

Planning applications team  
Moorlands House  
Stockwell Street, Leek  
Staffordshire  
ST13 6HQ  
United Kingdom

18th July 2018

Dear Sir

**Proposed extensions and alterations at Meadow View, Gillow Heath**

Please find attached a brief planning statement in respect of this proposed development.

In preparing this statement I have seen the site, the previous application plans and advised in respect of this revised submission.

Yours Sincerely

Gerald Willard

Chartered Town and Country Planner.  
MRTPI

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## Planning statement

### 1.0 The proposal

The development proposed comprises the following:

- New site access
- Formation of new garage
- Alterations to the bungalow
- Alterations to the existing building to provide additional space mainly within a rear extension and an increase in the roof height.

The changes proposed will leave the existing double garage in situ and available to be included within the future redevelopment of the adjacent residential plot.

### 2.0 Site history

The site is not within the Green Belt but is within the development boundary. The building is not Listed nor of any special design or historic merit. The site is not within a Conservation Area nor does the site or the area around it have any special planning status. There is no planning policy in place to prevent or restrict development to the front of any existing dwelling.

Outline planning permission has been granted to demolish the garage and replace it with a single storey bungalow (SMD/2016/0187).

The applicant has submitted 3 previous applications in respect of this site in an attempt to obtain planning permission to extend the dwelling. This application is closest in all respects to the 2nd application for the site (Ref SMD/2017/0703).

This application was refused for the following single reason:

*1. The proposed development will result in over development of the site and by virtue of its scale, form, and design, will result in a significant adverse harm to the overall character and appearance of the street scene; in direct conflict with policies*

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*SS1 and DC1 of the adopted Staffs Moorlands Core Strategy and Chapter 7 of the NPPF; thereby constituting an unsustainable form of development contrary to paragraph 14 of the NPPF*

It is set out clearly in this decision that the council considered that the application breached SS1 and DC1 of the Core Strategy and chapter 7 and paragraph 14 of the NPPF.

The officers report set out the detailed concerns as follows:

It is was clear that the council were content with the last application in terms of amenity and highway safety.

It the sole design concern of the council that the garage and engineering works associated with these works at the front of the house would be unacceptable. The officer report reads:

*"With regards to the proposed garage, which would sit below the garden, it is acknowledged that the applicant submitted revised plans which have attempted to address previous design concerns by lifting the slab level of the garage by 400mm and thereby reducing the level of engineering required."*

and

*"As such, it is considered that whilst the previous concerns relating to the increase in ridge height of the main dwelling have been addressed, the underground garage, would, despite attempts to reduce the level of engineering works, continue to result in a heavily engineered solution and overdevelopment of the site, which is considered to result in significant harm to the character and appearance of the street scene by virtue of its layout, scale, form and design."*

It is clear the council seek to impose their design preference for the garage to be at the rear of the site. They state:

*"Given the amount of space to the rear of the property, one solution put forward by the local authority was to consider a detached garage to the rear of the property. As the adjacent bungalow only has outline consent with*

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*matters of layout still to be agreed there is scope to move this bungalow slightly further along in the plot to accommodate a small access to the rear. This option was not taken up by the applicant."*

The applicant does not wish to have a garage at the rear of the house and feels it is not required by any planning policy.

The council were happy with the height of the proposal and the rear extension and the officer report confirms:

*'The application has submitted revised plans which show the proposed alterations to the roof resulting in an overall height of the bungalow which is comparable to that approved under SMD/2013/1071 which has not been implemented and has now expired. These revised alterations, together with the proposed rear conservatory are considered to be acceptable in design terms....."*

This statement seeks to set out why the present application is compliant with planning policy and acceptable in both its own design terms and in terms of its impact on the street-scene.

### **3.0 Planning policy considerations**

#### *National Planning Policy Framework*

*14. At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.*

*For plan-making this means that:*

*local planning authorities should positively seek opportunities to meet the development needs of their area;*

*Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*

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

*– specific policies in this Framework indicate development should be restricted.<sup>9</sup>*  
*For decision-taking this means:*

*approving development proposals that accord with the development plan without delay; and*

*where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless:*

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

*– specific policies in this Framework indicate development should be restricted.<sup>9</sup>*

*48. 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.*

*49. 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.*

*57. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.*

*63. In determining applications, great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area.*

*64. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions.*

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65. *Local planning authorities should not refuse planning permission for buildings or infrastructure which promote high levels of sustainability because of concerns about incompatibility with an existing townscape, if those concerns have been mitigated by good design (unless the concern relates to a designated heritage asset and the impact would cause material harm to the asset or its setting which is not outweighed by the proposal's economic, social and environmental benefits).*

#### Staffordshire Moorlands Core Strategy DPD March 2014

#### *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 policies in neighbourhood plans) will be approved without delay, u*

*SO2. To create a District where development minimises its impact on the environment, helps to mitigate and adapt to the adverse effects of climate change and makes efficient use of resources.*

#### *SD1 - Sustainable Use of Resources*

*The Council will require all development to make sustainable use of resources, and adapt to climate change. This will be achieved by:*

*1. Giving encouragement to development on previously developed land in sustainable locations in allocating land for development and determining planning applications, except where:*

*a previously developed site performs poorly in sustainability terms and could not be made otherwise acceptable;*

*development upon a previously developed site would cause harm to some asset of acknowledged importance or if it would create an unacceptable flood risk.*

*would secure the future conservation of a heritage asset through appropriate enabling development in accordance with policy DC2, or;*

*is for a rural exceptions affordable housing scheme in accordance with policy H2.*

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- 2. Supporting or promoting proposals that remediate brownfield sites affected by contamination, where this is consistent with other policies and also ensuring that any legacy from former land uses (such as coal-mining) is appropriately addressed so that no future liability for future maintenance or public safety arises.*
- 3. Requiring that development is located and designed to minimise energy needs and to take advantage of maximised orientation to achieve energy savings in line with Policy SD3.*
- 4. Ensuring all major-scale planning applications (10 or more residential units or 1,000+ square metres floor area) are accompanied by a Sustainability/Energy Statement. This should address the energy efficiency, water conservation, sourcing of construction materials, and site orientation aspects of the scheme, and where possible the feasibility of integrating micro-renewables. The degree of detail expected will depend on the scale/complexity of the proposal.*
- 5. The Council will expect that all developers investigate the potential for re-using construction or construction waste materials, especially those sourced locally (which can include those minerals available on site, as appropriate) and integrates where possible on-site waste management facilities.*
- 6. The Council will promote water conservation standards in approved schemes which exceed those set out in the Buildings Regulations (for example as expressed in the Code for Sustainable Homes and the BREEAM offices scale).*

#### *SD3 - Carbon-saving Measures in Development*

*The Council will promote further carbon-saving measures in both new and existing developments (where this is consistent with other Core Strategy Policies), in the following ways:*

- 1. Supporting developers who propose exceeding the thermal efficiency standards required by law for new buildings or extensions, at the time of the application. In the case of larger developments such as housing estates the Council will support measures such as 'communal' micro-renewables, or District Heating installations.*
- 2. The Council will support measures by landowners/developers designed to contribute to existing or emerging District Heating networks (for example by connecting 'exporters', with receptors, of heat).*
- 3. The Council will support measures designed to improve the sustainability of existing buildings (such as improved thermal insulation, water conservation, or the installation of micro-renewables).*

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## *DC1 - Design Considerations*

*All development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council's Design SPD. In particular, new development should:*

*be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area;*

*be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance;*

*create, where appropriate, attractive, functional, accessible and safe public and private environments protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping;*

*promote the maintenance, enhancement, restoration and re-creation of biodiversity and*

*geological heritage, where appropriate, in accordance with policy NE1;  
provide for safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use;*

*ensure that existing drainage, waste water and sewerage infrastructure capacity is available, and where necessary enhanced, to enable the development to proceed;  
ensure, where appropriate, equality of access and use for all sections of the community.*



## 4.0 Planning issues

Matters to consider include principle, highway safety, amenity and design/sustainability

### Principle

There is no in principle objection to the development of the site. However because the proposal in essence '*freed up*' the adjacent site especially in the provision of replacement parking and access, it is considered additional positive weight in support of the proposal. The council does not have an adequate supply of housing and the development proposed does 'in principle' play a big part in securing the development of the adjacent residential plot.

In summary the matter of principle weighs in support of this application.

### Highways

The application plans shows parking and turning space on site along with a double car garage. There would be a gentle gradient down the driveway towards the parking area. Well lane slopes steadily and the proposed access position and driveway design respond to the slope at this point. There were no highway objections to the previous scheme and in this case the forward visibility when entering and leaving the site is still acceptable. No highway objections are expected.

### Amenity

Local and national planning policy seek to protect reasonable levels of amenity which would include protecting daylight, sunlight, outlook, privacy and soft landscaping. The proposal will not overlook any adjacent neighbours main windows and there is no reason to believe that the proposal (plans not yet prepared or submitted) would affect or harm amenity on the permitted plot adjacent to the site.

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Due to the positioning of neighbouring properties located on the opposite side of Well Lane and the distance between the proposal and these properties there will be no harm to privacy or amenity resultant from the proposal.

### Design and sustainability

The council have previously indicated when determining application SMD/2017/0703 that they have no objections in design terms to the rear extension or to the change in the ridge height for the proposal as set out in this application. It was and is likely to remain the council's concern that the extension and the engineering work involved in forming the semi/sunken garage is not acceptable.

This matter is the crux and the reason for this planning statement. The present application varies from the previously refused scheme by making explicit the sustainable design features (fabric first, rainwater harvesting and flush fitting solar PV roof panels (see brochures) ) and by minor alterations to the size and positioning of the extension proposals.

The submission is made in this way because the applicant, agent and planning consultant all believe that the proposal is both well designed and policy compliant.

In the first place it is considered a great shame that the council have been unable to accept this innovative design. It is considered that hitherto officers have allowed their own design preferences for the garage to be at the rear of the site to get in the way of a proportionate determination of this application.

It is strongly contested that the proposal for the 'green roof' garage is indeed policy compliant for these main reasons:

- \*It makes efficient use of an established housing site which of course complies with local and national planning policy which seeks to promote sustainable development and increased housing density.

- \*It will use a flat sedum roof which of course assists with managing storm water run off and is the sustainable solution for garage construction. The attached article from SIG Design technology sets out how green roofs comply with the 3 pillars of

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sustainability and offer biodiversity, water management and thermal insulation benefits.

These are sustainable gains which to an extent can be quantified. The council might contest that that the design itself of the works to the front of the site themselves makes the proposal not sustainable. This of course cannot be quantified at all and is a wholly subjective opinion.

The facts are that the local plan policies promote sustainable design.

Policy SS1a says the council will take a '*positive approach*' and '*will secure development that improves the economic, social and environmental conditions in the area.*'

Policy SD1 '**requires** (my emphasis) *to make sustainable use of resources, and adapt to climate change.*' The policy promotes water conservation along with the use of other design techniques and technologies.

Policy SD2 confirms that the council will **strive** (again my highlighting) *to promote the use of renewable technologies and design. In this case the use of fabric first construction will mean bolstering insulation levels. The development will not impact on and local or national biodiversity sites nor will harm amenity. Accordingly the application compiles with policy SD2 in all respects.*

Policy SD3 **promotes** (yet again my highlighting) carbon saving measures '*such as improved thermal insulation, water conservation, or the installation of micro-renewables*'. This proposal does indeed use such techniques and again is policy compliant.

All of the above policies are in alignment with the thrust and clear requirement in paragraph 14 of the NPPF and indeed the entirety of the framework to promote and always support; with a **presumption in favour**, the golden thread of sustainable development.

## 5.0 Specific design policies

Policy DC 1 promotes high quality and creativity and respect for setting. The framework supports good design too but it seeks to ensure a proportionate approach is taken. Paragraph

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57 especially is very pertinent to this application. It says clearly that planning decisions should:

*'not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles.'*

In this case the following is true and certain:-

- The site does not contain a listed building
- The site is not within a Conservation Area.
- The site is not within the Green Belt.
- The site is not within a national park, AONB nor does it has any landscape designation
- The site is not near to any archeological feature or monument
- The site is within a made Neighbourhood Plan area

and finally

- The site is not within an area that has any special townscape features which are special or attractive.

The site is situated on sloping ground which of itself means that existing development is already more engineered than would be the case elsewhere. There is a variety of styles and forms of development locally and this innovative and sustainable design approach for the garage will not appear strident or incongruous in this setting.

It must be noted that at present the site has a driveway on rising ground with cars parked upon it. The cars and the driveway are features that are clearly seen when passing the site. The proposal will result in a garage and parking which is actually much more hidden from view than the existing buildings, driveway and parked cars. The council's concern seems even more irrelevant and over zealous given that planning permission to erect another dwelling adjacent to the application site remains extant.

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## **6.0 Conclusion**

The development is considered acceptable in principle.

There are no amenity or highway objections either. In terms of design and impact on streetscape the development is considered wholly acceptable and will not be damaging. The development includes sustainable design features such as fabric first insulation standards, rainwater harvesting and roof mounted flush fitting solar PV panels, to reduce energy use and to ensure water is recycled.

For all of the above reasons the proposal is considered to be compliant with the NPPF and the Core Strategy and planning permission should be granted.