NOVEMBER 2017 | KT/SLR | EMS.2722

OUTLINE PLANNING APPLICATION FOR THE DEVELOPMENT OF THREE RESIDENTIAL DWELLINGS

PLANNING STATEMENT

LAND OFF CAULDON CLOSE, LEEK

ON BEHALF OF RMWJ INTERESTS LTD

TOWN & COUNTRY PLANNING ACT 1990 (AS AMENDED)
PLANNING AND COMPULSORY PURCHASE ACT 2004

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1. INTRODUCTION

1.1 This Planning Statement accompanies and supports an outline planning application for the development of land at Cauldon Close, Leek to provide 3no. residential dwellings on behalf of RMWJ Interests Limited. Pegasus Group act for RMWJ Interests Ltd on behalf of Mr Edward R Johnson whose parents for many years owned much of the land at Ladydale and who acquired the site of Cauldon Close in order to protect the Lady of the Dale Well.

1.2 Having regard to achieving a high standard of design, this Planning Statement should be read together with the Design and Access Statement, which also accompanies the planning application.

1.3 This application is supported by the following documents;

- Design and Access Statement;
- Landscape and Visual Appraisal;
- Built Heritage Assessment;
- Ecological Appraisal;
- Arboricultural Assessment.

1.4 The purpose of this planning statement and supporting documents is to demonstrate that the proposed development is acceptable in planning terms.

1.5 This statement begins with a description of the site and the surrounding area and goes on to provide a more detailed description of the development. The report continues with a review of relevant planning policy guidance followed by an assessment of the proposed development having regard to the development plan and other material considerations. Particular attention is paid to the need to achieve sustainable development, through planning for environmental, social and economic gains as set out in the National Planning Policy Framework (the Framework).

1.6 In addition to the achievement of sustainable development, is the requirement in the Framework for local planning authorities to identify sites sufficient to provide 5-years worth of housing against their housing requirements with an additional buffer of 5% to ensure choice and competition, increased to 20% where there has

been a record of persistent under delivery of housing. The Statement considers the District Council's housing position and finds that, whilst the proposal is only small-scale, development of the site could, nevertheless, make a worthwhile contribution to their housing land supply in respect of providing for full and objectively assessed needs.

1.7 The conclusion reached is that key material considerations, including the contribution that the site would make to the current housing supply shortfall, justify the release of the site for development. Development of the site represents an opportunity to secure economic, social and environmental gains in accordance with the Framework. The proposal is therefore in accordance with Section 38(6) of the Planning and Compulsory Act 2004.

2. SITE AND SURROUNDING AREA

2.1 The site is located within the town of Leek, which is located approximately 10 miles northeast of Stoke-on-Trent within Staffordshire Moorlands District. The site is currently vacant, unkept and underused land.

2.2 The site is bounded by existing residential development to the north, south and west. Greenfield land lies to the east of the site, beyond which lies further existing residential development. The site is located within the defined Limits to Development of Leek, as delineated in the extant and emerging Local Plan documents.

2.3 The site is less than 800 metres from Leek town centre and, as such, it is very well located in relation to a wide range of facilities and services.

3. PRE-APPLICATION ADVICE

3.1 In August 2016, pre-application advice was requested in respect of the development of 9no. residential dwellings on the proposal site. A meeting was held with the Council in November 2016 and a subsequent written response was received on 31st January 2017 (ref. PAD/2016/0053).

3.2 The proposals were reviewed following the pre-application meeting and the number of dwellings subsequently reduced from 9no. to 3no. The revision was made in response to concerns regarding the visual impact of the scheme and the potential impact of the proposal upon the setting of a nearby heritage asset.

4. PROPOSALS

4.1 This planning application proposes the development of 3no. residential dwellings on a parcel of land to the north of Cauldon Close, Leek. The proposal also includes an extensive area of public amenity land and the restoration and enhancement of the Lady of the Dale Well (Grade II Listed) and its setting.

4.2 It is proposed that the 3no. dwellinghouses are located on the northern part of the site, which is less sensitive in terms of ecological and heritage constraints. The southern part of the site, adjacent to an existing watercourse and the Lady of the Dale Well, is proposed as public amenity land.

4.3 Safe and suitable access to the site will be provided via a shared private driveway off Cauldon Close.

4.4 A 5-metre wide planting buffer is proposed along the boundary of the proposed dwellings to provide enhanced landscape and visual screening.

4.5 The applicant is amenable to the provision of a commuted sum to ensure the long-term management of the Lady of the Dale Well.

4.6 The design approach to the site is set out in the accompanying Design and Access Statement (DAS). The DAS demonstrates how the proposals have responded to their context and considered matters such as use and amount; access and movement; scale and appearance; layout and landscaping.

5. PLANNING POLICY AND GUIDANCE

5.1 The key aspects of national planning policy guidance and the development plan policies of particular relevance to the consideration of the proposals are highlighted below.

National Planning Policy Framework (the Framework)

5.2 The Framework was published on the 27th March 2012 and replaces previous national planning guidance set out in Planning Policy Guidance and Planning Policy Statements. The overarching policy objective of the Framework is the presumption in favour of sustainable development. There are three dimensions to sustainable development: economic, social and environmental. The presumption in favour of sustainable development is the 'golden thread' that should run through both plan-making and decision-taking. Paragraph 14 states that, for decision-taking, this means approving development proposals that accord with the development plan without delay. Where the development plan is absent or silent or where policies are out-of-date, planning permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits.

5.3 An important feature of the Framework is the culture change it requires from local planning authorities. It requires local planning authorities to approach decision-taking in a positive way to foster the delivery of sustainable development, looking for solutions rather than problems and seeking to approve applications for sustainable development where possible (paragraphs 186/187).

5.4 The Framework sets out twelve core planning principles including;

- Meeting the housing, business and other development needs of the area and responding positively to wider opportunities for growth;
- Seeking to secure high quality design and a good standard of amenity for all existing and future residents;
- Supporting the transition to a low carbon future;
- Allocations of land for development should prefer land of lesser environmental value;
- Promotion of mixed use developments;

- Making the fullest possible use of public transport, walking and cycling, focusing significant development in locations that are or can be made sustainable;

- Improving health, social and cultural wellbeing.

5.5 Section 1 of the Framework deals with building a strong and competitive economy and emphasises the government's commitment to ensuring that the planning system does everything it can to support sustainable economic growth, with significant weight being placed on the need to support economic growth through the planning system.

5.6 Section 6 of the Framework deals with housing issues and sets out the key objective is for local planning authorities to boost significantly the supply of housing. Local planning authorities are required to meet the full, objectively assessed needs for market and affordable housing in the relevant housing market area. Paragraph 47 requires authorities to identify a supply of specific deliverable sites to provide 5-years' worth of housing, with an additional buffer of 5% to ensure choice and competition in the market for land. This buffer increases to 20% where there has been a record of persistent under delivery of housing.

5.7 Paragraph 49 confirms that housing applications should be considered in the context of the presumption in favour of sustainable development and that where a local planning authority cannot demonstrate a 5-year supply, relevant policies for the supply of housing should not be considered up-to-date. In these circumstances paragraph 14 of the Framework requires applications to be granted unless the adverse impacts would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

5.8 The requirement to ensure good design in new development is set out in section 7 of the Framework. Planning decisions should aim to ensure that developments;

- Function well and add to the overall character of the area;

- Establish a strong sense of place;

- Optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses and support local facilities and transport networks;

- Respond to local character and history and reflect the identity of local surroundings and materials;
- Create safe and accessible environments;
- Are visually attractive as a result of good architecture and appropriate landscaping.

5.9 Paragraph 61 advises that planning decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

5.10 The Framework promotes healthy communities (section 8), advising that planning decisions should aim to achieve places which promote:

- Opportunities for meetings between members of the community through mixed-use developments, strong neighbourhood centres and active street frontages;
- Safe and accessible environments with clear and legible pedestrian routes and high quality public spaces.

5.11 Paragraph 73 of the Framework notes that access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and well-being of communities.

5.12 Paragraph 76 advises that through local and neighbourhood plans, local communities should be able to identify for special protection green areas of particular importance to them. The Framework confirms that identifying land as Local Green Space should be consistent with the local planning of sustainable development and complement investment in sufficient homes, jobs and other essential services, and that designation will not be appropriate for most green areas or open space. Paragraph 77 advises that the designation should only be used where the green space:

- is in reasonably close proximity to the community it serves;
- is demonstrably special to a local community and holds a particular local significance, for example because of its beauty, historic significance, recreational value, tranquility or richness of its wildlife; and

- is local in character and not an extensive tract of land.

5.13 To support the move to a low carbon future, new development should comply with adopted local plan policies on the requirements for decentralised energy supply and seek to minimise energy consumption (para 96).

5.14 In terms of flood risk, the sequential approach to development is set out in paragraph 103 of the Framework.

5.15 Paragraph 118 deals with issues relating to biodiversity. In determining applications local planning authorities are advised to apply the following principles:

- If significant harm resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then the planning permission should be refused;
- Opportunities to incorporate biodiversity in and around developments should be encouraged;
- Planning permission should be refused for development resulting in the loss or deterioration of irreplaceable habitats.

5.16 To prevent unacceptable risks from pollution, planning decisions should ensure that new development is appropriate for its location. The effects of pollution on health, the natural environment or general amenity, and the potential sensitivity of the area or proposed development to the adverse effects from pollution, should be taken into account (para 120).

5.17 Finally, planning decisions should aim to avoid noise from giving rise to significant adverse impacts on health and quality of life as a result of new development (para 123), and decisions should ensure that any new development in AQMAs is consistent with the local air quality action plan.

National Planning Practice Guidance (PPG)

5.18 The PPG 'Housing and Economic Land Availability Assessment' was formally published on the 6th March 2014. It replaces and consolidates a wide range of planning guidance contained in various documents including circulars and ministerial statements.

5.19 The PPG provides further guidance in relation to the assessment of full, objectively assessed housing needs, housing land availability assessments and the calculation of 5-year land supply.

5.20 Paragraph 030 of the PPG advises that housing requirement figures in up-to-date plans should be used as the starting point for calculating the 5-year supply. The guidance notes that evidence dating back several years, such as that drawn from revoked regional strategies, may not adequately reflect current needs. The PPG goes on to advise that where there is no robust recent assessment of full housing needs, the household projections published by CLG should be used as a starting point (PPG reference ID 3-030-20140306).

THE DEVELOPMENT PLAN

5.21 The development plan for Staffordshire consists of the Core Strategy which was adopted by the Council in November 2014, along with the Biddulph Town Centre Area Action Plan (2007). In accordance with paragraph 215 of the NPPF, due weight should be given to relevant policies of the plan according to the degree of consistency with policies in the Framework.

Staffordshire Moorlands Core Strategy Development Plan Document, March 2014

5.22 Policy SS1 Development Principles seeks to ensure that development contributes positively to the social, economic and environmental improvement of the Staffordshire Moorlands District. This includes:

- delivering a mix of housing to meet the needs of existing and future communities;
- creating healthy, safe, attractive and well-maintained environments;
- maintaining the distinctive character of the district, its individual towns and villages and their settings;
- protecting and enhancing the natural and historic environment; and
- securing high quality, sustainable environments.

5.23 Policy SS1a Presumption in Favour of Sustainable Development states that the Council will take a positive approach to the consideration of development proposals in accordance with the Framework.

5.24 Policy SS2 Future Provision of Development states that provision will be made for 6,000 additional dwellings to be completed in Staffordshire Moorlands during the period 2006 to 2026. The policy also states that sufficient deliverable land will be identified to provide at least 5-years of development at all times.

5.25 Policy SS3 Distribution of Development sets out the Council's spatial strategy for future growth in the district. The greatest proportion of growth (housing and employment) is planned for Leek due to its sustainability credentials/ position in the settlement hierarchy.

5.26 Policy SS5a Leek Area Strategy sets out the Council's approach to development at Leek over the plan period. The policy seeks to ensure that the housing and community needs of Leek continue to be met. This includes:

- Increasing the range of available and affordable housing types;
- Protecting, increasing and improving the provision and accessibility of open space;
- Promoting measures to encourage walking and cycling;
- Conserving and enhancing buildings, sites and areas of heritage and cultural importance.

5.27 Policy SS7 Churnet Valley Area Strategy sets out those forms of development and measures that will be given particular support by the Council. These include:

- Measures to enhance, protect and interpret the landscape character and heritage assets of the Churnet Valley;
- Actions to protect and enhance the biodiversity of the area.

5.28 Policy SD1 Sustainable Use of Resources provides support for development which is able to adapt to climate change and minimise energy needs. The policy encourages development on previously developed land where appropriate. The policy states that development on non-allocated greenfield land will only be considered where the proposal:

- relates to the provision of needed development which cannot be accommodated on a deliverable previously developed site or other allocated site in the locality and is in a sustainable location, or;
- relates to the conversion or reuse of a rural building, or;
- would secure the future conservation of a heritage asset through appropriate enabling development, or;
- is for a rural exceptions affordable housing scheme.

5.29 Policy H1 New Housing Development seeks to ensure the provision of high quality, sustainable housing to meet identified need. The policy states that residential development will be permitted on unidentified (windfall) sites up to an indicative maximum scheme size of 9no. dwellings within the Development Boundaries of the towns and larger Villages.

5.30 Policy DC1 Design Considerations requires new development to be well designed and of high quality. The policy states that development should reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area.

5.31 Policy DC2 The Historic Environment seeks to safeguard and, where possible, enhance the historic environment, areas of historic landscape character and interests of acknowledged importance. It should be noted that, in a recent Appeal Decision (ref. APP/B3438/W/15/3005261), the Inspector was clear that Policy DC2 is not consistent with the Framework (paragraph 13) as it does not allow for the weighting of harm against public benefits and does not distinguish between heritage assets of different levels of importance.

5.32 Policy DC3 Landscape and Settlement Setting sets out the Council's approach to protecting and enhancing local landscapes in the district. The policy provides support for opportunities to positively manage the landscape and enhance the setting of settlements.

5.33 Policy C2 Sport, Recreation and Open Space promotes the provision of high quality recreational open space by supporting schemes that will protect and improve the quantity, quality and accessibility of open space.

5.34 Policy C3 Green Infrastructure promotes the development of an integrated network of high quality and multi-functional green infrastructure. This includes the provision of open space and the improvement of linkages to formal and informal recreation opportunities.

5.35 Policy NE1 Biodiversity and Geological Resources seeks to ensure that biodiversity and geological resources are conserved and enhanced. The policy also provides support for the provision and protection of green infrastructure.

5.36 Policy T1 Development and Sustainable Transport states that the Council will support and promote development which reduces reliance on the private car for travel journeys, reduces the need to travel generally and helps deliver the priorities of the Staffordshire Local Transport Plans. The policy seeks to ensure that all new development is located where the highway network can satisfactorily accommodate traffic generated by the development or can be improved as part of the development.

Emerging Staffordshire Moorlands Local Plan

5.37 The Staffordshire Moorlands Local Plan is currently being prepared by the Council. Once adopted, the Local Plan will replace the Staffordshire Moorlands Core Strategy, Biddulph Area Action Plan (AAP) and previous Local Plan to provide a framework for delivering development for the period 2016 to 2031. The Local Plan is at the 'Preferred Options' stage.

6. ASSESSMENT OF THE DEVELOPMENT PROPOSALS

6.1 Section 38(6) of the Planning and Compulsory Purchase Act, 2004 requires the determination of this application to be made in accordance with the development plan, unless material considerations indicate otherwise.

6.2 Whilst the Framework does not change the statutory status of the development plan as the starting point in decision making, it constitutes an important material consideration in determining applications. The Framework constitutes the Government's view of what sustainable development means in practice for the planning system.

6.3 The Government's objective in publishing the framework is to secure a significant culture change in the way planning applications are determined, with a clear presumption in favour of sustainable development, with local planning authorities proactively driving and supporting sustainable economic development to deliver the homes, business and industrial units and infrastructure the country needs. A key message in the Framework is the need for positive planning to boost significantly the supply of housing to meet the full objectively assessed housing needs for an area.

6.4 For decision taking, the Framework requires local planning authorities to approve development proposals that accord with the development plan without delay and, where the plan is absent, silent or policies are out of date, approving planning permission unless the adverse impacts would significantly and demonstrably outweigh the benefits, or specific Framework policies indicate that development should be restricted.

6.5 For the purposes of this application, the development plan comprises the Staffordshire Moorlands Core Strategy (2014). Due weight is to be given to relevant policies according to their degree of consistency with the Framework (para 215) and the extent to which they can be considered out-of-date (para 14 and 49).

6.6 The following sections consider the consistency of the proposals with relevant polices of the development plan that can be afforded weight in the determination of the application, and then considers the implications of the Framework and whether any specific policies indicate development on the site should be restricted.

ACCORDANCE WITH THE DEVELOPMENT PLAN

6.7 Policy SS1 of the adopted Local Plan seeks to ensure that development contributes positively to the social, economic and environmental improvement of the district. The development scheme includes the erection of 3no. residential dwellings which will assist in delivering housing to meet existing unmet need in Staffordshire Moorland. Furthermore, the proposal includes a significant area of public amenity land and the restoration of the Lady of the Dale Well (Grade II Listed), enhancing both the natural and historic environment. Taken as a whole, the proposal represents an attractive, high quality and sustainable development that would generate social, economic and environmental benefits. The proposals are, therefore, fully in accordance with policy SS1.

6.8 Policy SS2 seeks to ensure that the Council are able to demonstrate a 5-year supply of housing land at all times. The Staffordshire Moorlands Housing Delivery Schedule (March 2017) indicates that the Council can only demonstrate 1.99-years supply. This is a significant shortfall of over 3-years. Whilst the development proposal is only small scale, providing 3no. residential dwellings, it would nevertheless contribute to this housing supply shortfall. The lack of a 5-year supply of deliverable housing land should be given significant weight in the determination of this application.

6.9 Policy SS3 sets out the Council's spatial strategy for future growth in the district. The greatest proportion of growth (housing and employment) is planned for Leek due to its sustainability credentials/ position in the settlement hierarchy. The proposed development site lies within the town of Leek and, as such, is wholly consistent with the Council's priorities for growth set out in the spatial strategy.

6.10 Policy SS5a sets out the Council's approach to development in Leek over the plan period. The policy seeks to ensure that the housing and community needs of Leek continue to be met. This includes improving the provision and accessibility of open space and conserving sites of heritage importance. The provision of public amenity land and the restoration of a heritage asset as part of the application will assist in achieving these aims.

6.11 Policy SS7 provides support for proposals that protect and enhance landscape character, heritage assets and biodiversity. A Landscape and Visual Appraisal

(LVA) has been carried out to assess the likely impacts of the proposal on local landscape character and views/ visual amenity. A summary of the LVA findings is provided below.

6.12 At a site level, land use will change across the central section of the site from an area of grassland to residential development. This, at a local level, will result in a minor extension of the urban edge of Leek. Green infrastructure and landscape planting will positively influence the landscape character of the immediate area and will contribute to the mitigation of impacts of the built components of the proposal. In terms of likely landscape effects, the proposed development represents a small-scale change to a small part of the landscape which is transitional between the settlement and the wider landscape to the east and south.

6.13 The likely visual impacts associated with the proposal will be limited to a range of receptors in the immediate and local context of the site, such as the residential areas of Cauldon Close and vehicular/ pedestrian users that travel along it. These views also tend to be influenced by the urbanising features along this and the adjacent road network. Views from the public footpath to the east, Leek Town 26, will be directly affected by the proposed development, however this would be limited to views of one of two properties, filtered through the existing and proposed vegetation. There are very few views towards the site available due to its enclosure by woodland and topography. There may be a limited number of filtered views available, particularly in winter when leaf cover is reduced, however these will be set in the context of existing residential built form. Overall visual effects are not considered to be significant due to their limited nature and scale.

6.14 The proposed development scheme includes measures to protect and enhance the natural and historic environment and has been sensitively designed to respond to the local landscape in accordance with Policy SS7.

6.15 In addition to the Landscape Appraisal, an Arboricultural Assessment has been undertaken, firstly, to assess the arboricultural value of the existing trees and, secondly, to provide an assessment of impact arising from the proposed development of the site. The full report accompanies this application. A summary of the findings is provided below.

6.16 A total of forty-one individual trees and seven groups of trees were surveyed as part of the Arboricultural Assessment. None of the trees surveyed were considered to be of veteran status.

6.17 There was much variation in the physical health and condition of the trees surveyed, with a number showing poor condition and several that were dead. For the majority, however, conditions were found to be good.

6.18 The table below sets out those trees that the Arboricultural Assessment has categorised as 'trees to be retained' and 'trees to be removed in full or part' (including their arboricultural quality/ value).

	Trees to be retained	**Total**	**Trees to be removed in full or part**	**Total**
Category U – Unsuitable	-	0	T16, T17, T18, T23, T39, T40, T41	7 trees
Category A – High Quality/ Value	T15, T33	2 trees	-	0
Category B – Moderate Quality/ Value	T1, T2, T3, T4, T5, T6, T7, T8, T14, T26, T27, T31, T34, T35, T37, T38, G2, G7	16 trees and 2 groups	T19, T36	2 trees
Category C – Low Quality/ Value	T10, T12, T20, T21, T22, T24, T25, T28, T29, T30, T32, G4, G5	11 trees and 2 groups	-	3 trees and 3 groups

6.19 In terms of the quality of individual trees, oak tree T36 (located in the central part of the site) was found to be of greatest value. The Arboricultural Assessment

states that, due to the amount of earthworths required to facilitate the main access and, in the absence of mitigation measures, the tree would need to be removed. However, the report acknowledges that mitigation measures (including the potential use of 'no-dig' construction methods and/ or other engineering solutions) have the potential to facilitate the retention of T36. We are confident that the development proposal can incorporate measures to enable the retention of T36.

6.20 The scheme is capable of retaining and integrating all other tree cover of value, seeing only minor losses in arboricultural terms and which can be mitigated for through new and replacement tree planting.

6.21 Some of the component trees of the dense eastern boundary tree belt, G3 and those close to the Lady of the Dale Well are in poor condition and, irrespective of any future redevelopment, are recommended for removal.

6.22 The removal and replacement of trees of lower arboricultural quality with new and higher quality trees would result in a significant improvement aesthetically and in arboricultural terms. It would benefit the overall visual amenity of the local area and the future of the tree'd landscape, as well as importantly addressing matters of safety.

6.23 The proposed development scheme includes measures to protect and retain trees wherever possible and new planting to improve the existing tree population. In arboricultural terms, the minor losses incurred as a result of the proposal can be adequately mitigated through those measures set out in the Arboricultural Assessment. The proposal therefore accords with Policy SS7.

6.24 Policy SD1 provides support for development which is able to adapt to climate change and minimise energy needs. The policy stipulates that development on non-allocated greenfield land will only be considered appropriate in limited circumstances, for example rural exceptions sites or enabling development to secure the future conservation of a heritage asset. Whilst the proposal does not accord with Policy SD1 (i.e. the site is not allocated and does not meet the criteria for development on non-allocated sites) it is of small-scale, and, as such, would not prejudice the Council's development strategy. Furthermore, the development site is located in a highly sustainable location (as reflected in the Council's spatial strategy/ settlement hierarchy) within the defined limits of

development. It is therefore considered that the represents sustainable development as defined by the Framework.

6.25 Policy H1 seeks to ensure the provision of high quality and sustainable housing. The policy states that residential development will be permitted on unidentified (windfall) sites up to an indicative maximum scheme size of 9no. dwellings within the Development Boundaries of the towns and larger Villages. This planning application is for the development of 3no. residential dwellings within Leek's 'Limits of Development' as set out in the Local Plan Proposals Map. The proposal is therefore wholly consistent with Policy H1.

6.26 Policy DC1 requires new development to be well designed and of high quality. The policy states that development should reinforce local distinctiveness by positively contributing to and complementing the special character of the area. The proposed development includes a strategy for green infrastructure that builds mitigation into the design as an integrated and positive component, retaining the overall local landscape character. Further information regarding the design of the proposals can be found in the Design and Access Statement. The proposal is considered to accord with the thrust of Policy DC1.

6.27 Policy DC2 seeks to safeguard and, where possible, enhance the historic environment. A Built Heritage Assessment has been carried out to assess the designated heritage assets within the environs of the site and identify any harm which may be caused to them by the proposed development. A summary of the findings is set out below.

6.28 There are no designated heritage assets within the proposed development site. Designated heritage assets considered potentially sensitive to development within the site were identified by considering proximity, intervisibility and potential historic functional association. Those assets comprised:

- The Leek Conservation Area;
- The Grade II Listed Lady of the Dale Well;
- Pickwood Hall Grade II Listed House.

6.29 The assessment considered that the Lady of the Dale Well (Grade II Listed) is a designated heritage asset of less than the highest significance as defined by the Framework. In terms of potential impact upon the asset and its setting, the

assessment stated that whilst the development would introduce built form where built form is not currently present, it is in an area where modern built form already lies to the north and west. The assessment also considered the benefits of the restoration of the wellhead, which will enhance its aesthetic values, and improved public access so that these values can be better appreciated. The assessment concluded that, the minor harm caused through the change to the wider setting of the asset will be outweighed by the benefits of the associated repair and access works, and overall the scheme will enhance the heritage significance of the asset, having a beneficial impact.

6.30 The assessment considered that Pickwood Hall (Grade II Listed) is a designated heritage asset of less than the highest significance as defined by the Framework. The proposed dwellings would not be visible from Pickwood Hall and the proposal would not bring housing development closer to Pickwood Hall than existing. The assessment concluded that the development scheme is not anticipated to cause any harm to the heritage significance of Pickwood Hall.

6.31 In terms of the Leek Conservation Area, the assessment considered that the site makes a very small contribution to the heritage significance of the Conservation Area through setting. It goes on to state that views from the edge of the Conservation area on the path will be minimally affected, with views to the parkland over sailing the development. The assessment concluded that only a very small amount of harm to the heritage significance of the Conservation Area is anticipated.

6.32 Whilst the development proposal would result in limited harm to the heritage significance of the Conservation Area, in potential conflict with Policy D2, this would be outweighed by the heritage benefits which would arise as a result of the restoration of the Lady of the Dale Well and its setting. As set out earlier in this statement, a recent Appeal Decision (ref. APP/B3438/W/15/3005261) made clear that Policy DC2 is not consistent with the Framework (paragraph 13) as it does not allow for the weighting of harm against public benefits and does not distinguish between heritage assets of different levels of importance. Overall, it is considered that the proposal accords with the general thrust of Policy DC2 and, to a greater extent, recent heritage policy as set out in the Framework.

6.33 Policy DC3 sets out the Council's approach to protecting and enhancing local landscapes in the district. The policy provides support for opportunities to positively manage the landscape and enhance the setting of settlements. As set

out earlier in this Statement, a Landscape and Visual Appraisal has been undertaken in support of the application. The development proposal has been designed to respond to the local landscape in accordance with Policy DC3.

6.34 Policy C2 and C3 promote the development of high quality and multi-functional recreational open space and green infrastructure. This includes the improvement of accessibility/ linkages to formal and informal recreation opportunities. An area of public amenity land and public access improvements are proposed as part of the development scheme. This is wholly consistent with Policy C2 and C3.

6.35 Policy NE1 seeks to ensure that biodiversity and geological resources are conserved and enhanced. The policy also provides support for the provision and protection of green infrastructure. An Ecological Appraisal has been carried out as part of this Planning Application. The full report is included as part of the application submission. A summary of the findings is provided below.

6.36 The site does not fall within the designation boundary of any site of international, national or regionally important nature conservation importance.

6.37 The nearest site of international importance is the South Pennine Moors SAC which forms part of the large area covered by the Peak District Moors SPA, approximately 5.5km northeast of the site. There would be no impact on these sites given their distance from the proposed development.

6.38 The nearest site of national importance is Coombes Valley SSSI which is located approximately 3.3km southeast of the site. The proposed development site is not located within the SSSI Impact Risk Zone and, as such, no impact is likely to arise.

6.39 There are two local Local Nature Reserves (LNR) within 2km of the site; Brough Park Fields LNR and Ladderedge Country Park. Given the maximum number of houses proposed, it is considered that the level of increased visitors to these sites would not constitute a negative impact.

6.40 There are a number of non-statutory designated wildlife sites within 1-2km of the site. The site falls within the designation boundary of Ladydale Site of Biological Importance (SBI). Locally designated sites, which include SBIs, are a material consideration of Staffordshire Moorlands District Council's adopted Core Strategy Policy NE1 Biodiversity and Geodiversity Resources. Development of land within an SBI has the potential to be contrary to policy NE1, but the policy does allow

for development within a designated site subject to certain parameters being met. These include:

> "…mitigation conservation and mitigation measures are provided; or if this is not possible the need for, and benefit of, the development is demonstrated to clearly outweigh the need to safeguard the intrinsic nature conservation value of the site and compensatory measures are implemented"

6.41 The site supports habitats that fail to meet the qualifying criteria for designation as an SBI, despite its inclusion within the wider Ladydale SBI. However, by way of mitigation, habitats of greatest interest will either be conserved in situ or retained/ compensated through translocation or habitat creation within the site in accordance with Policy NE1.

6.42 The presence of badgers was noted in the area, although significant impacts are unlikely to occur.

6.43 Potential effects on fauna would be mitigated by the retention and buffering of suitable habitats such as the mature standard tree, which supports suitable habitat for roosting bats and peripheral hedgerows and scrub, which may support a range of common urban edge bird species.

6.44 Retained habitats shall be sympathetically managed, for example rotational management of fen vegetation to prevent scrub and woodland encroachment and annual management of retained and created grassland habitats to maximise species diversity. This would ensure compliance with Policy NE1 to provide mitigation and compensation.

6.45 Policy T1 states that the Council will support and promote development which reduces reliance on the private car for travel journeys and the need to travel generally. The proposed development site is located within the town of Leek in close proximity to the town centre and a range of services and amenities. The proposal also includes public access improvements. The proposal is therefore wholly consistent with Policy T1.

THE FRAMEWORK AS A MATERIAL CONSIDERATION

6.46 The Framework is an important material consideration in relation to this application. The key implications of the Framework policies for the proposals are set out below.

Building a Strong, Competitive Economy (Framework Section 1)

6.47 The application sets out a proposal to provide 3no. residential dwellings within the defined limits of development. The proposals are in full accordance with the Framework and its support for sustainable economic development to deliver new homes (para 17).

6.48 The residential proposals will deliver economic benefits through the provision of new jobs during construction. The proposals will also bring limited additional population to the local area, helping to support and sustain existing facilities and services in Leek.

Promoting Sustainable Transport (Framework Section 4)

6.49 The Framework emphasises that the transport system needs to be balanced in favour of sustainable transport modes, giving people real choice about how they travel. Development should only be refused on transport grounds where the residual cumulative impacts of the development are severe.

6.50 The Design and Access Statement that accompanies the application demonstrates that the development and particularly access to the development can be successfully accommodated on the local highway network.

6.51 The site is well related to the range of facilities and services available in Leek. Options for the use of sustainable transport modes, including walking, cycling and public transport will be available to future residents of the development. This is consistent with the Framework's aim of reducing reliance on the private car and the need to travel generally.

Delivering a Wide Choice of High Quality Homes (Framework Section 6)

6.52 The Framework requires authorities to meet the full, objectively assessed needs for market and affordable housing and to identify a supply of specific deliverable sites to provide 5-years worth of housing with an additional 5% or 20% buffer depending on whether there is a record of persistent under delivery of housing.

6.53 The Staffordshire Moorlands Housing Delivery Schedule (March 2017) indicates that the Council can only demonstrate 1.99-years supply, a significant shortfall of over 3-years. Whilst the development proposal is only small scale it would nevertheless contribute to this housing supply shortfall. The lack of a 5-year supply of deliverable housing land should be given significant weight in the determination of this application.

Requiring Good Design (Framework Section 7)

6.54 The Framework emphasises the importance of achieving good design and advises that proposals that can demonstrate close working with those directly affected in evolving design proposals should be looked on more favourably.

6.55 The Design and Access Statement outlines the approach that has been taken to developing the proposals for the site. The proposals take account of the local context for the site and have been informed by local landscape character and existing patterns of development.

Promoting Healthy Communities (Framework Section 8)

6.56 The southern part of the site includes an area of new public open space adjacent to an existing Public Right of Way. Existing trees on site are to be retained where possible and supplemented by additional planting.

6.57 The provision of open space for informal recreation is consistent with the objectives of the Framework.

Meeting the Challenge of Climate Change, Flooding and Coastal Change (Framework Section 10)

6.58 The Framework advises that new development should be steered towards areas with the lowest probability of flooding.

6.59 The application site falls within Flood Zone 1 and therefore its development is wholly consistent with the sequential approach to flood risk.

Conserving and Enhancing the Natural Environment (Framework Section 11)

6.60 The Framework advises that the planning system should contribute to and enhance the natural and local environment by;

- Protecting and enhancing valued landscapes, geological conservation interests and soils;
- Recognising the wider benefits of ecosystem services;
- Minimising impacts on biodiversity and providing net gains where possible.
- Preventing development from contributing to or being adversely affected by unacceptable levels of soil, air, water or noise pollution;
- Remediating despoiled, degraded and derelict land where appropriate.

6.61 The approach to the development of the site has been informed by a Landscape and Visual Appraisal to ensure that the impacts of the development are successfully mitigated.

6.62 The Ecological Assessment submitted as part of the application demonstrates that the proposals would not have an unacceptable impact on biodiversity interests. Mitigation measures proposed as part of the scheme include the retention and buffering of important habitats and habitat management.

Conserving and Enhancing the Historic Environment (Framework Section 12)

6.63 The Framework advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.

6.64 A Built Heritage Assessment submitted as part of the application concluded that the proposal would cause a very small amount of harm to the heritage significance of the Leek Conservation Area through setting, and would enhance the heritage significance of the Lady of the Dale Well (Grade II Listed).

FRAMEWORK POLICIES INDICATING DEVELOPMENT SHOULD BE RESTRICTED

6.65 Paragraph 14 of the Framework advises local planning authorities to grant planning permission for proposals where the development plan is absent, silent or relevant policies are out-of-date unless adverse impacts would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted. The footnote gives examples of such specific policies including;

- Sites protected under the Birds and Habitats Directive;
- Sites designated as SSSIs;
- Land designated as Green Belt;
- Local Green Space;
- Land within an AONB, Heritage Coast or National Park;
- Designated heritage assets (listed buildings, scheduled ancient monuments and historic parks and gardens);
- Locations at risk of flooding.

6.66 The application site is not affected by any of these designations and therefore the Framework does not indicate that development should be restricted in this location.

DELIVERING SUSTAINABLE DEVELOPMENT

6.67 The Framework describes the presumption in favour of sustainable development as the golden thread running through both plan-making and decision-taking. There are three dimensions to sustainable development: economic, social and environmental.

6.68 The proposals will deliver clear economic benefits through the development of new housing with associated employment benefits during construction. Social gains will be delivered through the provision of a new area of publicly accessible open space. Environmental gains, in terms of both the natural and historic environment, will be delivered through the retention and enhancement of the grassland area and the restoration and enhancement of the Lady of the Dale Well (Grade II Listed) and its setting.

6.69 The site is well related to the range of facilities and services available in Leek. Options for the use of sustainable transport modes, including walking, cycling and public transport will be available to future residents of the development.

6.70 In terms of environmental impacts, the site relates well to the existing settlement form, and is bounded by existing residential development on three boundaries. The proposals have been prepared to ensure that any wider impacts on the landscape are limited through both the location of development on the site and the provision of appropriate landscaping.

7. CONCLUSIONS

7.1 The Framework sets out the Government's policy on planning and is an important material consideration in the determination of applications. It sets out the weight to be attached to adopted and emerging development plan policies.

7.2 The proposed development involves the provision of 3no. residential dwellings together with an area of public amenity land. In addition, the proposals involve the restoration and enhancement of a designated heritage asset. The proposals will help to meet strategic housing requirements in the District, whilst delivering a development that is sustainable, delivering economic, social and environmental benefits.

7.3 Given the shortfall in housing supply when considering the most up-to-date housing evidence to provide for full and objectively assessed housing needs, relevant policies on housing supply are out-of-date and the Council is required to grant planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits or specific policies in the Framework indicate development should be restricted.

7.4 This statement has demonstrated the proposals consistency with the thrust of relevant policies in the Core Strategy seeking to focus new development in the most sustainable settlements. The proposed development site lies within the town of Leek where the greatest proportion of growth is planned in the district due to its sustainability credentials/ position in the settlement hierarchy. It is therefore wholly consistent with the Council's spatial strategy.

7.5 The site does not fall within an area where Framework policies indicate development should be restricted. In view of the perceived shortfall in housing land supply, any adverse impacts do not significantly and demonstrably outweigh the benefits of delivering new housing on the site.

7.6 A detailed Landscape and Visual Appraisal has been undertaken to consider the impacts of the proposal on the locality. The appraisal demonstrates that the proposed development represents a small-scale change to a small part of the landscape. The visual impacts of the proposal are not considered significant due to their limited nature and scale. In overall terms, the proposed development scheme includes measures to protect and enhance the local environment and has been sensitively designed to respond to the local landscape in accordance with Policy SS7 and DC3.

7.7 In accordance with section 38(6) of the Planning and Compulsory Purchase Act (2004) and the presumption in favour of sustainable development, the application should therefore be approved.