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Design and Access Statement

Outline Permission, Proposed Residential Development – Erection of a single Dwelling on land on the South side of Cloudside House, Red Lane, Cloudside, Staffordshire, CW2 3QQ

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1.0 Introduction

1.1 This Planning Application seeks outline planning permission for the residential development of the land on the South side of side of Cloudside House, Red Lane, Cloudside, Staffordshire.

1.2 This document deals with the scope and nature of the proposal, the planning history of the site, planning policies and the land use rationale.

1.3 The existing site is currently a piece of the private garden land of the existing dwelling. It has a road frontage to Red Lane.

1.4 This application proposes a single dwelling.

2.0 Site Description

2.1 The site is bounded to the north by the existing dwelling, Cloudside House, and to the South by another residential property, Mill House..

2.2 The site is generally flat and level although it is elevated above Red Lane which lies to the east.

2.3 There are no rare or unusual or protected trees or hedge on the site.

3.0 Planning History and Constraints

3.1 The site has not been subject to previous applications to secure additional residential development.

3.2 The site lies within the designated Green Belt. It does not lie within a Conservation Area or within the curtilage of a Listed Building. None of the trees on the site are protected

4.0 Proposed Use

4.1 The proposed use of the site is for a residential development. More detail is depicted as to how this would be achieved on the indicative layout that accompanies this outline application. This Application shows how the site can be developed to provide a single new home.

4.2 The new dwelling would be served by an existing access off Red Lane.

4.3 The existing road side hedge and trees can be largely retained, to maintain the appearance of the street scene and screen the proposed new building.

5.0 Design and Scale

5.1 The scheme has been devised to allow for a single new home. This is capable of being laid out to provide a well positioned and aesthetically pleasing living environment that will incorporate areas of landscaped space as well as incorporating existing trees and hedgerows. The layout corresponds to and enhances the surrounding area.

5.2 Cars associated with the new dwelling will be able to have off road parking thereby limiting their impact upon the site.

6.0 Layout

6.1 In accordance with policy DC1 all new development shall be designed to protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

6.2 Matters of scale and window positioning will be considered under reserved matters.

6.3 Nevertheless the shape and size and of the sites mans that it is highly likely that a dwelling can be created which would benefit from a good-sized area of private amenity space to its rear; and the existing dwelling will furthermore retain a 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.

7.0 Environmental Performance

7.1 This application is seeking outline planning permission for residential development and the detail of house type, design, construction methods, potential de-centralised energy sources, site practices are matters to be determined at the reserved matters stage.

7.2 Any subsequent Reserved Matters Application will be a natural vehicle through which to clarify the initiatives relating directly to the building fabric and add weight to the site related proposals below. It is accepted that the development should make provision to achieve building standards and energy requirements that are forward thinking and aim to reduce CO 2 omissions.

7.3 From an overall development standpoint and to reduce emission rates, the following measures could readily be integrated in the scheme:

- External, secure drying spaces to be provided for each property including a drying line.
- External lighting to communal areas will carry energy efficient fittings.
- A+ Rated white goods [where provided as part of the standard specification].
- Energy efficient boilers.
- Each property to be provided with secure cycle storage through either a garage or shed.
- A room in the properties improved to give the potential for home working. This would include extra power outlets, telephone points and an appropriate level of light and ventilation.
- Up to 75% of internal lighting dedicated to low energy fittings.
- Water efficient wcs, taps etc.
- Provision of water butts and rainwater harvesting systems.
- Efficient use of orientation of the principal rooms of the dwellings.

7.4 Drainage. The site is not shown to be susceptible from flooding on the Environmental Agency maps. The storage and controlled release of surface water during extreme storm events can be accommodated through collection systems such as permeable surfacing, soakaways, rainwater harvesting etc to slow down the peak-rate run-off.

7.5 The details of the drainage system for the site will be subject to a condition for a suitable drainage system to be agreed with the council and the utility company.

8.0 Access and Transport

8.1 In accordance with policies DC1 and T1 all new development should provide for safe and satisfactory access and make a contribution to meeting the parking requirements arising from the development.

8.2 The gradual slope of the ground across the application site should facilitate level access to the doors of all new properties which will also have to comply with the relevant Building Regulations whilst being built. The emergency services will have no difficulty reaching all parts of the proposed development, should that ever be necessary.

8.3 The site is of sufficient size to enable provision of a turning space to enable vehicles to exit the site in a forward gear. There is also space for

parking at least two vehicles to accord with the local authority's informal parking standards.

8.4. 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.

9.0 Planning Policy Considerations

9.1 The site is located within the designated North Staffordshire Green Belt. National Planning Policy Framework, March 2012 contains Paragraph 80 which states that;

"Green Belt serves five purposes:

● 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."

9.2 Paragraph 11 of the National Planning Policy Framework (NPPF) confirms the statutory position that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. For this area and this type of development the relevant document is the Core Strategy adopted by the District Council on 26th March 2014.

9.3 Accordingly, the main issues are:

- Whether the proposal is inappropriate development within the Green Belt for the purposes of the National Planning Policy Framework and development plan policy;
- The effect of the development on the openness of the Green Belt and the character of the area;
- Whether the development would comply with development plan policies that seek to control development in rural areas; and
- If the development is inappropriate, whether the harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations, so as to amount to the very special circumstances necessary to justify the development.

9.4 The original object of establishing the Green Belt was to discourage uncontrolled urban sprawl into the open countryside around our larger towns and cities and to prevent the coalescence of two or more large neighbouring towns. No-one would disagree with that broad objective; but it has resulted in

unnecessary and inappropriate rigidity in the treatment of development proposals, which seeks to resist all development in the Green Belt unless either it is deemed to be 'appropriate' development or exceptional circumstances can be demonstrated. This rigidity has been further compounded by the unfortunate wording of the relevant policy guidance in the NPPF, compared with the wording of the former PPG2. [See Europa Oil and Gas Limited v. SSCLG [2013] EWHC 2643 (Admin) and Fordent Holdings Ltd v SSCLG [2013] EWHC 2844 (Admin).

9.5 Rather than this increasingly inflexible approach, the approach should be that within Green Belts, development should not be permitted which would prejudice the objectives of the Green Belt and/or which would compromise its openness, but that in determining applications for development in the Green Belt local planning authorities should examine the contribution that the application site in question makes to the Green Belt (in other words, its 'Green Belt value'). It would thus be the impact of the development on the Green Belt as a whole that would be the determining factor, rather than the 'appropriateness' of the development in the Green Belt (in land use terms) or any question of exceptional circumstances being required to justify the development. The essential point is that Green Belts are not and never have been intended to create wholly development-free zones in the countryside.

9.6 The National Planning Policy Framework made it clear that local planning authorities are to significantly boost the supply of housing and where, as in this case, a District does not have a five year supply of deliverable housing sites existing policies restricting housing such as development envelopes are to be considered out of date.

9.7 In the absence of a five year supply of deliverable housing sites, the test to be applied to planning applications is that in paragraph 14 of the NPPF. Planning permission is to be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole or specific policies in that document indicate development should be restricted.

9.8 Staffordshire Moorlands Housing Land Supply Statement (March 2016) is a document which 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.

9.9 The Local Plan process which it is part way through has to allocate at least five years supply of deliverable housing sites. To be 'deliverable' sites should be available now, offer a suitable location for development now, be achievable with a realistic prospect that housing will be delivered on the site within five years and be viable. This site meets all those criteria.

10.0 Precedent

10.1 Staffordshire Moorlands district Council granted planning permission for a dwelling in the Green Belt on land adjacent 246A Park lane. Knypersley under 2016/0672. The relevant sections of the Officer's Report are as follows:

"Outline planning approval is sought with all matters reserved (except for access and layout) for the sub-division of an existing residential plot and construction of 1 no. detached dwelling.."…

"This application seeks outline approval for the construction of a detached dwelling on land that currently forms part of the domestic curtilage of no.246a Park Lane. For the purposes of this assessment the site is regarded as 'greenfield' land and is blanketed by the North Staffordshire Green Belt; accordingly this forms the main point for consideration in establishing the principle of development."…

"Policy R2 states that other than sites allocated for housing, development will only be permitted for affordable housing, a new dwelling that meets an essential local need or a replacement dwelling.

The Local Planning Authority and the Agent acting on behalf of the applicant acknowledge that this proposal does not meet the criteria of policy R2. However, it states at paragraph 49 of the National Planning Policy Framework 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.' Staffordshire Moorlands District Council can demonstrate a 1.87 year supply of deliverable housing sites and therefore policy R2 should be considered out-of-date. "

10.2 The LPA has therefore set a precedent for the erection of dwellings on gardens in the Green Belt.

11.0 Conclusions

11.1 Planning permission should be granted as the local plan and the policies within are considered to be out of date.

11.2 There is a presumption in favour of sustainable development set out in the NPPF and in addition where an LPA cannot demonstrate a five year supply of housing land, as in this case, then there is a double presumption in favour of development. The Council does not have a five year supply of housing land and that consequently its development plan housing policies should be regarded as being out of date. In these circumstances, the National

Planning Policy Framework (NPPF) confirms that the key test is whether adverse impacts would significantly and demonstrably outweigh the benefits of the scheme.

11.3 The proposed dwelling could be designed and arranged to complement and enhance the surrounding area and safeguard the amenities of the surrounding residents.

11.4 The access layout from Red Lane has been thoroughly assessed and is adequate, for the scale of the development proposed.