

PLANNING STATEMENT

**LAND AT DEEPDALE,
BIRCHALL LANE, LEEK**

MARCH 2017

Site Address:

Land at Deepdale, Birchall Lane, Leek, Staffordshire, ST13 5RA

Applicant:

Mr. & Mrs. P. Champ

Proposal:

Erection of 2no. detached dwellings and detached garage

Planning Statement:

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Report Prepared By:

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1 Introduction

- 1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Mr. & Mrs. Champ to prepare a Planning Statement to accompany a planning application for the erection of 2no. detached dwellings and a detached double garage on land at Deepdale, Birchall Lane, Leek. The application is made in outline and seeks approval of matters of means of access and layout at this stage. Matters of appearance, scale and landscaping are reserved for subsequent approval.
- 1.2 Plot 1 will comprise of a detached dwelling, located to the front of the existing dwelling, and adjacent to the dwelling known as San Miguel. It will occupy a footprint of approximately 127 square metres and encompass a split-level two-storey design to take account of the change in levels across the site which slopes down in a southerly direction. The dwelling will be accessed off the existing vehicular access serving Deepdale and benefit from two off-street parking spaces.
- 1.3 Plot 2 will be located to the east of Deepdale on a plot of land that lies at a substantially lower level to the existing dwelling, and was formerly used as a tennis court. It will occupy a footprint of approximately 168 square metres and encompass a split-level, two storey design to take account of the change in levels across this part of the site, which fall away in an easterly direction. Vehicular access is to be taken via a new driveway created between Plot 1 and Deepdale, which will wrap around the back of the proposed double garage, and drop down to the proposed turning and manouvering space.
- 1.4 The proposed detached double garage will be to serve the existing dwelling (Deepdale) and will be sited adjacent to its southwest corner. It will encompass a footprint of approximately 36 square metres.

2 Site & Surroundings

- 2.1 The application site comprises an existing detached two-storey dwelling known as Deepdale and its substantial area of domestic curtilage which extends to the west, south and east of the site. The western portion of the site, including Deepdale and its immediate rear garden area, lie at a level which is commensurate with the properties immediately around it. The land then slopes away significantly in an easterly direction towards an open area of garden at the bottom which is enclosed by substantive mature vegetation, and which was previously used as a grass tennis court. This part of the garden lies approximately 10 metres below the ground level surrounding the existing dwelling.
- 2.2 The site as a whole is bordered to the west and north by existing residential development, whilst to the south lies open fields. Towards the northern boundary, and adjacent to the existing site access lies a cluster of protected trees. The eastern boundary comprises a rising embankment of mature trees which is designated as a Nature Conservation Area.
- 2.3 The site furthermore occupies a sustainable location within the built up area of Leek, and is within easy walking and cycling distance of the numerous services, facilities and employment opportunities the town provides. Regular public transport connections are also available from the end of Birchall Lane where it connects with the Cheddleton Road.

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 Stafford 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 SS2 of the Core Strategy states that provision will be made for 6000 additional dwellings (net of demolitions) to be completed in Staffordshire Moorlands (excluding the Peak District National Park) during the period 2006 to 2026.

- 3.4 Policy SS3 of the Core Strategy states that development will be located in accordance with the Spatial Strategy and will be distributed between the towns and rural areas. It identifies that some 30% of the total residential provision outlined in policy SS2 will be allocated within Leek.
- 3.5 Policy SS5a of the Core Strategy states that the Council will seek to consolidate the role of Leek as the principal service centre and a market town through a number of actions. These include, allocating a range of deliverable housing sites both within the urban area and, on land adjacent to the urban area. Sites within the urban areas shall be in locations across the town which have good accessibility to serves and facilities with encouragement given to previously developed sites.
- 3.6 Policy H1 of the Core Strategy states that new housing development should provide for a mix of housing sizes, types and tenure including a proportion of affordable housing as set out in policy H2. All development will be assessed according to the extent to which it provides for high quality, sustainable housing and to which it meets identified local housing market needs and the strategy for the area having regard to the location of the development, the characteristics of the site and the economics of provision. It goes on to state that all housing development should be at the most appropriate density compatible with the site and its location, and with the character of the surrounding area. All new dwellings should also be of sufficient size to provide satisfactory levels of amenity for future occupiers which respecting the privacy and amenity of existing occupiers.
- 3.7 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. Development should also protect the amenity of the area, including residential amenity in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

4 Other Material Considerations

National Planning Policy Framework

- 4.1 The National Planning Policy Framework sets out a presumption in favour of sustainable development, and seeks to significantly boost the country's supply of housing. The document also sets out guidance on various planning matters, including securing high quality design and ensuring a net gain to biodiversity. The content of the National Planning Policy Framework is explored in more detail within the Planning Assessment below.

Staffordshire Moorlands Annual Monitoring Statement (2015-2016)

- 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.

5 Planning Assessment

Principle of Development

- 5.1 The application site comprises a sustainable location for new housing that is within easy walking and cycling distance of the numerous local services, facilities and employment opportunities on offer within the town centre. The site also lies within a short walking distance of public transport connections with offer regular (half hourly) connections with Leek town centre and Hanley. The application site furthermore lies within the established built up

area of Leek and accords with the adopted development strategy for the District, which seeks to target a substantial proportion of the District's new housing development within Leek (policies SS2, SS3 and SS5a refer). The proposed development is therefore considered to be acceptable in principle.

- 5.2 The provisions of the National Planning Policy Framework (NPPF) are also relevant to the principle of development, as it sets out important considerations with regards to housing land supply and securing sustainable development. Paragraph 49 of the NPPF states that:

"Housing applications should be considered in the context of the presumption in favour of sustainable development".

- 5.3 Paragraph 49 of the NPPF goes on to state 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"

- 5.4 The Local Authority currently has a significant shortfall in housing land supply, as confirmed within the SMDC Annual Monitoring Report 2015-16, which shows a supply of 1.8 years. This falls significantly short of the 5-year supply + 20% buffer required by the NPPF. In such circumstances the NPPF requires that planning permission be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits of the development when assessed against the policies of the NPPF taken as a whole.

- 5.5 The benefits of the development have been assessed against the economic, social and environmental dimensions of sustainable development, as set out

in paragraph 7 of the NPPF. The proposed development will derive significant benefits in terms of the economic and social dimensions of sustainable development by delivering two new dwellings to contribute to the overall housing land supply within the District. Such benefits are regularly found at appeal to be worthy of significant weight. The proposal will also derive economic benefits during the construction phase and through the expenditure associated with the creation of two additional households. Environmental benefits will also ensue as a consequence of providing two new dwellings in a sustainable location, that are within easy walking distance of local services, facilities and employment opportunities.

Design & Impact on the Character of the Area

- 5.6 The surrounding area exhibits a widely varying character, including a mixture of large detached dwellings set within substantial plots, and smaller dwellings set within more tightly confined plots, including the dwellings known as Tall Pines and San Miguel which lie to the north and west of the site respectively. Plot/Development ratios in the locality reflect this variance in character, ranging from 7% on the larger plots through to 29% on the denser plots.
- 5.7 The proposed dwellings will encompass plot/development ratios of approximately 28% (Plot 1) and 13% (Plot 2) and thus will be in keeping with the wide-ranging character exhibited in the immediate locality. The proposed dwellings will also sit comfortably within their respective plots, each maintaining distances to their site boundaries that are commensurate with other developments in the surrounding area. The siting of the proposed dwellings in the positions shown will also reflect the established settlement pattern that evolved in the surrounding area over the years.
- 5.8 On approach to the site along Birchall Lane, the dwelling on plot 1 will be largely screened by the presence of existing boundary vegetation, particularly

in longer distance views. Upon arrival at the site the plot will read in the context of San Miguel and Deepdale on either side, and will not appear isolated or incongruous. Any wider views from the south towards the site will furthermore read the development against the backdrop of existing dwellings behind. Plot 1 will therefore not result in significant and demonstrable harm to the character and appearance of the surrounding area.

5.9 Plot 2 will be sited at the bottom level of the site, which lies approximately 10 metres below the level of Deepdale. It will not be visible from the public domain and will be enclosed by strong, mature vegetation on its southern and eastern boundaries. The eastern embankment of trees in particular provides a strong enclosure to the Birchall Estate as a whole, and will not be impinged upon by the proposed development. Plot 2 will therefore not result in significant and demonstrable harm to the character and appearance of the surrounding area.

5.10 The scale of dwellings within the surrounding area is also variable, including a mixture of two storey and single storey dwellings. Although matters of scale and design are reserved for subsequent approval, the proposed split-level, two-storey nature of the proposed dwellings will derive a scale of development that is in keeping with the character of the surrounding area. The detailed design of the dwellings is not known at this stage, but is likely to take its cues from the existing developments in the surrounding area in order to reinforce the character of the locality.

5.11 Taking these comments into consideration it is submitted that the proposed development will not derive significant and demonstrable adverse impacts to the character and appearance of the surrounding area and accords with the provisions of policies H1 and DC1 of the Core Strategy.

Neighbouring Amenity

- 5.12 The layout of the development has been designed to avoid any adverse impact on the amenity of neighbouring occupiers. The neighbouring dwelling (San Miguel) has a number of small windows in its side elevation, but none of these amount to principal windows and thus the Local Authority's informal amenity standards would not apply to them. An intervening boundary hedgerow is located along this boundary in any event. The proposed dwelling on plot 1 will furthermore be sited in excess of 15 metres from the existing front elevation of Deepdale, which is in excess of the 14m requirement set out in the Local Authority's informal amenity standards. Plot 1 will furthermore benefit from a large area of private amenity space in excess of 250 square metres which is considerably above the minimum requirement of 65 square metres.
- 5.13 Plot 2 also accords with the Local Authority's informal amenity standards. Its siting at a substantially lower level to Deepdale, means it will not derive any harm to the amenity of the occupants of Deepdale. The dwelling will furthermore be sited in excess of 22m away from the rear elevation of Deepdale. Whilst the change in levels could facilitate some degree of overlooking, the siting of the dwelling has been designed so that the private amenity space of the property will be on the opposite side of the dwelling, away from any potential views from Deepdale, thereby ensuring that future occupiers of Plot 2 will benefit from an appropriate level of private amenity space.
- 5.14 As a consequence of these considerations the proposed development will not give rise to any significant adverse impacts to neighbouring residential amenity, and will derive an acceptable level of residential amenity for future occupiers of the proposed dwellings. The proposal therefore meets the requirements of policy DC1 of the Core Strategy in this regard.

Highway Safety

- 5.15 The application proposes to utilise the existing vehicular access via Birchall Lane to gain access to the site. Each of the dwellings will benefit from at least two parking spaces to meet the needs of their future occupants, and in the case of plot 2 a dedicated turning will be provided in front of the dwelling to enable vehicles to exit the site in a forward gear. The parking area for Plot 1 will egress onto Birchall Lane at the point where it turns to serve the property of Oakhurst. This will provide a suitable turning space for vehicles using the driveway to plot 1. The access along Birchall Drive offers good forward visibility and there are opportunities along it for two vehicles to pass should the need arise. It is therefore considered that the proposed development will not give rise to any significant adverse impacts to highway safety within the locality.

Impact on Trees

- 5.16 There are numerous trees within the application site, and the submitted plans demonstrate that these are to be retained. The application is also accompanied by a Tree Survey prepared by Tree Heritage which confirms that the proposed buildings will not be sited close to existing trees and thus will not be affected by their construction. It also confirms that the entrance to the new plots will be constructed outside the root protection areas of the existing trees. It goes on to recommend the provision of tree protection measures for the duration of the construction period. The applicant is agreeable to such safeguarding measures, and these can be secured by a suitably worded planning condition. In doing so the proposed development will not give rise to any significant adverse impacts to trees within the locality.

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 The proposed development is considered to constitute a sustainable form of development that accords with the development strategy for the District and which will deliver new dwellings in a sustainable location. The proposal will furthermore achieve a layout that is in keeping with the varied character of the area, and which will avoid any adverse impacts on neighbouring amenity or trees.
- 6.3 The proposed development is therefore considered to accord with the provisions of policies SS1, SS2, SS3, SS5a, H1 and DC1 of the Staffordshire Moorlands Core Strategy and guidance contained within the National Planning Policy Framework.
- 6.4 It is furthermore submitted, having regard to the provisions of paragraphs 49 and 14 of the National Planning Policy Framework, that this proposal should be determined in accordance with the presumption in favour of sustainable development, and that this proposal will not derive any adverse impacts to *significantly and demonstrably* outweigh the benefits of the development.
- 6.5 The Local Planning Authority is therefore respectfully requested to grant outline planning permission for the proposed development.