

PLANNING/ DESIGN AND ACCESS STATEMENT

LAND OFF STYCH ROAD, BROWN EDGE



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SUMMARY

The application site lies entirely within the settlement boundary of Brown Edge, a 'larger village' as defined in the Staffordshire Moorlands Core Strategy.

The site does not lie within the Green Belt or any Conservation Area. There are no listed buildings affected by the proposal or any other heritage assets. There are no statutory designations applicable to the land.

The site lies within walking distance of various services including bus stops, a public house, recreation areas, a primary school, the village hall and a newsagent. The site is therefore sustainably located with good access to services and facilities.

The site forms a part of a larger area of land that was identified in the 2008 Staffordshire Moorlands Local Plan as 'Visual Open Space' under Policy R5. Policy R5 was deleted upon adoption of the Core Strategy.

The Core Strategy does not identify the locations of open space and confirms that any open space allocations will be reviewed upon the production of a new Local Plan.

The replacement Local Plan is at a very early stage in its production. It currently carries no weight in the assessment of the planning application.

The Council are unable to identify a five year supply of deliverable housing land and the extent of the shortfall is significant. Relevant policies within the Development Plan that concern the supply of housing are out of date.

The planning application should be assessed having regard to the presumption in favour of sustainable development.

The benefits flowing from the development will significantly and demonstrably outweigh the limited impacts that arise from the partial loss of an area identified as visual open space.

The proposal constitutes sustainable development having regard to Policy SS1a of the Staffordshire Moorlands Core Strategy and Paragraph 14 of the National Planning Policy Framework.

1.0 INTRODUCTION

- 1.1 This planning statement accompanies a planning application for up to 25 dwellings on land off Stych Road, Brown Edge.
- 1.2 The application is submitted in outline with all matters reserved for subsequent approval. Indicative plans are provided which show the position of the vehicular access onto Bank End together with a layout plan to illustrate that the site is capable of accommodating up to 25 dwellings.
- 1.3 This statement sets out the background to the proposals, identifies the relevant planning policies and justifies the overriding reasons why planning permission should be granted for the development.
- 1.4 This statement should be read in conjunction with other supporting documentation which comprises:

Application forms and Certificate

Drawing No. 5589 01 A: Site, Block and Location Plans

2. THE SITE AND ITS SURROUNDINGS

- 2.1 The site is located within the built up limits of the village of Brown Edge, which is defined as a 'larger village' in the adopted Staffordshire Moorlands Core Strategy. The site is bound by a play area to the north- east, the garden area of Park View, a detached bungalow to the north, the rear gardens of properties on High Lane to the south, Stych Road to the south- west and an area of open grass to the north-west.

- 2.2 The site area extends to approximately 1 hectare and predominantly comprises of overgrown scrub and brambles. The site boundaries are formed by a mixture of trees, brambles, overgrown hedgerows and post and wire fencing. The land slopes downwards from Bank End towards the properties in High Lane. The following photograph illustrates the nature of the site and its topography.



- 2.3 The following aerial photograph shows the site location and the surrounding area.



Source: Google Maps

- 2.4 It is understood that there are no statutory designations of relevance to the proposal.

3. THE DEVELOPMENT PLAN

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 and Section 70(2) of the Town and Country Planning Act 1990 requires that applications for planning permission must be determined in accordance with the statutory development plan unless material considerations indicate otherwise.

3.2 The statutory development plan for the area comprises of:

Staffordshire Moorlands Local Plan (Adopted 1998)

The Core Strategy (Adopted March 2014)

The Minerals Local Plan (Adopted in December 1999)

The Waste Local Plan (Adopted in February 2002)

Staffordshire Moorlands Local Plan

3.3 Policies from the Staffordshire Moorlands Local Plan were largely replaced when the Core Strategy was adopted in 2014. Only the settlement and Green Belt boundaries within the Local Plan were retained.

3.4 An extract from the Local Plan Proposals Map for Brown Edge is shown below:



- 3.5 The site is identified on the above Proposals Map as 'Visual Open Space' by virtue of Policy R5. Policy R5 was not 'saved' following the adoption of the Core Strategy.

Staffordshire Moorlands Core Strategy

- 3.6 The Staffordshire Moorlands Core Strategy was adopted in March 2014 and covers the plan period 2006 to 2026. However the appointed Inspector raised concerns at that time over the long term strategy of the plan. It was agreed that the Core Strategy could proceed to adoption but that the

Council would undertake an early review of the plan. This plan review would enable the production of a single comprehensive Local Plan incorporating site allocations for the period up to 2031.

3.7 The following Core Strategy policies are identified as being relevant to the consideration of this planning application:

3.8 **Policy SS1a** echoes the NPPF and details that a presumption in favour of sustainable development will be taken to the assessment of development proposals. It details that the Council 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 within that area. Planning applications that accord with the policies in this 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 planning 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.

3.9 **Policy SS2** identifies the housing requirement for the area for the period 2006 – 2026 and is considered to be out of date in light of the Council's

published housing land supply position. The policy identifies the housing requirement for the District which is specified as 6000 additional dwellings over the plan period, equivalent to 300 dwellings per annum. The policy advises that sufficient deliverable land will be identified to provide at least 5 years of development at all times.

- 3.10 **Policy SS3** identifies the planned spatial distribution of development over the plan period. The towns of Leek, Biddulph and Cheadle are identified as accommodating 72% of all housing development with the remainder delivered in the rural areas.
- 3.11 **Policy SS6** identifies a hierarchy of settlements in the rural areas namely; larger villages, smaller villages and other rural areas. The plan identifies a requirement for 1680 new dwellings in the rural area over the plan period. The Core Strategy does not define settlement boundaries or site allocations for the rural areas and advises that this will be subject to a later review.
- 3.12 **Policy SS6a** identifies the larger villages and the list includes Brown Edge. These villages are recognised as rural service centres which will provide the location for the majority of the housing needs for the rural area.
- 3.13 **Policy H1** seeks a mix of sizes, types and tenure on proposed housing sites including a proportion of affordable housing.
- 3.14 **Policy H2** concerns affordable housing, advising that on sites of 5 dwellings or more/ 0.16 hectares or more, a target of 33% affordable housing will be sought.

3.15 **Policy DC1** provides general development management criteria with regards to design. The policy 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 SPD. It goes on to state that 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.

3.16 **Policy DC3** is identified as in Appendix H of the Core Strategy as being one of the policies that replaces Policy R5 (Visual Open space) from the previous Local Plan. This policy details that the local landscape and setting of settlements will be protected and enhanced. Development will be resisted which will harm important views into and out of the settlement as identified

in the Landscape and Settlement Character Assessment. The policy details that areas of visual open space will be identified in future development plan documents and the intention will be to retain the land's open and undeveloped appearance. Where appropriate the Council will seek public access agreements with the land owners and seek proposals for the enhancement or improvement of these areas as part of the green infrastructure network in accordance with policy C3. In exceptional cases, limited development of areas of visual open space may be acceptable where this will bring about overriding improvements to the open space itself.

- 3.17 The supporting text to this policy advises that 'visual open space' are areas of land which are not essential as 'public' open space but which perform valuable functions within towns and villages, for example by forming a visual break between development, protecting attractive views and enhancing the setting of a public amenity.
- 3.18 **Policy C2** concerns sport, recreation and open space and is also identified in Appendix H as a successor policy to R5 of the former Local Plan. The policy primarily relates to open space that serves to provide access to the public in the form of sports, recreation or amenity open space. The policy also advises that new housing development should provide open space on site or via a contribution where there is an identified deficiency in the area. The supporting text details that areas to be protected will be identified in a future DPD.
- 3.19 **Policy C3** concerns green infrastructure and details that green infrastructure will be developed in the area through partnership working.

- 3.20 **Policy T1** concerns development and sustainable transport. It seeks to direct development to sustainable locations where reliance on the private car can be reduced. Development proposals should ensure that the impact upon the highway is satisfactory and suitable access can be achieved.

The Minerals Local Plan (Adopted December 1999)

- 3.21 The Minerals Local Plan was adopted in December 1999. There are no policies of relevance to the determination of the application.

The Waste Local Plan (Adopted February 2002)

- 3.22 The Waste Local Plan was adopted in February 2002. There are no policies of relevance to the determination of the application.

4. OTHER MATERIAL CONSIDERATIONS

- 4.1 The following policy documents, research and guidance are relevant considerations in the determination of this planning application:

National Planning Policy Framework (NPPF)

- 4.2 The NPPF advises that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 7 advises that there are three dimensions to sustainable development:

Economic - contributing to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available and in the right places at the right time to support growth and innovation, and by

identifying and coordinating development requirements, including the provision of infrastructure;

Social - supporting strong, vibrant and healthy communities, by providing the supply of housing to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community's needs and support its health, social and cultural well-being;

Environmental - Contributing to protecting and enhancing our natural, built and historic environment; and as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change including moving to a low carbon economy.

- 4.3 The NPPF advises that these roles should not be undertaken in isolation as they are mutually dependent. To achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system.

The presumption in favour of sustainable development

- 4.4 The NPPF introduces a presumption in favour of sustainable development and this is seen as 'the golden thread' running through both plan making and decision taking. For decision taking this means approving development proposals that accord with the development plan without delay; and where the development plan is absent, silent or relevant policies are out of date, granting planning permission unless:

- Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF as a whole; or
- Specific policies in the NPPF indicate development should be restricted.

Core planning principles

4.5 Paragraph 17 sets out a number of core planning principles which underpin decision taking. Of relevance is that planning:

- Should not simply be about scrutiny but instead be a creative exercise in finding ways to enhance and improve places;
- Seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings;
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

Delivering a wide choice of high quality homes

4.6 Paragraph 47 advises that in order to boost significantly the supply of housing, local planning authorities should ensure that the Local Plan meets the objectively assessed housing need for the area over the plan period. Local Planning Authorities should identify and update annually a supply of

specific deliverable sites sufficient to provide five years of housing against their housing requirement plus an appropriate buffer.

4.7 Paragraph 49 details that 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.

4.8 Paragraph 55 recognises the need to support sustainable development in rural areas to enhance or maintain the vitality of rural communities.

Planning Practice Guidance

4.9 Of relevance to the appeal proposal is the section on Rural Housing. This details that a thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities. All settlements are seen as playing a role in delivering sustainable development in rural areas.

Supplementary Planning Documents (SPD's)

4.10 The Council has adopted the following SPD's:

- Developer Contributions SPG
- Design Principles SPG
- Housing for local people and affordable housing SPG

- Space about dwellings SPG
- Public open space SPG

Other 'evidence base' documents

Staffordshire Moorlands Housing Land Supply Statement (March 2015)

- 4.11 This document sets out Council's latest position in terms of housing land supply and delivery. It concludes that the Council is able to demonstrate a supply of housing land equivalent to just 1.84 years. The statement provides evidence on past delivery and demonstrates that over the period 2006-2015, 599 dwellings were completed in the rural area, this falls well short of the identified requirement set out in Policy SS6.

Landscape and Settlement Character Assessment 2008 (LSCA)

- 4.12 The LSCA was published in 2008 and is an aged document pre-dating the publication of the NPPF. The overall aim of the study is to provide a framework to guide the development and management of Staffordshire Moorlands. The assessment reviews the visual open spaces allocated in the Staffordshire Moorlands Local Plan and the application site is identified as site BE01 in the LSCA. The site was last reviewed in 2008.

Staffordshire Moorlands Strategic Housing Land Availability Assessment July 2015 (SHLAA)

- 4.13 The application site is referenced in the SHLAA as site 2459. The SHLAA details that the site is economically viable and deliverable but it is discounted because of the amenity value of the land. An extract from the



Staffordshire Moorlands Housing Land Supply Statement (March 2015)

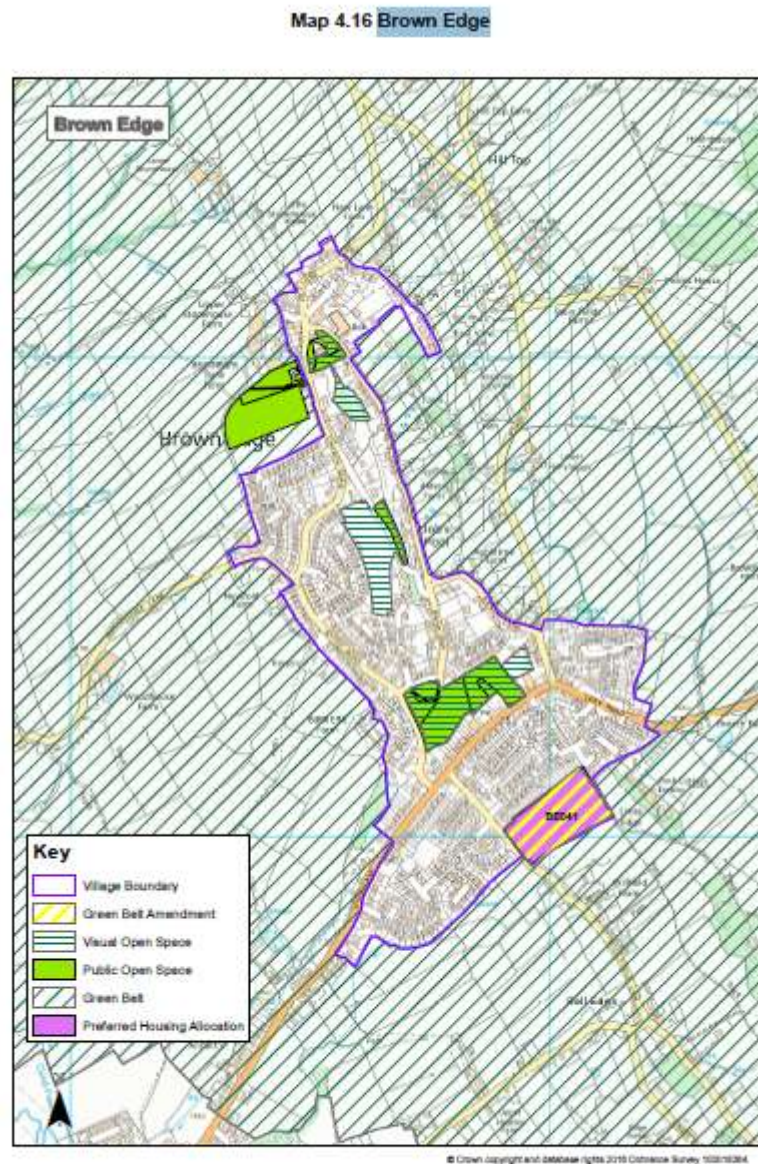
- 4.14 This document sets out Council's latest position in terms of housing land supply and delivery. It concludes that the Council is able to demonstrate a supply of housing land equivalent to just 1.84 years. The statement provides evidence on past delivery and demonstrates that over the period 2006-2015, 599 dwellings were completed in the rural area, this falls well short of the identified requirement set out in Policy SS6.

Emerging policy documents

Staffordshire Moorlands Local Plan

- 4.15 Work has commenced on the production of the Staffordshire Moorlands Local Plan which will cover the plan period 2016 to 2031. Consultation on the Preferred Options Sites and Boundaries document took place between the 28 April to 13 June 2016.
- 4.16 The Preferred Options document considers matters such as the objectively assessed housing requirement for the area and reviews updated evidence on need contained within the 2014 Staffordshire Moorlands Strategic Housing Market Assessment (SHMA) and subsequent update. The Preferred Options paper indicates that the housing needs for the District lies within the range of 250 to 440 homes per year. An annual requirement of 320 is identified in the paper as being a deliverable figure and reflects a modest increase on the requirement identified in the Core Strategy.

- 4.17 Alterations to the Green Belt are suggested in the Preferred Options paper, including the release of land adjacent to the Brown Edge settlement boundary and this is shown on the extract below:



- 4.18 It is noted that the application site is identified on this draft plan as visual open space, carrying forward the deleted allocation in the former Local

Plan. In addition, it is also now proposed to include the site within a wider allocation as 'public open space' despite the land being privately owned.

- 4.19 No weight should be given to the Preferred Options Sites and Boundaries paper as it is an early document in the plan production process. Furthermore, objections have been received following the consultation in terms of the objectively assessed housing requirement and with regards to the release of Green Belt land.

- 4.20 Of the objections received concerning the release of Green Belt land at Brown Edge, it is notable that a number of respondents were of the opinion that it would be preferable to consider opportunities within the existing village first than erode the Green Belt.

Brown Edge Neighbourhood Plan

- 4.21 Work has begun on the preparation of a Neighbourhood Plan for Brown Edge with the designation of the neighbourhood area taking effect on the 16 February 2016. A draft plan is yet to be produced.

Summary

- 4.22 The following points are relevant to the planning policy assessment:

Policy R5 of the Local Plan which concerned the identification of areas of visual open space was deleted upon adoption of the Core Strategy.

The Core Strategy details that identification of areas of public open space and visual open space will take place as part of the production of a replacement local plan.

The emerging Local Plan is at a very early stage in its production and the indications that the preferred options paper contains, carry no weight.

Objections have been received to the Preferred Options paper in respect of objectively assessed need and the strategy to release Green Belt land for development.

The Council is unable to identify a 5 year housing land supply and development plan policies which sought to restrict development to certain locations or to specified requirements, are out of date.

Planning applications should be assessed having regard to the presumption in favour of sustainable development and have regard to the objective of significantly boosting the supply of housing.

5. PLANNING ASSESSMENT

- 5.1 Outline planning permission is sought for residential development on an overgrown and underused site which is within the built up area of Brown Edge. Brown Edge is identified as a suitable and sustainable location for development in the adopted Core Strategy and as such, the principle of appropriate development within the built up limits of the settlement is acceptable.

- 5.2 All relevant planning issues are addressed in full below. The assessment shows that the development is acceptable in planning terms and any associated impacts can be fully addressed at the reserved matters stage.

Visual open space

- 5.3 It is recognised that the site is identified in the superseded Local Plan and the 2008 Landscape and Settlement Character Assessment as 'visual open space'. It is important to note that this site does not perform any function as open/ amenity space over which the public has any right of access. The land is referred to in the Landscape Character Assessment as being part of an area that acts as a visual gap between developed areas of the village.
- 5.4 Policy DC3 confirms that areas of open space are yet to be identified in a forthcoming Development Plan Document and that the aim will be to retain the land's open and undeveloped appearance. Limited development of areas of visual open space may be acceptable in exceptional circumstances and where the development will bring about overriding improvements to the open space itself.
- 5.5 It is important to note here that the application site is not currently adopted as visual open space in an up to date adopted Development Plan. Limited weight should be applied accordingly.
- 5.6 Relevant policies that serve the purpose of controlling where development may or may not go should be considered out of date where there is an identifiable shortage of housing land. This view was confirmed in a recent Court of Appeal decision which took the view that planning policies concerning the 'supply of housing' should be considered in their broadest

sense and extends to plan policies whose purpose is to protect the local environment in one way or another (Court of Appeal Judgement Richborough Estates v Cheshire East Council March 2016).

- 5.7 The significant deficit in deliverable housing land supply in the District is an 'exceptional circumstance' for the purposes of Policy DC3 and this should be given significant weight in the planning assessment.
- 5.8 In terms of any 'erosion' of the visual gap, the development will not result in the complete closure or loss of greenspace areas that exists between areas of the village. Significant areas of public open space and public amenity space will remain and these will continue to function as important public greenspaces within this area. The play area will to the north-east will continue to provide a gap in development along High Lane. The areas of greenspace along Bank End and Stych Road to the north-east/ north-west of the site will provide a gap in development at this part of the village.
- 5.9 Further it is possible to achieve a layout that incorporates landscaping and views/ vistas into the adjacent areas of greenspace ensuring that the quality of the local environment is safeguarded. Significant boundary planting already exists along the Bank End/ Stych Lane boundaries and this will be retained and enhanced where possible. The development accords with Policy DC3 and the NPPF.

Achieving good design

- 5.10 Policy DC1 of the Core Strategy states that development should be of high quality and add value to the local 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.

- 5.11 The application is made in outline and at this stage, primarily seeks to establish the principle of residential development in this location.
- 5.12 The surrounding area is mixed in terms of design and age. Houses on Bank End in the vicinity of the site enjoy elevated views and are predominantly detached fronting the green area adjacent. The development will back onto the long rear gardens of properties in High Lane which are a mix of detached and semi detached dwellings. The site will ultimately be viewed against a backdrop of existing residential development within the built envelope of the village.
- 5.13 The site is of sufficient size to ensure that a layout can be designed to respond positively to its environment. The indicative layout reflects the surrounding area, by providing a good mix of housing types and sizes including semi-detached and detached dwellings. Where feasible, suitable boundary trees, landscape features and hedging will be retained as part of a landscape strategy for the site. Any impacts arising from the development are capable of being addressed at reserved matters stage and/or through appropriately worded planning conditions.

Access to services and transport

- 5.14 Both national and local planning policies seek to direct housing development to locations that are well served by transport links and services. The application site is sustainably located with ready access to services and public transport options.

- 5.15 With walking distance, a range of shops and services can be found, including a post office, public houses, newsagents, car garage, church, primary school, children's daycare, village hall and recreation/ play areas. The nearest bus stop is approximately 100 metres from the site on Stych Road. The village is served by regular buses to Leek, Biddulph and Hanley.
- 5.16 The proposed development meets local and national spatial planning objectives given that future occupiers will be located close to existing facilities and services and will have choice of means of transport to access larger towns such as Leek and Biddulph. This is a significant environmental benefit that should be given weight in the assessment of the application.

Achieving a safe and suitable access

- 5.17 The NPPF details that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe.
- 5.18 While means of access is reserved for later approval, the indicative plan provided shows access being taken from Bank End. This is because the formation of an access onto Stych Road would likely require further regrading/ engineering works due to the difference in levels between the site and the adjacent carriageway as can be seen on the following photographs:



Photograph 1 : View on Stych Road looking towards Bank End. The difference in levels between the application site and adjacent carriageway visible on the left hand side of the photograph.



Photograph 2: View towards indicative point of access on Bank End.

- 5.19 From the indicative point of access, suitable visibility can be achieved. Given the size of the site and traffic movements are unlikely to have a significant or severe impact upon the local highway network. The development therefore complies with the NPPF and Policy T1 of the Core Strategy.

Impact upon residential amenity

- 5.20 Policy DC1 details that development should protect the amenity of the area, including the living conditions of those living nearby.
- 5.21 Given that the proposals are in outline, the layout provided is indicative at this stage. Sufficient space exists on site to ensure that minimum separation distances are achieved with existing dwellings in accordance with relevant development plan policies and to ensure no significant loss of amenity results.
- 5.22 The majority of dwellings on Bank End and High Lane are a good distance from the site boundaries. The nearest dwelling is Park View, the detached bungalow to the north of the site which enjoys an elevated view over the application site. Care can be taken with the positioning of windows and spacing of dwellings to ensure that no unacceptable loss of amenity results to this property.
- 5.23 In terms of the amenity of future occupiers, a layout can be delivered which ensures reasonably private amenity areas to meet the needs of future occupiers and provide appropriate levels of car parking. The development therefore accords with the provisions of Policy DC1.

6.0 CONCLUSIONS

- 6.1 Paragraph 14 of the NPPF details that where a development plan is out of date, 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).
- 6.2 The proposal will deliver a number of significant benefits having regard to the provisions of the NPPF.
- 6.3 In terms of the economic dimension of sustainable development, the proposal will result in significant benefits to the local economy, both to local tradesmen during the construction phase and the expenditure created through the development. Residents of the development will make use of local shops and facilities, boosting the local economy.
- 6.4 In terms of the social dimension, the development will deliver much needed homes in a village that is identified as a sustainable location for development. The development enables the use of an overgrown site within the built up limits. Unlike other development options tabled in the area, it does not necessitate the erosion of Green Belt land.
- 6.5 The development will make a significant contribution to the housing needs of the village and help meet identified housing shortages. These benefits carry significant weight.
- 6.6 In terms of the environmental dimension, while the development will make partial use of an area identified as visual open space in the Landscape

Character Assessment. It should be noted that site is not subject to any current statutory or non statutory designations.

- 6.7 The site is within a sustainable location close to the services and facilities that are on offer in the village.
- 6.8 With an appropriate layout and design, suitable and safe access can be achieved.
- 6.9 The development is capable of making a positive contribution to the appearance of the area, respecting the amenity of existing dwellings.
- 6.10 The proposal represents sustainable development, in social, environmental and economic respects and accordingly it is respectfully requested that outline planning permission is granted.