JMIPlanning
Town Planning Consultants
+44 (0) 1889 566107
enquiries@jmiplanning.com
jmiplanning.com

Planning Statement – Outline application for residential development at land adjacent to Black Lane.

Black Lane, Whiston, ST10 2JA

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Project	Land adjacent to Black Lane, Whiston.
Client	Mr Pete Bull
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Project Team	Jim Malkin / Teodora Golemdzhiyska
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Document Produced by:

JMI Planning Limited
62 Carter Street
Uttoxeter
Staffs
ST14 8EU

Phone: 01889 566107
Email: enquiries@jmiplanning.com

www.jmiplanning.com

Contents

1 Introduction 3
2 Site Description 3
3 The Proposed Development 4
4 Planning Policy Context 5
National Planning Policy Framework 5
Staffordshire Moorlands Core Strategy (2014) 7
5 Planning Considerations 8
Principle of Development 8
Economic 9
Environmental 10
Social 11
Sustainability Conclusions 12
Other Matters 13
Impacts on Character and Appearance 13
Amenity of Neighbours 14
Highway Safety 14
Flood Risk 15
6 Conclusions 15

1 Introduction

1.1 JMI Planning is a Midlands based town planning consultancy. Its directors are chartered town planners with over 30 years' combined experience in both the public and private sector.

1.2 The author of this Statement Jim Malkin has worked as a principal planning officer in local government, and more recently as a Planning Consultant in the private sector. He has extensive knowledge of the planning system and experience of the appeals process. He is a member of the Royal Town Planning Institute.

1.3 This statement accompanies an indicative layout completed by AJS Structural Design

2 Site Description

2.1 The application site, located off Black Lane, consists of a small overgrown garden. The site directly backs onto a small number of residential properties, comprising a mixture of more traditional dwellings and several new build dwellings.

2.2 The site is located on the eastern edge of the village of Whiston, approximately 5 km north of the town of Cheadle.

2.3 The site is adjoined by residential properties to the east, and south by Whiston Hall Hotel & Golf Club and its associated outbuildings and open spaces. The two semi-detached dwellings to the east, limit views of the site from Black Lane, and the copse of trees to the north of the site restrict the views from the adjoining highway.

2.4 The application site is within 600m of local facilities including Whiston Village Hall and St Mildred's Primary School. There are a number of bus stops located within walking

distance of the application site which are serviced by a regular bus, connecting the village to the local town of Cheadle.

2.5 The area of land is currently accessed through an access track from Black Lane, this currently serves two semi-detached properties and the outbuildings associated with Whiston Hall Hotel.

2.6 In terms of planning constraints, the site is not located within a conservation area and is located within flood zone 1. There is no planning history relevant to the plot of land. There are a number of small ancillary outbuildings scattered across the site, however the land is in a dilapidated state and detracts from the character of the village.

2.7 The site and its surroundings are shown on the following aerial photograph.



Figure 1 - Aerial view of the application site in relation to the surrounding.

3 The Proposed Development

3.1 The application is submitted in outline with all matters reserved and proposes the erection of 2 detached dwellings, the scheme also proposes the provision of vehicular access and car parking for 4 The Plain.

3.2 Whilst design and scale are reserved for later approval it is anticipated the properties will exhibit traditional design and proportions and be finished with an attractive landscaping scheme.

3.3 The site will be accessed via the existing track to the south of the site connecting to Black Lane. It is expected that each property will benefit from designated parking provisions with sufficient space for manoeuvring.

3.4 Each dwelling will benefit from a domestic curtilage commensurate with the size of the dwelling proposed. In addition, an area of orchard planting will be provided to the north of the site to provide a soft edge to the adjoining agricultural fields.

4 Planning Policy Context

National Planning Policy Framework

4.1 Paragraph 14 advises that at the heart of the National Planning Policy Framework is a presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with an up-to-date Local Plan; and also in circumstances where the development plan is absent, silent or relevant policies are out-of-date unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the Framework taken as a whole.

4.2 One of the core principles of the NPPF is that planning should proactively drive and support sustainable economic development to deliver the homes that the country needs.

4.3 Paragraph 9 of the NPPF states that "*pursuing sustainable development involves seeking positive improvements in the quality of the built, natural and historic environment, as well as in people's quality of life, including (but not limited to):*

- making it easier for *jobs to be created in cities, towns and villages;*
- *moving from a net loss of bio-diversity to achieving net gains for nature;*
- *replacing poor design with better design;*
- *improving the conditions in which people live, work, travel and take leisure; and*
- *widening the choice of high quality homes."*

4.4 Paragraph 49 of the NPPF states that "housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites".

4.5 Chapter 7 of the Framework relates to design. Paragraph 58 advises that decision makers should aim to ensure that developments respond to local character and history, reflect the identity of local surroundings and materials, and are visually attractive as a result of good architecture and appropriate landscaping. Paragraph 61 of makes it clear that good design goes beyond purely aesthetic considerations and also relates to how development is integrated into the natural and built environment. Paragraph 63 encourages design which raises the quality of the built environment in its setting.

Staffordshire Moorlands Core Strategy (2014)

4.6 Whiston is defined as a 'Smaller Village' within the Core Strategy. The following policies have been considered in this statement:

SS1 – Development Principles

SS1a – Presumption in Favour of Sustainable Development

SS6b – Smaller Villages Area Strategy

R2 – Rural Housing

H1 – New Housing Development

DC1 – Design Considerations

DC3 – Landscape and Settlement Setting

4.7 Staffordshire Moorlands District Council are currently unable to demonstrate a five-year supply of deliverable housing sites as required by Paragraph 49 of the NPPF. The last published figure (March 2017) advised that the Borough can show a 1.99-year land supply. Therefore, the relevant policies for the supply of housing should not be considered up to date.

4.8 As stated in Paragraph 14 of the NPPF, where relevant policies are outdated, development should be assessed under the "Presumption in Favour of Sustainable Development". Policy SS1a of the Local Plan therefore carries significant weight in the decision making process. Details of the policy are as follows:

SS1a – Presumption in Favour of Sustainable Development

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 this Core Strategy (and, where relevant, with polices in neighbourhood plans) 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.*

4.9 The emerging Staffordshire Moorlands Local Plan has reached the end of the submission consultation but has not yet been submitted for formal examination by an independent inspector. Therefore, at this stage the emerging Local Plan carries very limited weight in the determination of planning applications.

5 Planning Considerations

Principle of Development

5.1 The proposal involves the completion of a small scale residential development within a rural village. In light of the Council's current land supply position policies in relation to the provision of new housing are rendered out of date, and therefore the scheme needs to be considered against the 'presumption in favour of sustainable development' as set out in paragraph 14 of the NPPF, and policy SS1a of the Core strategy. On this basis, the Council is required to grant planning permission unless

'any adverse impacts of development…. significantly and demonstrably outweigh the benefits of the scheme'.

5.2 Paragraph 17 of the NPPF states *"allocations of land for development should prefer land of lesser environmental value, where consistent with other policies in this framework".* The existing land is currently a degraded field, with no beneficial use or any particular merit in the landscape. Whilst green in nature the land is redundant domestic curtilage and has a number of derelict outbuildings scattered across the site and therefore constitutes brownfield land.

5.3 The adopted Local Plan categorises Whiston as a Smaller Village. The plan recognises that these villages provide a limited range of services and facilities and as such development on a large scale is unsustainable in these villages. However, the plan recognises there is a need for some housing development in order to sustain the prosperity of the village and to fulfil the housing needs of the residents.

5.4 The application site lies outside, but adjacent to Whiston's settlement boundary as set out in the adopted Local Plan.

5.5 The following paragraphs will consider the economic, environmental and social benefits the development will bring to the local community.

Economic

5.6 One of the core principles of the NPPF is that planning should proactively drive and support sustainable economic development to deliver the homes that the country needs. Paragraph 19 of the NPPF prescribes significant weight to the economic benefits of proposals in the overall planning balance.

5.7 The proposals would deliver both short term and longer term economic benefits. In the short term the proposal would bring about the economic benefits associated

with new development including supporting the construction industry both directly through construction jobs on site and indirectly through the supply chain.

5.8 In the medium to long term, future occupants of properties on the site are likely to support local services and facilities, helping to safeguard their retention and potentially encourage new services in the village. The proposals would also boost the local labour supply, broadening the choice of suitable candidates for local employers.

Environmental

5.9 The existing land is currently a degraded garden, with no beneficial use. The proposal seeks to enhance the northern portion of the site with orchard planting, as well as retaining remaining vegetation around the periphery of the development.

5.10 Significant thought has been put into the completion of the indicative layout which shows two properties. The existing stone wall located to the southeast of the site will be retained and repaired, so that both properties sit behind the feature. Retaining the wall ensures the character of the existing built environment is preserved and also has the added benefit of hiding cars and associated domestic paraphernalia from public vantage points. The scheme also provides for car parking for 4 The Plain which is a significant benefit in terms of getting existing cars off the road.

5.11 In determining applications the NPPF requires local planning authorities to aim to conserve and enhance biodiversity by applying various principles. Given the current nature of the land it holds little significance to the open landscape or the character of the settlement, whilst there is no evidence that the site contains habitat for any European protected species. There are no trees that will be affected by the proposals, and significant enhancement will be provided through the provision of significant orchard planting to the northern boundary. Therefore, the proposals will have no impact on existing habitat, and will provide opportunities for biodiversity

enhancement in terms of the extra planting, and also through the provision of bat access tiles and bird boxes on/within the buildings.

5.12 The proposal relates well to the existing built form of the village as it immediately adjoins existing residential properties on the edge of the settlement. Paragraph 55 of the NPPF states "housing should be located where it will enhance or maintain the vitality of rural communities… local planning authorities should avoid new isolated homes in the countryside". In line with Paragraph 55 the application site is not an isolated area and provides a sustainable location for housing as it is well related to the existing infrastructure of the village. When viewed from public vantage points the proposal would entirely be seen in the context of the settlement and would not appear as alien form. In conclusion the setting of the proposal would not give rise to environmental impacts.

Social

5.13 The proposals would contribute towards meeting the Council's housing requirement, providing quality homes to meet the significant needs within the Borough. It is acknowledged that Whiston has a limited number of services and there is likely to be some reliance on private motor vehicles to access facilities. However, the NPPF accepts that in rural areas there will be some reliance on the private motor car to serve new development. The site is 1.5km from Foxt and 5km from Cheadle; these larger settlements are provided with a range of facilities and services. Accordingly, Whiston is seen as a sustainable location, within a short drive from services deemed necessary to sustain a proposal of this scale. Whilst the number of amenities is limited, the village still requires a level of organic growth to support and enhance these facilities, and to support the provision of extra services.

5.14 Paragraph 55 of the NPPF recognises the role of rural housing and its contribution to the vitality of rural communities. In Braintree District Council v Secretary of State for Communities and Local Government [2017], the Council challenged the decision of a

planning inspector that a proposal for new housing in the countryside would not result in new "isolated homes" because "there are a number of dwellings nearby". The Judge rejected the Council's case, agreeing with the Secretary of State that the word "isolated" in paragraph 55 of the NPPF should be given its ordinary, objective meaning. This is a home "far away from other places, buildings, or people; remote" (Oxford Concise English Dictionary). A home that is "isolated from services and facilities" is not, therefore, necessarily an "isolated home" as the Council contended.

5.15 In this instance the application site is immediately opposite a cluster of properties located on the edge of the settlement. Following the judgement in *Braintree v SSCLG*, it is clear that the application site is not isolated for the purposes of interpreting Paragraph 55. The location of the proposal is within 500m of a bus stop which provides regular services to larger conurbations such as Cheadle and Leek. Cheadle is classified as a strategic town, and has a wide range of retails options and also provides significant employment opportunities for future residents, as well as access to wider public transport options linking the site to larger conurbations such as Stoke on Trent.

5.16 The site is well related to the existing settlement, which encourages community cohesion and will ensure that new residents do not feel isolated. The proposals would therefore contribute positively towards the vitality of the local community, increasing its population with new residents that can support and enhance local services and partake in social and community activities.

5.17 As such, the development complies with the guidance provided in Paragraph 55 of the NPPF and SS1 of the Core Strategy.

Sustainability Conclusions

5.18 Whilst it is fully accepted that the location of the development will give rise to a small number of increased journeys, this is far outweighed by the benefits associated

the redevelopment of this site which provides for significant social, environmental and economic benefits to the village and the wider borough.

5.19 Given the above it is considered that the proposal can be considered sustainable development which accords with the requirements of paragraph 14 of the NPPF, and policies SS1 and SS1a of the Staffordshire Moorlands Core Strategy.

5.20 The only objection to the development would appear to be its location outside of any designated settlement boundary. Despite that, there would appear to be no conflict with the National Planning Policy Framework, or the adopted development plan. It is not sufficient simply for a development proposal to be in conflict with the wording of a development plan policy for it to be necessarily objectionable. For example, if there would be no actual manifestation of harm then there would be no sensible purpose served by rejecting a development, and this is the case in this instance.

Other Matters

Impacts on Character and Appearance

5.21 In terms of wider impacts of the proposal the field is not of any particular merit in the landscape. When viewed from the south-west (the only available open view) the site is read against the backdrop of the adjoining dwellings and therefore visual landscape impacts are limited.

5.22 The built context of the application site is one characterised by variety. The village of Whiston comprises of a mix of dwelling types and materials. The immediate context constitutes of a mixture of original and newly built detached and semi-detached dwellings, constructed of stone with plain clay tiles. Buildings in this area are predominantly two storey.

5.23 The application is submitted in outline with all matters reserved except for means of access. As such, the precise layout of the site and the scale and appearance of properties has yet to be determined. However, the illustrative layout shows a scheme which will respect the character of the area and will integrate acceptably with adjoining built form contributing positively towards the varied character of Whiston.

5.24 Whilst detailed designs of the proposed dwellings have yet to be prepared, it is anticipated that the proposed development will be high quality and be in keeping with the rural nature of the village.

5.25 The illustrative layout demonstrates that the site can comfortably accommodate the level of development proposed without detrimentally affecting the character or appearance of its surroundings. Subject to the provision of an appropriate design at reserved matters stage it is considered that the proposal will enhance the character and appearance of the area.

Amenity of Neighbours

5.26 Whilst detailed designs and layouts of individual dwellings have yet to be prepared, the illustrative layout demonstrates that 2 dwellings can be accommodated upon the site whilst retaining sufficient separation to neighbouring dwellings so as to avoid unacceptable impacts upon daylight and privacy.

5.27 Whilst there may be a degree of increased noise and disturbance associated with increased comings and goings during the construction works. It is unlikely to be significant given the level of development proposed.

Highway Safety

5.28 Paragraph 32 of the National Planning Policy Framework states that development should only be refused on highway grounds where its impact upon the network would be severe.

5.29 The proposed site access emerges onto Black Lane, which is subject to a 30mph speed limit. The width and alignment of the carriageway however is such that vehicle speeds adjoining the site are significantly lower than this.

5.30 This access point is provided with good visibility in both directions and will not result in an increase in vehicle conflict in the locality. The scheme provides for vehicular access to 4 The Plain allowing for off road parking which will benefit the occupiers of this property and also users of the wider highway network.

5.31 The proposals will therefore not prejudice the safe or efficient use of the highway network.

Flood Risk

5.32 The Environment Agency shows the site lying entirely within Flood Zone 1, where the annual probability of flooding from rivers or the sea is less than 1 in 1000. The dwellings would not therefore be at unacceptable risk from flooding and neither would they exacerbate flood risk elsewhere.

6 Conclusions

6.1 The application is an outline application for the erection of 2 dwellings and the formation of parking provisions and garden space.

6.2 Staffordshire Moorlands cannot exhibit a five year supply of deliverable housing and therefore the proposals fall to be considered under the presumption in favour of

sustainable development as set out in paragraph 14 of the NPPF. The Council is therefore required to grant planning permission unless *'any adverse impacts of development……significantly and demonstrably outweigh the benefits of the scheme'*.

6.3 The scheme provides for significant benefits. In particular the social and economic benefits associated with new development which outweigh the insignificant harm that can be attributed to locational aspects of the development, and the minor increase in the use of the private motor vehicle.

6.4 The proposal also exhibits environmental benefits and makes use of a degraded, previously developed plot of land which is not of any particular merit in the landscape. The proposal sits fittingly against the backdrop of the adjoining dwellings and therefore environmental impacts, such as loss of views are very limited. The scheme has the added benefit of providing vehicular access and off-road car parking for 4 The Plain.

6.5 The development would not detrimentally affect the amenities enjoyed by the occupiers of nearby dwellings or the safe of efficient use of the highway network. The proposals would not harm protected species or their habitats.

6.6 The proposals therefore constitute sustainable development as defined by the National Planning Policy Framework, and as required by policy SS1 and SS1a of the Staffordshire Moorlands Core Strategy.