequence any vehicles exiting the site will benefit from good visibility in both directions. The application incorporates the provision of turning space to enable vehicles to exit the site in a forward gear, although it is noted that a number of existing dwellings in the locality do not benefit from such provision and as a consequence such manouvering space is not considered to be essential. Parking space for at least two vehicles is also proposed and this accords with the local authority's informal parking standards. The proposed development will therefore not result in a significant and demonstrable adverse impact to highway safety, and accords with the provisions of policy T1 of the Core Strategy.

6 Conclusion

6.1 The proposal is considered to constitute a sustainable form of development that is acceptable in planning terms having regard to the following conclusions:

- *The application constitutes limited infilling within a village in accordance with paragraph 89 of the NPPF;*

- *A nearby appeal decision has confirmed the suitability of this general location for infill developments and weighs heavily in favour of the proposed development;*

- *The Local Authority's inability to demonstrate a five year supply of housing means it policies for the supply of housing (SS6c and R2) have to be considered out-of-date;*

- *The proposed development will lie within easy walking and cycling distance of local services and facilities;*

- *The proposed development will be in keeping with the character and appearance of the surrounding area;*

- *The proposed development will not result in harm to neighbouring residential amenity;*

- *The proposed development will not detract from highway safety in the locality.*

6.2 The proposed development therefore accords with the provisions of policies DC1 and T1 of the Staffordshire Moorlands Core Strategy DPD, and guidance contained within the National Planning Policy Framework. The conflict of the proposal with elements of policies SS6c and R2 of the Core Strategy is considered to be clearly outweighed by other material considerations as discussed within the Planning Assessment above.

6.3 The Local Planning Authority is therefore respectfully requested to grant outline planning permission for the proposed development.