Rob Duncan
Planning
Consultancy

PLANNING STATEMENT

LAND AT SUNNYSIDE, KINGSLEY

AUGUST 2018

Site Address:
Land at Sunnyside, Kingsley, Staffordshire, ST10 2AS

Applicant:
Mr. A. G. Jones & Mr. D. W. Jones

Proposal:
Demolition of agricultural building and erection of 2no. detached dwellings

Planning Statement:
Date Issued: 23rd August 2018
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Report Prepared By:
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1 Introduction

1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Mr. A. G. Jones and Mr. D. W. Jones to seek planning permission for the erection of 2no. detached dwellings on land at Sunnyside, Kingsley.

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

1.3 The site plan accompanying the application shows the provision of two detached dwellings, sited alongside one another, with front elevations facing eastwards towards Sunnyside, and rear elevations facing westwards over the agricultural fields beyond.

1.4 Vehicular access to the site is to be taken direct off Sunnyside via the existing vehicular access point that serves Swiss Cottage, with a shared parking and manouvering area provided to serve the proposed dwellings. An existing brick and tile agricultural building that currently occupies the site is to be demolished as a consequence of the proposed development.

2 Site & Surroundings

2.1 The application site comprises an irregularly shaped parcel of land that extends to approximately 0.09 hectares. The site lies on the western fringe of the settlement of Kingsley, which is classed as a 'larger village' under the adopted Core Strategy. The site is enclosed to the north by residential development in the form of Diglake, with further residential development located to the east and southeast beyond Sunnyside. The domestic curtilage of Swiss Cottage forms the southwestern boundary of the site, with further

residential development located to the south beyond The Green. The western boundary opens onto agricultural fields which rise up in a westerly direction. The land to the east of the site beyond Sunnyside, and to the south beyond The Green, lies within the defined settlement boundary of Kingsley, whereas the site itself lies within the North Staffordshire Green Belt. An aerial photograph showing the site in its surrounding context is shown in Figure 1 below.

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 this 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 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 SS6A of the Core Strategy relates to the 'Larger Villages Area Strategy' and states that these settlements (of which Kingsley is one) shall retain and enhance their role as rural service centres, providing for the bulk of the local housing needs of the rural areas. The policy goes on to state that their role as rural service centres will be enhanced by protecting services and facilities which are essential to sustain rural living, and that local housing needs will be met by increasing the range of available and affordable housing types and allocating a range of deliverable housing types primarily within the urban area in location across the village with good accessibility to local services and facilities.

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 SS6c goes on to state that strict control will continue to be exercised over inappropriate development within the Green Belt, allowing only for exceptions as defined by Government policy.

3.8 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 (amongst others):

- *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.*

3.9 Policy DC3 of the Core Strategy relates to 'Landscape and Settlement Setting' and states that the Council will protect and, where possible, enhance local landscape and the setting of settlements in the Staffordshire Moorlands by (amongst others):

- *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;*

3.10 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 the Government's approach to development within the Green Belt, and identifies out a number of

categories of appropriate development. It furthermore confirms that inappropriate development is harmful to the Green Belt and should only be approved where very special circumstances can be demonstrated to outweigh the harm to the Green Belt. The NPPF also sets out requirements, *inter-alia*, in respect of housing delivery and securing high quality design. The content of this document is explored in more detail within the Planning Assessment below.

Staffordshire Moorlands Housing Land Supply Statement (March 2017)

4.2 This document sets out the Local Authority's performance in respect of housing land supply and housing delivery up to March 2017. It confirms that the Local Authority has a deliverable supply of housing land equivalent to 1.99 years supply.

5 Planning Assessment

Impact on the Green Belt

5.1 The application site lies within the Green Belt, wherein there is a presumption against the erection of new buildings, as confirmed by the National Planning Policy Framework (NPPF). Paragraph 145 of the NPPF nevertheless goes on to list a number of exceptions, which includes:

"limited infilling in villages"

5.2 The proposed development is considered to constitute limited infilling in a village, as it proposes the erection of just two dwellings on a parcel of land which is enclosed on three sides by existing residential development. The property of Diglake and its associated domestic curtilage encloses the northern boundary of the site, with further residential properties and their associated curtilages located to the east beyond Sunnyside. Residential

development also extends to the south of the site on the opposite side of The Green, with the Swiss Cottage and its associated domestic curtilage located to the southwest. The only boundary of the site not enclosed by residential use is the western boundary, which is bordered by open agricultural land.

5.3 Given the enclosure of the site on three sides by residential development it is concluded that the proposal amounts to limiting infilling within a village, and therefore amounts to an appropriate form of development within the Green Belt. The proposed development is accordingly considered to meet the requirements of policy SS6c of the Core Strategy and paragraph 145 of the NPPF.

Rural Housing

5.4 Policy SS6A of the Core Strategy makes provision for the erection of new residential development both within and adjacent to the urban area of the larger villages, of which Kingsley is one. The proposal is also consistent with the criteria based policy for new residential development set out in policy H1 of the emerging Local Plan.

5.5 There is nevertheless some degree of conflict between the proposal and the provisions of policy SS6c of the Core Strategy, which seeks to restrict new residential development in the rural areas. Such conflict however is considered to be clearly outweighed by other material considerations, in particular the Local Authority's inability to demonstrate a five year supply of housing land in accordance with the requirements of the NPPF.

5.6 The latest housing land supply figures for Staffordshire Moorlands, as set out within the Staffordshire Moorlands Housing Land Supply Statement (March 2017), confirms that the Local Authority is currently unable to demonstrate a five year deliverable supply of housing (1.99 years supply). As a

consequence, the Local Authority's relevant policies for the supply of housing have to be considered out-of-date, and thus afforded lesser weight in the determination of this application.

5.7 The absence of a five-year deliverable supply of housing engages the titled balance in favour of approval, as set out in paragraph 11 of the NPPF. This confirms that where the development plan is absent, silent or out-of-date (as is the case here), planning permission should be granted unless:

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

5.8 The proposal will secure the delivery of two new dwellings that will contribute positively to the supply of housing within the Borough and in turn help the Local Authority to address its chronic shortfall in housing land supply. The proposal will also benefit the local economy, both to local tradespeople during the construction phase, and through the associated expenditure arising from the creation of two additional households. Such economic and social benefits are considered to be worthy of significant weight.

5.9 The application site also occupies a sustainable location on the fringe of one of the 'larger villages' and as a consequence future occupiers of the proposed development will be able to easily access local services and facilities on foot or by bicycle. Regular public transport connections are also available on The Green connecting with Cheadle and Uttoxeter.

5.10 The aforementioned commentary serves to highlight a number of significant material benefits of the development, and in accordance with the provisions

of paragraph 11 of the NPPF, planning permission should only be refused if any adverse impacts would arise to significantly and demonstrably outweigh these benefits.

Layout

5.11 The character of this part of Kingsley village is somewhat varied, with no strong development pattern or prevailing vernacular. The application proposes the erection of two detached dwellings sited alongside one another, with elevations orientated east/west. In fronting Sunnyside the dwellings reflect the broad pattern of development that can be observed in the locality of dwellings fronting their respective highways. Detached dwellings are also a common characteristic of the local area, which exhibits a mixture of detached, semi-detached and terraced properties.

5.12 On approach to the site along The Green from the southwest, the proposed dwellings will be seen against the backdrop of residential development in the background, which rises up in level beyond the site. On approach from the southeast along The Green the development will not become visible until alongside the junction with Sunnyside, and in such views the development will be framed by Diglake to the north and Swiss Cottage to the southwest.

5.13 The enclosure of the site by residential use on three sides furthermore serves to substantially reduce the impact of the proposed development on the character of the area, and will not result in significant and demonstrable adverse impacts.

5.14 There are no immediate residential properties who will be adversely affected by the proposed development, owing to the proposed orientation of the dwellings in an east/west direction. As a consequence the proposal does not derive any conflict with the Local Authority's informal Space about Dwellings

standards, and therefore does not derive any adverse impacts in respect of impact on neighbouring residential amenity.

5.15 In terms of future occupiers of the dwellings, each property will benefit from its own area of private amenity space to the rear, which exceeds the minimum required standard set out within the Local Authority's informal Space about Dwellings standards. Furthermore, their amenity space will not be overlooked by any of the existing neighbouring properties. As a consequence the proposal does not derive any adverse impacts in respect of the residential amenity of future occupants of the dwellings. The proposed development is therefore in accordance with the provisions of policies DC1 and DC3 of the Core Strategy.

Means of Access

5.16 Vehicular access to the proposed dwellings is to be taken direct off Sunnyside via the existing vehicular access which serves Swiss Cottage. This access affords good visibility in both directions on egress and each dwelling will be provided with three off-street parking spaces to meet its needs. Turning and manouvering space will also be provided to ensure that all vehicles are able to exit the site in a forward gear. As a consequence the proposed means of access will not derive any severe residual impacts to highway safety, that being the test to be applied under paragraph 109 of the NPPF.

Ecology

5.17 The application encompasses the proposed demolition of the existing brick and tile agricultural building on the site, and accordingly a bat and bird survey has been commissioned by the applicant to assess the building for the presence of bats and birds.

5.18 The survey concludes that there is no evidence of bats using the building as a place of shelter, nor was there any evidence of birds nesting. Emergence surveys were not considered to be necessary given the poor roosting potential of the building, and as a consequence it can be reasonably concluded that the proposal will not give rise to any harm to protected species.

5.19 The survey goes on to recommend the provision of a brick built bat box into the gable end of each building. The applicants are agreeable to such mitigation measures, which can be secured by planning condition. In doing so the proposed development will accord with the provisions of policy NE1 of the Core Strategy.

6 Conclusion

6.1 It is submitted that the proposed development constitutes a sustainable form of development having regard to the following conclusions:

- The proposal involves limited infilling within a village and thus constitutes an appropriate form of development within the Green Belt;

- The Local Authority is unable to demonstrate a five year deliverable supply of housing so the tilted balance in favour of approval is engaged;

- The proposal will derive a number of benefits in terms of the economic, social and environmental dimensions of sustainable development;

- The layout of the proposed development will assimilate well with its surroundings and not derive any adverse impacts to the character and appearance of the surrounding area:

- The layout of the proposed development will not derive any adverse impacts to neighbouring residential amenity or the amenity of future occupiers;

- The proposed means of access will not derive any severe residual impacts to highway safety;

- The proposed development will not derive any adverse impacts in respect of protected species.

6.2 The conflict of this proposal with the provisions of policy SS6c of the Core Strategy is acknowledged, but is considered to be clearly outweighed by the provisions of the NPPF, in particular the Local Authority's inability to demonstrate a five year deliverable supply of housing. It is furthermore considered that there are no adverse impacts that would arise to significantly and demonstrably outweigh the benefits of the development when assessed against the NPPF as a whole.

6.3 The Local Authority is therefore respectfully request to grant outline planning permission for the proposed development in accordance in accordance with the presumption in favour of sustainable development set out within policy SS1a of the Staffordshire Moorlands Core Strategy and paragraph 11 of the National Planning Policy Framework.