Rob Duncan
Planning
Consultancy

PLANNING, DESIGN & ACCESS STATEMENT

LAND REAR OF JIM HALLAM LANDROVERS, RUSHTON SPENCER

AUGUST 2018

Site Address:
Land rear of Jim Hallam Landrovers, Macclesfield Road, Rushton Spencer, SK11 0SE

Applicant:
Mr. J. Hallam

Proposal:
Erection of 9no. Dwellings (Outline)

Planning Statement:
Date Issued: 15th August 2018
Job Reference: RDP/2018/006

Report Prepared By:
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1 Introduction

1.1 Rob Duncan Planning Consultancy has been instructed by Mr. J. Hallam to seek planning permission for the erection of nine dwellings on land to the rear of Jim Hallam Landrovers, Macclesfield Road, Rushton Spencer.

1.2 The application is submitted in outline and seeks approval of matters of layout and access at this stage. Matters of appearance, scale and landscaping are reserved for subsequent approval.

1.3 The application is accompanied by a site layout plan which shows the proposed layout of the site. The resultant development will comprise of 7no. three-bedroomed units, and 2no. two-bedroomed units, each served off a central driveway that is to be accessed from Tanhouse Lane. Each dwelling will benefit from its own off-street parking provision, as well as an ample area of private amenity space.

1.4 Pre-application discussions have been entered into with the Local Highway Authority who have confirmed that the proposed vehicular access via Tanhouse Lane is acceptable subject to achieving an appropriate level of visibility onto the Macclesfield Road. The submitted proposal duly demonstrates that appropriate visibility is achievable on land under the applicant's control.

2 Site & Surroundings

2.1 The application site encompasses a broadly rectangular parcel of land that extends to some 0.32 hectares in area, and which comprises poor quality semi-improved grassland. The site is enclosed to the southwest by an existing complex of commercial buildings associated with the applicant's

existing car sales business and dwellinghouse, with Tanhouse Lane enclosing the southeasterly boundary. The northeasterly boundary is bordered by a canal feeder watercourse, with open grassland extending the to the west/northwest. An aerial photograph showing the site in its surrounding context is shown in Figure 1.

Figure 1 – Aerial Photograph of Site



Source: Google Maps

3 Planning Policy

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

Staffordshire Moorlands Core Strategy (2014) of which the following policies are considered to be of relevance:

3.2 Policy SS1a of the Core Strategy relates to the 'Presumption in Favour of Sustainable Development' and states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in the Core Strategy will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*

- *Specific policies in that Framework indicate that development should be restricted.*

3.3 Policy SS2 of the Core Strategy relates to the 'Future Provision of Development' and states that provision will be made for 6000 additional dwellings (net of demolitions) to be completed in Staffordshire Moorlands (excluding the Peak District National Park) during the period 2006 to 2026.

3.4 Policy SS3 of the Core Strategy relates to the 'Distribution of Development' and states that housing will be located in accordance with the Spatial Strategy and will be distributed between the towns and rural areas. It identifies that some 28% of new housing over the plan period will be delivered within the rural areas.

3.5 Policy SS6b of the Core Strategy relates to the 'Smaller Villages Area Strategy' and states that these villages, of which Rushton Spencer is identified as one, will provide only for appropriate development which enhances community vitality or meets a local social and economic need of the settlement and its hinterland. It goes on to confirm that local community, social and economic needs will be met by (amongst others):

- *Enabling new housing development which meets a local need, including affordable housing*

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

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

3.7 Policy H1 of the Core Strategy states that new housing development should provide for a mix of housing sizes, types and tenure. It goes on to state that all development will be assessed according to the extent to which it provides for high quality, sustainable housing and to which it meets identified local

housing market needs and the strategy for the area, having regard to the location of the development, the characteristics of the site and the economics of provision. The policy also states that new dwellings should be of sufficient size to provide satisfactory levels of amenity for future occupiers, whilst respecting the privacy and amenity of existing occupiers.

3.8 Policy H2 of the Core Strategy states that on sites outside of the market towns, residential developments of 5 dwellings (0.16 hectares) or more shall provide a target of 33% affordable housing on site. Unless circumstances dictate otherwise, 70% of all affordable dwellings provided on each site should be social rented housing, with the remainder being intermediate housing.

3.9 Policy DC1 of the Core Strategy relates to 'Design Considerations' and states that all development should 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. It goes on to state that new development should, *inter-alia*:

- *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;*

- *protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping;*

- *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.*

3.10 Policy DC3 of the Core Strategy states that the Council will protect and, where possible, enhance local landscape and the setting of settlements by:

- *Resisting development which would harm or be detrimental to the character of the local and wider landscape or the setting of a settlement and important views into and out of the settlement as identified in the Landscape and Settlement Character Assessment;*

- *Supporting development which respects and enhances local landscape character and which reinforces and enhances the setting of the settlement as identified in the Landscape and Settlement Character Assessment;*

- *Supporting opportunities to positively manage the landscape and use sustainable building techniques and materials which are sympathetic to the landscape;*

3.11 Policy NE1 of the Core Strategy seeks to ensure that the biodiversity and geological resources of the District and neighbouring areas will be conserved and enhanced by positive management and strict control of development. It will achieve this by a number of measures including, inter-alia:

- *Resisting any proposed development that could have an adverse effect on the integrity of a European site alone or in combination with other plans*

or projects unless it can be demonstrated that the legislative provisions to protect such sites can be fully met.

- *Conserving and enhancing any Sites of Special Scientific Interest. The Council will not permit any development proposal which would directly or indirectly (either individually or in combination with other developments) have an adverse effect on a Site of Special Scientific Interest.*

- *Conserving, and enhancing regional and locally designated sites. The Council will not permit any development proposal which would directly or indirectly result in significant harm to geological and biodiversity conservation interests including ancient woodland, unless it can be demonstrated that:*

  - *There is no appropriate alternative site available; and*
  - *All statutory and regulatory requirements relating to any such proposal have been satisfied; and appropriate conservation and mitigation measures are provided; or if it is demonstrated that 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.*

- *Ensuring development where appropriate produces a net gain in biodiversity, and ensuring that any unavoidable impacts are appropriately mitigated for*

4 Other Material Considerations

National Planning Policy Framework

4.1 The National Planning Policy Framework sets out a presumption in favour of sustainable development and seeks to significantly boost the supply of housing nationally. It also sets out guidance, *inter alia*, in respect of securing high quality design, enhancing biodiversity, and safeguarding highway safety. The content of this document is explored in more detail, where relevant, in the Planning Assessment below.

Staffordshire Moorlands Annual Monitoring Report (March 2017)

4.2 This document sets out the Local Authority's performance in respect of housing land supply and housing delivery. It confirms that the Local Authority has a deliverable supply of housing land equivalent to a 1.99 years supply.

Appeal Reference: 2180250 – Land at Sugar Street, Rushton Spencer

4.3 The above appeal is referenced within the Planning Assessment below and related to a proposal for the erection of nine dwellings on a parcel of land to the rear of Sugar Street in Rushton Spencer. A copy of the appeal decision is enclosed as Appendix A.

5 Planning Assessment

Principle of Development

5.1 Policy SS2 of the adopted Core Strategy confirms that provision will be made for the delivery of 6000 additional new dwellings within the Staffordshire Moorlands over the plan period to 2026. Policy SS3 goes on to confirm that of those 6000 dwellings, some 28% are to be delivered within the rural areas (equivalent to 1,680 dwellings), of which the village of Rushton Spencer

forms part. Policy SS6b of the Core Strategy relates specifically to the smaller villages and confirms that new housing development to meet local needs will be permitted in such villages.

5.2 The Local Authority furthermore continues to have a chronic shortfall in housing land supply (1.99 years supply) against the required supply of 5 years + 20% buffer, as set out in paragraph 73 of the NPPF. As a consequence, the tilted balance in favour of approval, as set out in paragraph 11 of the NPPF, is engaged. Paragraph 11 confirms that planning permission should be granted in such circumstances unless:

> *"any adverse impacts of doing so would* ***significantly and demonstrably*** *outweigh the benefits, when assessed against the policies in this Framework as a whole"* (my emphasis).

5.3 The proposed development will deliver a number of material benefits. Substantial social and economic benefits will be derived as a consequence of the proposed delivery of nine units of accommodation, which will make a valuable contribution to the Local Authority's chronic shortfall in housing land supply. The Local Authority's Strategic Housing Market Assessment confirms that the need for smaller units of accommodation outstrips the need for larger family units, owing to the projected increase in the number one person householders and couples by 2031, together with an ageing population. The submitted proposal, encompassing 2no. two-bedroomed units and 7no. three bedroomed units responds positively to this context, and thus serves to reinforce the weight attributable to these benefits.

5.4 Further economic benefits will arise as a consequence of generating work for local tradespeople during the construction phase, and through the additional expenditure in the local economy derived from the occupants of the nine

new dwellings. The New Homes Bonus is a further economic benefit of the development.

5.5 In terms of the environmental dimension of sustainable development, the proposal involves the re-development of a parcel of land which is rated as 'Poor' by Natural England's Agricultural Land Classification, and which is also confirmed as being poor quality semi improved grassland within the accompanying Preliminary Ecological Appraisal. The proposal does not therefore involve the loss of land which is deemed to be important in terms of its usefulness for agriculture, or in terms of its biodiversity value.

5.6 The site is also accessible by a range of means of transport, with the village benefitting from a number of local services including a public house, primary school and church, as well as public transport connections throughout the day which link with Leek and Macclesfield. Future occupiers of the dwellings would therefore not be reliant upon the car as their sole means of transportation. Any journeys undertaken by car would furthermore be short in duration given that the settlement of Leek lies approximately ten minutes drive away. In this regard I would draw the Local Authority's attention to the conclusions of the Planning Inspector in appeal 2180250 for land at Sugar Street, where he concluded in respect of sustainability that:

> *"Given that Rushton Spencer is an established, if relatively small, rural settlement with limited services including a primary school and some public transport connections,* ***I do not consider the appeal site to be fundamentally unsustainable in terms of its location"*** *(my emphasis)*

5.7 It is furthermore submitted that the proposed development will not derive any adverse impacts to significantly and demonstrably outweigh the benefits of the development, as shall now be discussed.

Layout

5.8 The character of this part of Rushton Spencer is somewhat varied, with a mixture of house types evident, including detached and semi-detached properties. The architectural style of these properties also varies considerably, including a mixed palette of materials, differing roof designs, and differing scales and proportions. From a layout perspective however, strong linear patterns of development are notable, particularly along the Macclesfield Road (A523) and Station Lane. Dwellings are typically set back from the highway, behind frontage car parking and modest landscaping.

5.9 The proposed site layout shows the provision of nine dwellings on the site accessed via a central driveway from Tanhouse Lane. The access will run westwards into the site, before turning in a northeasterly direction to follow the alignment of Tanhouse Lane. The proposed dwellings will be set either side of this driveway, arranged in a linear pattern in order to respect the prevailing pattern of development that exists in the locality. Each dwelling will benefit from its own area of private amenity space that exceeds the Local Authority's minimum standards, and will also have off-street parking for at least two vehicles. Frontage landscaping is also proposed to the majority of the units in order to respect the prevailing character of the surrounding area. There will be no conflict with the Local Authority's informal Space about Dwellings standards.

5.10 On approach to the site along the Macclesfield Road from the southeast, the development will be seen against the backdrop of the rolling hillside behind, and framed by the existing dwellings to the south of the site (Horseshoe

Cottage) and to the east (Tan House). Frontage landscaping along the Macclesfield Road and Tanhouse Lane will also serve to filter and screen such views, particularly during the summer months.

5.11 On approach from the northwest along the Macclesfield Road, the rolling hillsides surrounding the village will continue to provide a backdrop to the development, with the proposed development read in the context of the main commercial premises adjacent, with Tan House and its large detached outbuilding in the background.

5.12 For these reasons the proposed development will not appear strident or incongruous within its surroundings, and will not result in any significant and demonstrable adverse impact to the character and appearance of the area or the surrounding landscape. The proposal is therefore considered to accord with the provisions of policies DC1 and DC3 of the Core Strategy in this regard.

Means of Access

5.13 The application proposes to take its vehicular access via Tanhouse Lane which encloses the southeastern boundary of the site. Tanhouse Lane is a no-through road, serving two dwellings, and in parts is single track in nature. The carriageway is nevertheless wide enough at varying points to enable two vehicles to pass, and because it only serves two dwellings, it is infrequently used by traffic. The proposed access onto Tanhouse Lane has been designed to meet standards for adoption, with the proposed pedestrian footway ending a short distance into the site where the driveway becomes a shared surface. The dwellings will also be constructed to the latest Building Regulations requirements, thereby ensuring appropriate accessibility for disabled persons.

5.14 The junction between Tanhouse Lane and the Macclesfield Road is the key consideration from a highway safety perspective, and pre-application discussions have been held with the Local Highway Authority in this regard. It was confirmed during those discussions that there was no objection to using Tanhouse Lane as the means to access the site, provided that adequate visibility onto the Macclesfield Road could be achieved. The applicant owns the property immediately adjacent to Tanhouse Lane (Horseshoe Cottage), and is therefore able to control the frontage landscaping / boundary treatments of that property such that there is no obstruction to visibility above a height of 600mm. Such works can be controlled by way of an appropriately worded planning condition.

5.15 The accompanying Visibility Plan demonstrates that adequate visibility can be achieved in both directions on egress from Tanhouse Lane onto the Macclesfield Road, and as a consequence the proposed means of vehicular access to the site will not derive any *severe* residual impacts to highway safety, that being the test to be applied under the provisions of paragraph 109 of the NPPF.

Appearance

5.16 Matters of appearance are reserved for subsequent approval, but it is envisaged that the proposed dwellings will adopt a simple cottage style of design in order to reflect the character and appearance of the surrounding area.

Scale

5.17 Matters of scale are reserved for subsequent approval, but it is anticipated that the proposed dwellings will be two-storey in nature thereby reflecting the predominant character of surrounding development.

Landscaping

5.18 The submitted site layout plan shows the provision of new landscaping and planting within the site, including a buffer strip between the proposed dwellings and the retail premises to the southwest. Full details of the proposed landscaping will be submitted at the Reserved Matters stage.

Ecology

5.19 The application is accompanied by a Phase 1 Habitat Survey prepared by Absolute Ecology. This survey identified the site as constituting poor quality semi-improved grassland, but nevertheless highlighted the potential for reptiles, grass snakes in particular, to occupy the site. The habitats present on site were also considered suitable for great crested newts, which led to recommendations that a reptile survey and great crested newt survey be undertaken.

5.20 The applicant has duly commissioned a reptile and great crested newt presence/absence survey, which confirms that eight reptile surveys were undertaken on the site between May – June 2018 and that the results showed no signs of reptiles being present on the site. The survey also confirms that eDNA analysis of nearby ponds showed negative results for the presence of great crested newts. As a consequence it can be concluded that the proposed development will not give rise to any significant and demonstrable adverse impacts to ecological interests in the locality, and is in accordance with the provisions of policy NE1 of the Core Strategy.

Affordable Housing

5.21 The application site lies beyond the limits of the three market towns, and proposes a quantum of development which exceeds the thresholds for affordable housing provision set out in policy H2 of the Core Strategy. However, the National Planning Policy Framework confirms that provision of

affordable housing should not be sought for residential developments that are not major developments, as is the case here (paragraph 63 refers). This reflects guidance set out within the National Planning Practice Guidance which confirms that affordable housing contributions should be not be sought from developments of 10 units or less and which have a maximum combined gross floorspace of no more than 1,000 square metres (Paragraph 031 refers).

5.22 The proposed development proposes the erection of nine dwellings, and the cumulative floor area falls below 1,000 square metres. As a consequence, there is no requirement to provide affordable housing on this site in light of the above material considerations. The imposition of a suitably worded planning condition can ensure that the resultant Reserved Matters submission adheres to this requirement in terms of floorspace / number of units.

6 Conclusion

6.1 It is considered that the proposed redevelopment of this site for residential purposes represents an appropriate form of sustainable development having regard to the following conclusions:

- *The Local Authority is unable to demonstrate a five year deliverable supply of housing;*

- *The tilted balance in favour of approval, as set out in paragraph 11 of the NPPF, in engaged. In such circumstances permission should only be refused if any adverse impacts of doing so would significantly and demonstrably outweigh the benefits;*

- *The proposed development will generate a number of significant benefits associated with the economic, social and environmental dimensions of sustainable development, in particular the delivery of 9 units of accommodation to help meet the Local Authority's chronic shortfall in housing land supply;*

- *The site lies within easy walking distance of the existing facilities in the village, and furthermore benefits from a bus service that operates throughout the day connecting with Leek and Macclesfield;*

- *The proposed layout responds positively to the character and appearance of the surrounding area, and will not result in an incongruous or intrusive form of development;*

- *The proposed layout demonstrates that each dwelling will benefit from an appropriate level of private amenity space and that there will be no conflict with the Local Authority's informal Space about Dwellings standards;*

- *The proposed means of vehicular access will provide appropriate visibility, particularly on egress onto the Macclesfield Road, and therefore will not derive any severe residual impacts to highway safety.*

- *No affordable housing provision is required having regard to the provisions of the National Planning Practice Guidance.*

6.2 It is therefore considered that the proposed development accords with the provisions of policies SS1, SS2, SS3, SS6b, H1, DC1 and DC3 of the

Staffordshire Moorlands Core Strategy and policies contained within the National Planning Policy Framework.

6.3 The Local Authority is therefore respectfully requested to grant outline planning permission for the proposed development, in accordance with the tilted balance in favour of approval, as set out in paragraph 11 of the NPPF and policy SS1a of the Staffordshire Moorlands Core Strategy.