PLANNING STATEMENT INCLUDING DESIGN & ACCESS CONSIDERATIONS

- Date Issued: July 2017

SITE ADDRESS:

- Land adjacent to Gorseydale, Cheddleton Heath Road, Leek, Staffordshire, ST13 7DX

APPLICANT:

- Mr & Mrs S Carding

PROPOSAL:

Outline planning application for the erection of two detached dwellings

KEN WAINMAN ASSOCIATES LTD
31a St. Edward Street, Leek, Staffordshire, ST13 5DN • 01538 386808 • ken@sgaplanners.co.uk

1 INTRODUCTION

1.1 This statement is submitted in support of an outline planning application for two detached dwellings on land to the rear of Gorseydale, Cheddleton Heath Road, Leek. The application is in outline with means of access sought and all other matters reserved for subsequent consideration. The application has been submitted by Ken Wainman Associates Ltd on behalf of Mr & Mrs S Carding. The application is accompanied by an indicative site layout plan and an independent ecological survey.

1.2 This statement analyses the site, the proposals and the policy context within which the proposals are made. Thereafter, it provides justification for approval of these proposals, primarily on the basis that the development would result in sustainable development which would positively contribute to the current under supply of housing without harm to the valued characteristics of the area, prejudicing residential amenity, being detrimental to highway safety or adversely affecting any established ecological interests.

2 APPLICATION SITE AND ITS SETTING

2.1 The application site comprises of an irregular shaped parcel of greenfield land which extends to some 0.39 hecatres. It lies to the rear of Gorseydale, a detached bungalow set in spacious grounds on the southern side of Cheddleton Heath Road, Leek with open countryside to the east, south and west. Land levels appreciably fall from the public highway in a north to south direction before leveling out and climbing again.. For the purposes of the development plan the application site lies outside any recognised settlement boundary within the open countryside.

2.3 The following Google Earth image shows the location of the site and its context:-



3. THE PROPOSED DEVELOPMENT

3.1 This is an outline application which seeks consent for the principle of two detached dwellings and means of access. All other matters relating to siting, layout and appearance and landscaping are reserved for subsequent consideration. An indicative plan which shows two detached dwellings, their curtilage and associated parking and turning provision has been submitted for information. Whilst indicative this plan shows that plot 1 would have a site area of 805 sq metres and plot 2 would have a site area of 1215 sq metres. The proposed dwellings which would be two storeys in height would have a footprint of 159 and 198 sq metres respectively with a suggested maximum ridge height of 8.9m and 8.5m.

4. PLANNING POLICY

4.1 Section 38(6) of the Planning and Compulsory 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.

4.2 The National Planning Policy Framework (NPPF) was published on 27th March 2012 and replaced a significant proportion of central government planning policy advice with immediate effect. It is the Government's clear intention that the document should be considered to be a material consideration and as such carries particular weight where development is not addressed by planning policies in the existing Development Plan, which in this area comprises of the adopted Staffordshire Moorlands Core Strategy (2014).

4.3 Whilst the recently published NPPF does not change the statutory status of the Development Plan as the starting point for decision making it does provide guidance to LPA's and is a material consideration in determining planning applications (para 12). The NPPF confirms that at the heart of the guidance is a presumption in favour of sustainable development (para 14) and that for decision making this means approving development proposals that accord with the Development Plan without delay unless material considerations indicate otherwise.

4.4 The Staffordshire Moorlands Local Development Framework (LDF) is a District wide development plan which replaces the Staffordshire Moorlands Local Plan to provide a framework for delivering development up to 2026. The Core Strategy is the key LDFdocument. It is a strategic District wide plan which influences how and where the Staffordshire Moorlands will develop in the future. It sets out what the Council would like to achieve in each of the main towns and the rural areas outside of the Peak District National Park. The Core Strategy provides the framework for future LDF documents which will then identify specific sites for development in the District (Site Allocations Development Plan Document) and provides detailed guidance to supplement the policies (Supplementary Planning Guidance).

4.5 The most relevant policies of the adopted Core Strategy are considered to be policies

- SS1 - Development Principles
- SS1a - Presumption in Favour of Sustainable Development
- SS2 - Future Provision of Development
- SS3 - Distribution of Development
- SS6c - Other Rural Areas Area Strategy
- H1 - Housing
- R1 - Rural Housing
- DC1 - Design Considerations
- DC3 - Landscape
- NE1 Biodiversity and Geological Resources
- T1 - Development and Sustainable Transport

Supplementary Planning Guidance

Space About Dwellings (September 1998 - Appendix 3 Local Plan)

Pertinent other documents

The Landscape and Settlement Character Study (2008)

National Planning Policy Framework

National Planning Policy Guidance

Staffordshire Moorlands Local Plan (1998)

The Council consider that the settlement development boundaries within the 1998 Adopted Local Plan are considered to still be in force until such time as they are reviewed and adopted through the site allocations process. However, given that the relevant Local Plan settlement boundary policies no longer apply this is arguable.

Staffordshire Moorlands Annual Monitoring Report 2015-2016

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.

Emerging Plan

The Council is now in the process of reviewing the Core Strategy as part of the preparation of a new Local Plan. The Local Plan includes site allocations and once adopted will supersede the Core Strategy. The Local Plan is expected to be submitted to the Secretary of State in 2018.

4.6 The Local Planning Authority is required to determine planning applications in accordance with the development plan, unless there are material circumstances which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations. The Council's Development Plan is formed of the Core Strategy Development Plan Document (adopted March 2014) and the Saved Local Plan Proposals Map / Settlement Boundaries (adopted 1998) remains in force until the Council's Development Plan Document is adopted.

4.7 Core Strategy Policy SS1a establishes a 'Presumption in Favour of Sustainable Development' as contained within the National Planning Policy Framework (the Framework) where: (1) planning applications that accord with policies within the Core Strategy will be approved without delay and (2) where there are no relevant policies or they are out of date, the Council will grant planning permission unless material considerations indicate otherwise considering:- I. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or, II. Specific policies in that Framework indicate that development should be restricted.

4.8 Paragraph 47 of the NPPF requires the Council to identify a five-year supply of deliverable housing land sites, including a 5% buffer to allow for choice and

competition in the market for land increased to a 20% buffer where there is a persistent under-delivery in past years. Paragraph 49 requires all housing applications to 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.

4.9 The policies contained in the Framework as supplemented by the National Planning Policy Guidance (NPPG) are also a material consideration in the determination of this application.

4.10 The Council calculates its 5-year land supply on a district basis. As at 31st March 2016, it was 1.87 years (with a 20% buffer). The Council cannot demonstrate a five-year supply of deliverable housing sites, housing applications should be considered in the context of the presumption in favour of sustainable development. Clearly, the CS Policies that regulate the supply and location of housing, which include open countryside policies, are out of date and the application must be determined in the context of paragraph 14 of the Framework.

5. KEY PLANNING ISSUES

5.1 The key issues for consideration in assessment of this application are the principle of development, whether the application site is in a sustainable location for the proposed development with particular regard to the proximity of services and facilities, the effect of the proposal on the character and appearance of the area, impact on residential amenity, the effect of the proposal on highway safety with specific reference to the proposed access and impact on any established ecological interests of the area.

Principle

5.2 Policies in the adopted Core Strategy document set out the overarching spatial

strategy for housing development in the District and essentially adopt a hierarchy approach which seeks to concentrate the majority in the three main towns of Leek, Cheadle and Biddulph. Within the rural areas the larger villages are identified as the most sustainable settlements and able to accommodate the bulk of rural development after the towns. Smaller villages are identified as having a poor range of services and facilities with local residents having to travel outside the village for most of their daily needs Limited infill development will be permitted within the smaller villages as set out in policy SS6 of the Core Strategy. Policy SS6b recognises that there is a need to strictly control new development and restrict it to limited infilling and redevelopment within the as yet to be defined Infill Boundaries.

5.3 There are some smaller settlements and hamlets which are not identified in Policy SS6b as "Small Villages" because their predominately open character and loose knit nature makes infilling and the definition of an Infill Development Boundary inappropriate. New housing in the open countryside will be strictly restricted to meeting the requirements set out in Policies H2 and R2 and para 89 of the Framework which support rural 'exception' sites. A rural exception site is defined in these policies to be a small site on the edge of a village but outside a settlement boundary where planning permission would not otherwise by granted. However the policy is very specific and applies only where the scheme a) is delivering 100% affordable housing and b) meeting an identified need which cannot otherwise be met by means of provision in the plan.

5.4 For the purposes of the Development Plan the application site lies outside any designated settlement plan within an area of open countryside. The application proposes two detached open market dwellings. The application as submitted would therefore not fall within any of the accepted exceptions for new housing within the countryside and would therefore be in conflict with Polices SS6c, H2 and R2 of the adopted Core Strategy and guidance contained in the NPPF.

5.5 However, it remains the case that the Council can only demonstrate a 1.87 year deliverable supply of housing against its five year target, as is required by the NPPF. It therefore follows from paragraph 49 of the Framework that relevant policies for the supply of housing cannot be considered up to date. The housing land supply shortfall is significant and in these circumstances this significantly reduces the weight that can be afforded to the schemes conflict with policies SS6c, H1 and R2 which seek to restrict residential development in the rural areas outside of defined boundaries. In these circumstances the NPPF would encourage the provision of new houses in the District unless there would be significant and demonstrable harm to outweigh the benefits of the proposed housing provision, which is set against a backdrop of significant housing shortfall within the district.

5.6 CS Policy T1 states that the Council will promote and support development which reduces the reliance on the private car for travel journeys, reduces the need to travel generally and helps deliver the priorities of the Staffordshire Local Transport Plan, where this is consistent with other policies. Paragraph 34 of the Framework says that decisions should ensure developments that generate significant movement are located where the need to travel can be minimized and the use of sustainable transport modes can be maximized.

5.7 The application site is located on the periphery of Cheddleton Heath, which is a small rural settlement mainly comprising of residential ribbon development laid out on both sides of the public highway. Despite its location the site is within easy walking/cycling distance of a public house, local shop, children's nursery and several employment opportunities at the Leekbrook Industrial Estate. In addition, there is a regular bus service which runs a short distance away from the junction of Cheddleton Heath Road with the main A53 that provides regular links from the site to the neighbouring village of Chedddleton, as well as the towns of Leek, Cheadle and Stoke on Trent.

5.8 Cheddleton which is circa 1.6km from the application site is defined as a larger

village within the adopted Core Strategy document, which together with the towns within the District are identified as being the rural centres for services, facilities and jobs, acting to sustain the rural areas. Cheddleton village has a number of schools, churches, shops, public houses, post office, restaurants and employment opportunities Leek, the closest town and service centre lies just 4.5 km away . In these regards Government advice in the publication "Manual for Streets" suggest that walking offering the greatest potential to replace short car trips, particularly for those under 2.0km.

5.9 In these circumstances, it is considered that the application site does offer several opportunities for walking, cycling or using public transport instead of future occupiers being wholly reliant on the private car, any such car journeys being relatively short, given the close location to a sustainable settlement. As such the application site is considered to be located within a sustainable location which is in accordance with central government guidance in terms of the NPPF and policy SS1 of the CS which (amongst other things) expects new development to provide easy access to jobs, shops and transport services; and reduces the reliance on the private car for travel journeys and reduce the need to travel generally as required by CS Policy T1.

5.10 Paragraph 7 of the NPPF identifies three dimensions to sustainable development: economic, social and environmental. These roles are mutually dependant and should be jointly sought to achieve sustainable development.

5.11 The application for two dwellings would make a small however valuable contribution to housing delivery in the Staffordshire Moorlands, particularly at a time where only a 1.87 year housing supply can be demonstrated. This contribution to the social aspect of sustainability attracts significant weight attributable to the proposal. The development would also enhance the economy by the creation of jobs associated with the developments construction stage and new residents are also likely to support existing local services and businesses

within the area. In addition, future council tax payments and potential New Homes Bonus would be spent within the district. In these respects the application site would contribute positively to fulfilling an economic role adding further attributable weight in support of the proposal.

5.12 In terms of the environmental dimension of sustainable development this site is considered to be reasonably well located in terms of its accessibility to local services. There is also a regular bus service which provides regular and frequent access to neighbouring villages such as Cheddleton and towns such as Cheadle, Leek and Hanley.

5.13 The Local Planning Authority's attention should be drawn to the appeal decision attached at Appendix 1 where consent was granted for the erection of two dwellings in the countryside adjacent to a small village, served by only a public house and a three times a day bus service. The Planning Inspector concluded that "there are few services in Sutton village. Consequently the future occupants of the proposed houses would be likely to be reliant on shops, schools and services outside the village, including those in Newport town centre about 3km away. The route to Newport is not particularly attractive for walking on a regular basis because of the limited street lighting and footpath provision. However there are some bus services each day. Although these are limited in frequency they do provide access to Newport, as well as Telford, Eccleshall and Hanley. There is also some potential for cycling. Consequently future occupants of the proposed development would have some alternatives to the use of a car. Furthermore, although occupants would be reliant on a car to some degree, given the distance to Newport, this would not necessarily lead to unduly long car journeys.

5.14 The application site offers the same characteristics and lies just a short journey from the settlements of Cheddleton, Leek and Cheadle and as such there will be alternatives available to future occupiers aside from the car and any car journeys undertaken to access local services and facilities would not be unduly long. A

similar view was reached by the Planning Inspector who presided over the recent appeal at Endon Riding School.

5.15 It should also be noted that Members of the Planning Committee reached a similar conclusion when deliberating the merits of a new dwelling on land adjacent to Intake Farm, Foxt. Despite an officer recommendation for refusal on the basis that the site lay within an unsustainable open countryside location Members decided to approve the application on the grounds that the proposal would provide a much needed dwelling given the lack of under supply and that its location on the approach to the village could not be considered unsustainable given the proximity of other dwellings, the fact that there was a reliable but infrequent bus service and a public house.

5.16 The site is bordered on both sides by residential development and as such is considered to be well connected to the existing settlement and will not appear as an incongruous use within the area. Provisions of SS6c and R2 of the Core Strategy are therefore clearly outweighed by other material matters.

Impact on the character and appearance of the area

5.17 CS Policy SS1 'Development Principles' states that the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvements of the Staffordshire Moorlands and 'development should be undertaken in such a way that protects and enhances the natural and historic environment of the District and its surroundings both now and for future generations ...'.

5.18 CS Policy SS6c 'Other Rural Areas Area Strategy' comprises the other rural areas containing the countryside and the Green Belt outside of the development and infill boundaries of the towns and villages and therefore is directly relevant to the application site. It seeks to 'Enhance and conserve the quality of the countryside

by: 'Giving priority to the need to protect the quality and character of the area and requiring all development proposals to respect and respond sensitively to the distinctive qualities of the surrounding landscape…'.

5.19 CS Policy H1 'New Housing Development' states 'all development will be assessed according to the extent to which it provides for high quality, sustainable housing … and the strategy for the area having regard to the location of the development, the characteristics of the site … All housing should be the most appropriate density compatible with the site and its location, with the character of the surrounding area …'.

5.20 The specific design and conservation policies of the CS also seek to promote local distinctiveness by means of good design and the conservation, protection and enhancement of historic, environmental and cultural assets along with the District's landscape and the setting of its settlements. Policy DC1 sets out design criteria relating to new development to reinforce local distinctiveness and positively contribute to the area. Policy DC3 sets out measures to protect and enhance the local landscape and setting of settlement. In detail, Policy DC3 'Landscape and Settlement Setting' states 'The Council will protect and, where possible, enhance local landscape and the setting of settlements in the Staffordshire Moorlands by: 1. Resisting development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement and important views into and out of the settlement as identified in the Landscape and Settlement Character Assessment; 2. Supporting development which respects and enhances local landscape character and which reinforces and enhances the setting of the settlement as identified in the Landscape and Settlement Character Assessment.'

5.21 Turning to the matter of character and appearance, whilst the application site is currently free from any built development it lies immediately adjacent to the curtilage of Gorseydale. The area on this side of the public highway is

characterised by large detached dwellings set in spacious gardens. Whilst the application site would extend into the open countryside the gardens of the neighbouring properties on both sides are both much deeper and therefore any encroachment would be limited. In addition it should be noted that the curtilages of New House and Oast House, which lie a short distance to the west of the application site extend further than the proposed application site. Similarly to the east the garden to Heath Cross extends much further down the valley side with tennis courts and other built development being evident. Whilst the proposed dwellings would be located behind the existing ribbon development this layout would be consistent with this area with dwellings located to the rear of Tuscanny and Wood-lea The application site is well connected to the existing settlement and will not appear as an incongruous use within the area.

5.22 Whilst the detailed design and layout of the proposal is not for consideration at this stage the submitted indicative plan shows that the site is more than adequate to accommodate two detached dwellings. Furthermore it is considered that the scale of development would be consistent with the general area and ratio of openness to built development respects and reflects the character and appearance of the surrounding area

5.23 The topography of the site means that a degree of cut and fill would be required to facilitate the proposed development and this is shown on the illustrative drawing.

Impact on residential amenity

5.24 National planning policy dictates that at the heart of its core principles, planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This is further re-iterated in CS Policy DC1, which seeks to protect residential amenity, in terms of satisfactory daylight, sunlight,

outlook, privacy and soft landscaping as informed by the Council's 'Space about Dwellings' SPG.

5.25 The submitted site plan demonstrates that the proposed development can provide adequate amenity standards for both the proposed users of the dwelling and the existing occupants of the host dwelling, Gorseydale which would be assessed in detail at any reserved matters stage. In these circumstances, the proposal accords with such requirements in relation to CS Policy DC1 and the NPPF.

Highway Safety

5.26 Paragraph 32 of the NPPF states: 'Plans and decisions should take account of whether: the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe' as is reflected within CS Policy T1 'Development and Sustainable Transport'

5.27 The proposed development would be served by the existing access point which currently serves the site. No conflict with CS policy T1 or with the guidance of the NPPF.

Biodiversity

5.28 The conservation and enhancement of the natural environment is a core principle of the NPPF where planning policies should promote the preservation, restoration and re-creation of priority habitats and ecological networks. In determining planning applications, permission should be refused if significant harm resulting from development cannot be avoided, adequately mitigated or, as a last resort, compensated for. CS Policy DC1 promotes the maintenance, enhancement,

restoration and re-creation of biodiversity and geological heritage, where appropriate, in accordance with Policy NE1 'Biodiversity and Geological Resources'. Amongst other matters, Policy NE1 requires that development, where it is appropriate, produces a net gain in biodiversity and ensures that any unavoidable impacts are appropriately mitigated for whilst promoting the appropriate maintenance, enhancement, restoration and/or re-creation of biodiversity through its proposed nature, scale, location and design.

5.29 The application has been accompanied by a preliminary ecological appraisal which has been undertaken by Charnia Ecology. This identifies the site as being unmanaged, semi improved tussocky grassland which is considered as being of low conservation value in terms of protected flora/vegetation communities and / or indicator species. It concludes by stating that subject to phasing/timing of works, detailed control of any lighting scheme and the carrying out of a detailed reptile survey prior to works commencing the proposed development would not adversely impact upon any of the established ecological interests in the area.

5.30 An independent tree survey has also been undertaken and submitted as part of this application. This survey included a total of 12 individual trees plus 1 woodland group and a hedge. The survey concluded that the two dwellings would be located outside the RPA's of any of the existing trees on site. The new access road off the existing drive will also be outside the RPA of any of the trees. It may however be necessary to resurface the existing driveway which lies within the RPA of T2. It is therefore recommend that if this work is required the old surface is removed by hand to reduce the risk of damaging any roots located just under the surface of the drive.

6. Conclusion

6.1 The Framework sets out a presumption in favour of sustainable development. Paragraphs 18 to 219 taken as a whole constitute what this means in practice. In addition, paragraph 7 identifies three dimensions to sustainable development i.e. economic, social and environmental. The Framework makes it clear that these roles should not be undertaken in isolation.

6.2 As a result of the significant housing land supply shortfall and in the circumstances where planning policies for the control of housing are considered to be out of date (as is the case here) it is considered that the proposal would amount to sustainable development in terms of the NPPF and would therefore benefit from the presumption in favour of sustainable development as set out in paragraph 14.

6.3 The Local Planning Authority has recently granted planning permission for a new dwelling within the open countryside finding the need for housing to outweigh the restrictive provisions of policies of SS6c. The NPPF is clear that there should be a presumption in favour of applications for new housing and that where policies for the control of housing are out of date (as is the case here) that planning permission should be granted unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

6.4 The proposed development will generate a number of significant benefits associated with the economic, social and environmental dimensions of sustainable development. In addition the proposed development would also comply with CS policies SS1, SS1a and relevant parts of SS6c as well as H1, DC1 and DC3 of the adopted Core Strategy document.