Rob Duncan
Planning
Consultancy

# PLANNING STATEMENT

## HIGHFIELDS HOUSE, LEEK

## OCTOBER 2017

**Site Address:**
Highfields House, Highfield, Leek, Staffordshire, ST13 8SG

**Applicant:**
Rudyard Developments Ltd.

**Proposal:**
Erection of 4no. detached dwellings (Outline)

**Planning Statement:**
**Date Issued:** 20th October 2017
**Job Reference:** RDP/2017/170

**Report Prepared By:**
Rob Duncan BSc(Hons) MA MRTPI
Rob Duncan Planning Consultancy Ltd

**Contact Details:**
Rob Duncan Planning Consultancy Ltd.
70 Ferndale Road, Lichfield, Staffordshire, WS13 7DL
Email: rob@robduncanplanning.co.uk
Tel. 07779 783521

## 1 Introduction

1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Rudyard Developments Ltd. to seek planning permission for the erection of four detached dwellings on a parcel of land to the northeast of Highfields House, Highfields, Leek. The application is submitted in outline and seeks approval of matters of layout, means of access and landscaping at this stage. Matters of scale and appearance are reserved for subsequent approval.

1.2 The layout plan accompanying the application shows the erection of four detached dwellings arranged around a central turning head, with access taken via an existing made track from Abbey Green Road to the northeast. Pedestrian access to the Macclesfield Road is also available from the southernmost corner of the site.

1.3 Plot 1 will occupy a footprint of 134 square metres and will be located towards the westernmost corner of the site. Plot 2 will sit alongside it, and will occupy a footprint of 164 square metres. Plot 3 will lie towards the northernmost corner of the site and will occupy a footprint of 160 square metres, with Plot 4 located towards the southernmost corner of the site and occupying a footprint of 182 metres. Each of these plots will benefit from a large area of private amenity space to the rear, with plots 1 – 3 inclusive enclosed by the existing high wall that borders this parcel of land.

1.4 The application is accompanied by a Bat & Bird Survey prepared by Tamworth Property Services, and a Tree Survey prepared by Tree Heritage, and these documents should be read in conjunction with this Planning Statement.

## 2 Site & Surroundings

2.1 The application site is located within the rural area, and encompasses a parcel of land located to the northeast of the site of the former Highfield Hall, which was demolished in the 1940s. The site is enclosed on its northwestern and northeastern boundaries by a high wall that formed part of the former walled garden to Highfield Hall. Scattered residential development is located to the west and southwest of the site, with planning consent recently granted nearby for the erection of two dwellings to the south of the site (SMD/2016/0376). The southeastern boundary of the site benefits from a substantial band of mature trees, with further mature trees located along the northeastern boundary of the site beyond the existing boundary wall. This vegetation and the boundary walls provide a strong sense of enclosure to the site in this elevated, hill top location. The location of the site in its surrounding context is shown in Figure 1 below.

Figure 1 – Aerial Photograph of Site



Source: Google Earth

## 3 Planning Policy

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application. The Development Plan for this area comprises the 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 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.

3.4 Policy SS6c of the Core Strategy states that the Rural Areas will provide only for development which meets an essential local need, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside. The policy goes on to state that the Council will meet essential local needs by (amongst others):

- *restricting new build housing development in the countryside to that which is essential to local needs.*

3.5 Policy R2 of the Core Strategy relates to Rural Housing and states that only the following forms of housing development will be permitted in the rural areas outside the settlement and infill boundaries of the towns and villages:

- *Affordable Housing;*

- *A new dwelling that meets an essential local need, such as accommodation for an agricultural, forestry or other rural enterprise worker, where the need for such accommodation has been satisfactorily demonstrated and that need cannot be met elsewhere;*

- *Proposals for replacement dwellings, provided they do not have a significantly greater detrimental impact on the existing character of the*

*rural area than the original dwelling or result in the loss of a building which is intrinsic to the character of the area;*

- *Extensions to existing dwellings provided they are appropriate in scale and design and do not have a detrimental impact on the existing dwelling and the character of the rural area;*

- *The conversion of non-residential rural buildings where the building is suitable and worthy in physical, architectural and character terms for conversion and it can be demonstrated that agricultural or commercial use is not viable or suitable.*

3.6 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.

3.7 Policy DC3 of the Core Strategy relates to 'Landscape and Settlement Setting' and states that the Council will protect and, where possible, enhance local landscape and the setting of settlements in the Staffordshire Moorlands by:

- *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;*

- *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;*

3.8 Policy NE1 of the Core Strategy relates to 'Biodiversity and Geological Resources' and states that development should ensure that it produces a net gain in biodiversity, and ensure that any unavoidable impacts are appropriately mitigated for. Proposals should also protect and enhance habitats and species of principal importance for the conservation of biodiversity.

## 4 Other Material Considerations

***National Planning Policy Framework (NPPF)***

4.1 The National Planning Policy Framework places a strong emphasis on promoting sustainable development and seeks to significantly boost the supply of housing nationally. It furthermore states that housing applications should be considered in the context of the presumption in favour of sustainable development. The content of the National Planning Policy Framework is explored in more detail, where relevant, in the Planning Assessment below.

***Staffordshire Moorlands Housing Land Supply Statement (March 2017)***

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 1.99 years.

***Appeal Decision APP/B3438/A/14/2223254***

4.3 This appeal decision relates to the erection of 11no. dwellings on a parcel of land some 150 metres to the south/southeast of the site. The application

had been refused by the Local Authority's Planning Application Committee (contrary to Officer recommendation) on the grounds that the proposal would have an adverse impact on the character of the area. The appeal was nevertheless allowed, with the Planning Inspector concluding that the development of the site amounted to sustainable development. A copy of the appeal decision is enclosed as Appendix A and is discussed in more detail within the Planning Assessment below.

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

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

***Planning Application SMD/2016/0376***

4.5 This application relates to a parcel of land to the south of the application site where planning permission was granted for the erection of two detached dwellings. The conclusions set out within the accompanying delegated report for this application are referred to within the Planning Assessment below.

## 5 Planning Assessment

Principle of Development

5.1 The application seeks outline consent for the erection of four dwellings on a parcel of land that lies within the rural area on the northwestern fringe of Leek. Both policies SS6c and R2 of the Core Strategy seek to restrict new housing development in the rural areas to that which is essential to local needs, and it is acknowledged that the submitted proposal does not to fall

within any of the categories of appropriate development listed in those policies. As such there is some degree of conflict with the Development Plan in this regard.

5.2 The submitted proposal is however considered to accord with the provisions of policy SS5a of the Core Strategy, as the site lies close to the defined settlement boundary of Leek, and benefits from good accessibility to services and facilities on offer within the town. In this context I would draw the Local Authority's attention to the conclusions of the Planning Inspector who conducted the appeal into application SMD/2013/1099 nearby (Appeal Reference: 222354). In discussing the sustainability of the site, the Inspector concluded that:

> *"The site lies close to services and facilities in the town of Leek and its development would in this respect represent a sustainable form of development" (paragraph 10 refers).*

5.3 A similar conclusion was reached by the Local Authority in its determination of application SMD/2016/0376, which lies approximately 35 metres to the south of the application site. In granting planning permission, the Local Authority concluded that:

> *"The application site is located on the edge of the identified town settlement of Leek with a wide range of facilities/services. The site's location would clearly encourage walking to the nearest services/facilities in Leek and necessary journeys therefore would not be reliant upon the use of the motor car. As a consequence, the proposal would accord with relevant housing land supply policies as it is within an 'environmentally',*

> *sustainable site for the scale of housing proposed within this edge of settlement town location".*

5.4 Given the very close proximity of this site to the aforementioned sites, it is considered entirely reasonable to conclude that this is a sustainable location for new housing, and thus I submit that the proposal accords with the provisions of policy SS5a of the Core Strategy, and guidance set out in paragraph 55 of the National Planning Policy Framework.

5.5 In addition, the Local Authority's current housing land supply situation dictates that a tilted balance in favour of approval should be applied when assessing this proposal. Paragraph 49 of the NPPF confirms that housing applications should be considered in the context of the presumption in favour of sustainable development, and 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"*

5.6 The latest housing land supply figures for Staffordshire Moorlands, as set out in the Local Authority's Housing Land Supply Statement (March 2017), demonstrate that the Local Planning Authority only has a 1.99 year supply of housing against its requirement of 5 years + 20% buffer. There is accordingly a chronic shortage of housing land within the District, and as a consequence, the presumption in favour of sustainable development set out in paragraph 14 of the NPPF is engaged.

5.7 Paragraph 14 of the NPPF confirms that planning permission should be granted unless:

- *any adverse impacts of doing so would **significantly and demonstrably outweigh the benefits**, when assessed against the policies in this Framework taken as a whole; or*

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

*(my emphasis)*

5.8 There are no specific policies in the Framework that indicate that development on this site should be resisted, and for the reasons set out below it is also considered that no adverse impacts will arise to significantly and demonstrably outweigh the benefits of the development.

5.9 The benefits of the development are numerous, and have been assessed against the three dimensions of sustainable development set out within the NPPF. Social and economic benefits will ensue as a consequence of delivering four new dwellings to help meet the Local Authority's chronic shortage of housing land. Such benefits are considered to be worthy of significant weight and in this regard I would draw the Local Authority's attention to the comments made by the Planning Inspector in allowing an appeal for the erection of a single dwelling within the Green Belt at Gillow Heath (2217581), where it was concluded that:

> *"16. The Council have confirmed they cannot demonstrate a five-year supply of deliverable housing sites. The proposal would add to the local housing stock and make a positive, albeit modest, contribution towards reducing the current deficit of housing in the area. This is a **clear economic and social benefit associated with the scheme to which I attach significant weight**" (my emphasis)*

5.10 I also draw attention to the delegated report accompanying application SMD/2016/0376 to the south of the site, where it was concluded that:

> *"The development would make a small, however,* ***valuable contribution to housing delivery*** *in the Staffordshire Moorlands, particularly in a situation where a five-year housing supply cannot be demonstrated which* ***attracts notable weight in support of the proposal given the significance of the undersupply****"* (my emphasis)

5.11 Additional economic benefits will also ensue as a consequence of generating additional household expenditure, and generating employment during the construction phase. Additional council tax payments and the New Homes bonus will also be of benefit, and in this respect I would draw attention again to the delegated report accompanying application SMD/2016/0376 where it was commented that:

> *"The development would also enhance the economy by the creation of jobs associated with the application's 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 the 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****".*
>
> *(my emphasis)*

5.12 Environmental benefits would also ensue as a consequence of delivering new housing in a sustainable location where future occupiers would not be reliant upon the car to access local services and facilities. In this respect I would

draw attention to the conclusions of the Planning Inspector in determining the appeal into application SMD/2013/1099 as discussed in paragraph 5.2 above. Such environmental benefits are considered to carry significant weight in favour of the proposed development.

5.13 For the reasons outlined above, it is submitted that the proposed development will derive a number of significant material benefits, and in accordance with the provisions of paragraph 14 of the NPPF planning permission should be granted unless any adverse impacts would arise to *significantly and demonstrably* outweigh these benefits.

Layout

5.14 The proposed dwellings are to be located around a central turning head, with plots 1 – 3 aligned to reflect the general linear patterns that prevail amongst surrounding development. The existing boundary wall along the northwestern and northeastern perimeters of the site is to be retained, and the application also proposes retention of the existing mature trees along the southeastern boundary (aside from those recommended for removal on safety grounds).

5.15 Owing to the strong visual enclosure to the site that these trees and the boundary walls provide, wider views of the development will be heavily screened and filtered. The strong sense of enclosure extends also to the northeastern boundary of the site, which is also enclosed by mature trees, beyond the existing high brick wall. Built development then encloses the site to the northwest and southwest. For these reasons, the erection of the proposed dwellings will not give rise to any significant adverse impacts to the character and appearance of the surrounding area or the wider landscape.

5.16 Each dwelling will benefit from a large area of private amenity space that exceeds the minimum standards set out within the Local Authority's informal space about dwellings standards. Similarly, the disposition of the buildings in relation to one another means there will be no conflict with the minimum interface distances set out within the same guidance document. The proposed development will therefore not give rise to any adverse impacts to neighbouring residential amenity, and will furthermore ensure an adequate level of residential amenity for future occupants. The proposed layout of the site is therefore in accordance with the provisions of policies DC1 and DC3 of the Core Strategy.

Means of Access

5.17 Vehicular access to the site is to be taken via an existing made track that feeds off Abbey Green Road to the north east of the site. The track is already hard surfaced along the vast majority of its length, and the applicant owns land around it in order to accommodate the provision of passing places should this be considered necessary. The access onto Abbey Green Road affords reasonable visibility in both directions, and it is proposed to widen the access adjacent to the carriageway so that two vehicles can pass one another, with the existing gates also to be set back a sufficient distance to enable a vehicle to pull clear of the carriageway. By setting these gates back a betterment to highway safety will ensue, as they are currently set close to the carriageway with insufficient space available for tractors and agricultural vehicles to pull clear of the highway whilst awaiting the opening of the gates.

5.18 Within the site itself, provision is made for the manouvering of vehicles, including refuse vehicles, and each property will benefit from a minimum of 3 parking spaces each, including garaging provision. This is considered to constitute an adequate level of off-street parking provision for development of this nature.

5.19 Paragraph 32 of the NPPF discusses matters of highway safety and confirms that:

> *"Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe" (my emphasis)*

5.20 For the reasons set out above it is considered that the proposed development will not give rise to severe residual impacts to highway safety, and as a consequence the proposal is considered to accord with the provisions of paragraph 32 of the NPPF.

Landscaping

5.21 The application is accompanied by a Tree Survey prepared by Tree Heritage, and this has assessed the quality and significance of the numerous trees on the site. The band of trees forming the southeastern boundary of the site are particularly impressive and provide a strong sense of enclosure to this site. The tree survey identifies that a large number of these mature trees are of fairly poor quality (Category C), with better quality trees located towards the southernmost corner of the site. However, it should be noted that it is the applicant's intention to retain the poorer quality trees in any event, aside from those which are recommended for removal of safety grounds within the Tree Survey.

5.22 The proposed vehicular access will involve upgrading an existing farm track for a short distance adjacent to the site, and it is proposed to utilise a cellular confinement system to prevent compaction to the roof systems of trees T6 and T7 where this passes through them. The tree surveyor considers this feasible and recommends that a Method Statement be prepared to demonstrate how the works will be undertaken. This can be secured by way

of a suitably worded planning condition. Similarly, a planning condition can be imposed to secure the implementation for the recommended tree protection measures set out within the report. In doing so the development will safeguard the existing trees to the benefit of the local landscape, and thus accords with the provisions of policies DC1 and DC3 of the Core Strategy.

Other Issues

5.23 Matters of scale and appearance are reserved for subsequent approval, but it is anticipated that the proposed dwellings will be two storey in nature and encompass traditional detailing in order to reflect the prevailing characteristics of the surrounding area. Such matters will be subject to scrutiny at the Reserved Matters stage, but it is noted that in allowing the nearby appeal pertaining to application SMD/2013/1099 the Planning Inspector noted that hill top developments are a characteristic of Leek, and as such it would not be unusual nor detrimental for further development to occur in such a location. The strong sense of enclosure afforded to this site by the existing boundary vegetation means that two storey development will not have a harmful impact on the surrounding area.

5.24 In terms of ecological considerations, the application has been accompanied by a bat and bird survey owing to the proposed demolition of an existing greenhouse building in the northernmost corner of the site. The survey confirms that there is no evidence of bats using the building as a place of shelter, and that there are no roosting opportunities in the building. In order to provide a net gain to biodiversity it is recommended that a bat box be installed within the southern gable of one of the new dwellings, and such mitigation can be secured by way of appropriately worded planning condition. In doing so the proposed development will accord with the provisions of policy NE1 of the Core Strategy.

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

- The Local Authority is unable to demonstrate a five year deliverable supply of housing, and as such the tilted balance in favour of approval is engaged;

- The proposed development will generate a number of significant benefits associated with the economic, social and environmental dimensions of sustainable development;

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

- The proposed means of access to the site will not derive any severe adverse impacts to highway safety within the locality;

- The proposed landscaping of the site, and in particular the retention of important trees along the southeastern boundary will ensure that there is no adverse impact to the character of the wider area;

- A nearby appeal decision and subsequent planning application have both confirmed that this general area comprises a sustainable location for new housing;

- The proposed development will not give rise to any harm to neighbouring residential amenity and will ensure a satisfactory level of amenity for future occupants;

- The proposal will not give rise to any significant adverse impacts to existing trees on the site;

6.3 It is therefore considered that the proposed development accords with the provisions of policies SS5a, DC1, DC3 and NE1 of the Staffordshire Moorlands Core Strategy and guidance contained within the National Planning Policy Framework. The conflict of the proposal with policies SS6c and R2 of the Core Strategy is acknowledged, but is considered to be clearly outweighed by the provisions of the National Planning Policy Framework as discussed in the Planning Assessment above.

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