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PLANNING, DESIGN & ACCESS STATEMENT

PROPOSAL : FULL PLANNING APPLICATION FOR THE ERECTION OF A SINGLE DWELLING AND DETACHED GARAGE

ADDRESS : LAND ADJACENT TO DEEPDALE, BIRCHALL LANE, LEEK, ST13 5RA

APPLICANT : MR & MRS P COOPER

DATE : APRIL 2018 JOB No. : 2018-2323

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1.0 INTRODUCTION

Sammons Architectural Ltd have been appointed by Mr & Mrs Cooper to prepare and submit a full planning application for the erection of a detached dwelling and garage on land adjacent to Deepdale, Birchall Lane Leek. Outline planning permission which sought means of access and layout with all other maters reserved for a detached dwelling and garage was granted at appeal on 16th January 2018 (APP/B3438/W/17/3183984). A copy of the Planning Inspectorate's decision letter is attached as Appendix 1 to this report.

2.0 SITE DESCRIPTION

The application site forms part of the garden of a large detached house called Deepdale which is situated at the end of a private road, Birchall Lane. The surrounding area is residential and is chaarcterised by mainly detached properties standing in their own grounds. Some of these plots have been subdivided over the years and there is a variety of ages, styles and sizes of dwelling in the area. The Birchall Lane area lies on a hill which rises from Cheddleton Road but the application site itself lies in a dip between Deepdale and Birchall Wood. The difference in land levels between the application site and Deepdale is significant at around 8m and is enclosed by substantive mature vegetation.

Towards the northern boundary and adjacent to the existing site access lies a small group of protected trees. The eastern boundary comprises a rising embankment of mature trees and is designated as a Nature Conservation Area.

For the purposes of the development plan the application site lies within the town development boundary where there is a general presumption in favour of development.

3.0 PROPOSAL

This is a full planning application which seeks consent for the erection of a detached dwelling and garage. The proposed dwelling which would have a simple rectangular plan form would measure 16m long x 6.5m deep. It would have an eaves height of 5m and an overall ridge height of 7.8m. It would consist of a large open plan kitchen / dining room with separate lounge, utility room, w.c and hallway at ground floor with en-suite master bedroom, three additional bedrooms and family bathroom above.

The proposed double garage which would measure 7.2m x 6.5m would have an eaves height of 2.6m and an overall ridge height of 5.4m. The proposed dwelling and garage would be located on the lower garden area and would be accessed from a new driveway off Birchall Lane which would be served off the existing access arrangement. The driveway would run contiguous with the western boundary of the site and along the side of Deepdale before turning to the north and running along the rear of the existing dwelling before snaking around the northern boundary and into the garage which would be accessed from the east.

The proposed dwelling and garage would sit centrally within the plot with their axis running in a north to south direction. The proposed dwelling has been designed to appear akin to a traditional farmhouse with attached barn with modest detached garage and would be constructed from facing brickwork under a plain clay tile.

4.0 HISTORY

SMD/2017/0130 Outline permission with details of access and layout for the erection of 1 detached dwelling and detached garage. Refused. Allowed at appeal reference APP/B3438/W/17/3183984

5.0 POLICY

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.

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 Staffordshire Moorlands Core Strategy DPD (2014).

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.

The most relevant policies of the adopted Core Strategy DPD are considered to be SO1 (Spatial Objectives), SS1 (Development Principles), SS1a (Presumption in favour of Sustainable Development), SS5a (Leek Area Strategy), H1 (New Housing Development), DC1 (Design Considerations), NE1 (Biodiversity and Geological Resources), T1 (Development and Sustainable Transport).

The following are also considered to be of particular relevance to the consideration of this application:-

- National Planning Policy Framework
- Staffordshire Moorlands Annual Monitoring Statement

6.0 ASSESSMENT

The key issues are considered to be:

- The Principle of development;
- The Impact on the character and appearance of the area
- The impact on Residential Amenity;
- Means of Access and Highway Safety;
- The impact on biodiversity and the ecological value of the adjacent woodland; and
- Any other material considerations.

Principle of development

The application site lies within a residential area within the town's development boundary where there is a general presumption in favour of sustainable development. The principle of residential development and more specifically the erection of a single dwelling and detached garage has been considered and accepted by the Planning Inspectorate during the recent appeal earlier this year. The existence of an extant permission for outline development is considered to be a material and significant consideration and the principle of residential development on this site is therefore considered acceptable.

Impact on the character and appearance of the area.

Core Strategy 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 ..."

Policy H1 of the Council's Core Strategy requires that new housing development should be compatible with the character of the surrounding area. The specific design policies of the CS also seek to promote local distinctiveness and positively contribute to the area as is similarly reflected in the NPPF which confirms that the Government attaches great importance to the design of the built environment. It furthermore states that good design is a key aspect of sustainable development; is indivisible from good planning; and should contribute positively to making places better for people. Developments should function well and establish a strong sense of place creating attractive and comfortable places to live, work and visit. Proposals should also optimise the potential of the site to accommodate development and respond to local character and history including local materials and the use of good architecture and appropriate landscaping. Developments should also create safe and accessible environments where crime and disorder and the fear of crime do not undermine quality of life or community cohesion.

Paragraph 56 of the NPPF advises that the Government attaches great importance to the design of the built environment. Paragraphs 63 and 64 go on to comment that in determining applications, great weight should be given to outstanding or innovative designs which help to raise the standard of design more generally within the area. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of the area.

In this respect the area surrounding the site is characterised by detached dwellings in spacious plots. The proposed plot is similar in size to many of the plots on Birchall Lane and it is not considered that the proposal would harm these characteristics or the spacious character of the area. The proposed dwelling would be located on the lower garden area of Deepdale and any public views would be limited due to the topography of the site and established screening. Some limited views of the proposed development would be visible from the adjacent public footpath to the south however these would be from a distance and the proposed dwelling and garage would still be less visible that other houses off Birchall Lane which lie on higher ground. The proposal would not therefore lead to an unduly prominent form of development and would not therefore harm the character and appearance of the area.

This area of Birchall is characterised by a wide and diverse mix of housing forms and design and there is no particular local distinctiveness. The proposed dwelling has a simple rectangular footprint with a simple utilitarian appearance which is reflective of a farmhouse with attached barn. It has a high solid to void ratio with internal chimney stacks to frame the building at either end. Windows have a vertical emphasis with greater areas of glazing on the eastern elevation to take advantage of the views. The proposed garage is modest in terms of its size and scale and its

overall design is reflective of its use. The proposed development would be constructed from good quality natural materials which would ensure that it is quickly assimilated into the landscape. in terms of size and scale the footprint of the proposed dwelling is comparable to that previously approved as part of the outline application and its overall size and scale is considered to be reflective and in keeping of the area which is characterised by large dwellings in generous plots.

Whilst some excavation and re-grading works would be required to facilitate the access road serving the proposed development these would be substantially less than those approved as part of the outline application. The approved access driveway was originally shown and approved as running down a slope to the south of the existing house. The deepest part of which was shown to 3m below the ground level. This arrangement was considered to be structurally challenging and therefore the current application seeks to proposes to sweep the access driveway across the rear of Deepdale and its garage, across the northern elevation of the site enter the dwelling and garage from the east. This arrangement results in a much gentler and less engineered approach as it works with the contours of the site.

Amenity

The National Planning Policy Framework (Chapter 7) emphasises that good design is indivisible from good planning and should contribute positively to making places better for people. The NPPF also states that developments should function well and add to the overall quality of the area. Core Strategy policy DC1 requires that all development proposals should 'protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.' The Council's Supplementary Planning Guidance 'Space About Dwellings' details standards that should be considered and met to ensure privacy for existing and proposed residents.

The proposed dwelling would be located approximately 27.5m from the existing dwelling at Deepdale and built on land approximately 8m lower than the existing house. Given the topography of the site and the juxtaposition of the proposed dwelling with the existing residential development it is not considered that it would adversely affect residential amenity.

The extraction works for the proposed access road would take place directly to the south of the existing dwelling and not between the dwelling and the neighbouring property San Miguel. A 5m landscaped buffer between the adjacent property and the access road, as shown on the outline application has been retained as part of the proposal. Whilst the revised access track has now been re-routed so that it passes across the rear of Deepdale it is not considered that there would be any impact on the light provision of privacy enjoyed at Deepdale as a result of the access road.

The garden area around the proposed house is adequate for the future occupiers of the proposed dwelling and a garden of adequate size would also remain for the occupants of Deepdale.

Highways

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 is reflected in CS Policy T1 Development and Sustainable Transport.

Birchall Lane is a private/unadopted highway and as such no objections were received from the Local Highways Authority during the consideration of the previous outline application. Whilst the

internal access driveway has been repositioned as outlined above the point of access from Birchall Road, which was considered acceptable by the Planning Inspector has been retained. The proposed development is not therefore considered to raise any adverse impacts in terms of highway safety.

Biodiversity

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.

Birchall Wood which lies adjacent to the site is a designated SMDC Nature Conservation site. The proposed development is sited wholly within the garden area on the site of a former tennis court and no part of it would be located within the woodland or conservation site. Whilst the Planning Inspector consider the woodland to have potential ecological value it was considered that necessary conditions could be imposed to safeguard any ecological interest. No ecological survey was submitted with the outline application and whilst the council suggested a condition requiring one to be undertaken with regards to badgers it was considered not to be appropriate in this case (see paragraph 22 of the appended appeal decision at Appendix 1).

7. CONCLUSION

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.

For the reasons given above it is considered that residential development on the application site would provide clear social and economic benefits in relation to housing within an accessible and sustainable location in a housing supply context of significant under provision. This application should therefore be considered in the context of the presumption in favour of sustainable development as confirmed by paragraphs 14 and 49 of the National Planning Policy Framework. The principle of residential development on the application site has already been considered and accepted by a recent planning appeal. The extant outline consent is a material and significant consideration in the determination of this application. The size, scale and overall form and design of the proposed development is in keeping with the locality and would not result in any harm to the character and appearance of the area. The proposed development would not be prejudicial to the reasonable enjoyment of any of the surrounding residential properties nor would it be detrimental to highway safety. The LPA is therefore respectfully requested to approve outline planning permission for a single dwelling and detached garage on land adjacent to Deepdale, Birchall Lane, Leek subject to any planning conditions it may feel are necessary.

8.0 DESIGN & ACCESS STATEMENT

USE

The application proposes the use of the application site for residential purposes. This form of development is considered to reflect the nature and character of existing development which surrounds the site.

AMOUNT

The application proposes the erection of a single detached dwelling with garage This amount of development is considered to comply with adopted development plan policies and is in keeping with the nature and character of existing development which surrounds the site.

LAYOUT

The proposed development would be located centrally within the plot with the axis of the buildings running in a north to south direction as shown on the submitted plans.

SCALE

The area is characterised by large dwellings which sit within generous plots. The proposed dwelling would have a footprint of 16m x 6.5m x 5m to the eaves and 7.8m to the ridge. The proposed garage would measure 7.2m x 6.5, x 2.6m to the eaves and 5.4m to the ridge. It is considered that this scale of development would be in keeping with the nature and character of existing development which surrounds the site.

LANDSCAPING

The site is located within a mature garden which benefits from established planting. No additional landscaping is proposed as part of the application.

APPEARANCE

The submitted scheme, as shown on the attached drawings shows a traditional moorlands style farmhouse with attached barn and detached outbuilding. It would be constructed from facing brickwork and plain clay tiles to the LPA approval. The overall design of the scheme is simple and in keeping with its rural setting.

ACCESS

Access would be via the existing access at Deepdale and has already been assessed and considered appropriate by the Planning Inspectorate in consideration of the previous outline consent.