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PLANNING, DESIGN & ACCESS & AFFORDABLE STATEMENT INCLUDING DRAFT HEADS OF TERMS

PROPOSAL : OUTLINE APPLICATION WITH MEANS OF ACCESS (ALL OTHER MATTERS RESERVED) FOR RESIDENTIAL DEVELOPMENT OF UP TO 55 DWELLINGS

ADDRESS : LAND ADJACENT TO THE TRAVELLERS REST PUBLIC HOUSE, CHEADLE ROAD, LEEKBROOK, ST13 7DR

APPLICANT : MESSRS DAVENPORT

DATE : JULY 2018 JOB No.: 2017-2279

Registered in England No 3775545 V.A.T. Reg. No. 646 9246 05

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INTRODUCTION

This statement is submitted in support of an outline planning application for residential development of up to 55 dwellings on land adjacent to the Travellers Rest Public House, Leekbrook. The application is in outline with means of access sought and all other matters reserved for subsequent consideration. The application has been submitted by Sammons Architectural Ltd on behalf of Messrs Davenport. The application is accompanied by an indicative site layout plan and an independent ecological survey.

This statement analyses the site, the proposals and the policy context within which the proposals are made. Thereafter, it provides justification for approval of these proposals, primarily on the basis that the development would result in sustainable development which would positively contribute to the current under supply of housing without harm to the valued characteristics of the area, prejudicing residential amenity, being detrimental to highway safety or adversely affecting any established ecological interests.

APPLICATION SITE AND ITS SETTING

The application site comprises of an irregular shaped parcel of greenfield land which extends to some 2.18 hectares. The site comprises open countryside however it is surrounded by existing residential development to the and bound by Leek Road to the north beyond which lies a residential estate.

Land levels appreciably climb from the public highway in a north to south direction For the purposes of the development plan the application site lies outside any recognised settlement boundary within the open countryside. Regular public transport services which connect the site with Leek and Hanley are available on the Cheadle Road.

PRE-APPLICATION ADVICE

A pre-application enquiry has been made to Staffordshire Moorlands District Council. A formal response from Planning Officer, Lisa Howard, was received on 25th January 2018, a copy of which is attached as an Appendix to this statement.

The main points to consider are set out below:-

Principle of development

The advice confirmed that the application site is located outside of a defined settlement boundary within open countryside and as such restrictive development plan policies apply. However it went on to confirm that the Council cannot currently demonstrate a five year supply of deliverable housing land as required by national planning policy and therefore relevant housing policies cannot be considered up to date and the titled balance of paragraph 14 is triggered. It is accepted that 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 NPPF taken as a whole or specific policies in the NPPF indicate that development should be restricted.

It was confirmed that "whilst the site is located outside of the development boundary, it is not located in the Green Belt. There appear to be no other NPPF policies that indicate that development should be restricted in this location" As such in accordance with para 14 of the NPPF and Core Strategy policy SS1a a future application may be viewed favourable unless the local planning authority considers the balance of harm and concludes that any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole. "

Whilst the NPPF has now been updated, the principle of the tilted balance remains at paragraph 11.

Policy H1 requires a new housing to provide for a mix of housing sizes, types and tenure. Policy H2 requires a provision of 33% affordable housing on sites of 15 dwellings or more with a tenure split of 70% rented and 30% intermediate, secured through a Section 106 agreement. The heads of the terms are set out in the relevant section below.

No technical objections were raised to the proposed development at the pre-application stage. The Highways Engineer raised no objections in principle and is confident that adequate visibility could be achieved. Furthermore the site is not within a flood zone and so will not give rise to concerns about the potential for flood related issues.

The pre-application response highlighted that the following information would be required as part of any formal application:-

- Completed application form
- Location Plan at 1:1250 and Site Plan at 1:500
- Elevations, floor plans, roof plans and layout plans;
- Details of landscaping, car parking and turning areas;
- Ownership certificates and agricultural holdings certificate;
- Detailed planning statement
- Draft Heads of Terms
- The appropriate fee

As the application seeks outline consent only no detailed plans have been provided in terms of elevations or layout however an indicative site plan has been provided which shows that up to 55 dwellings could be provided on the site. In addition to the above information a detailed ecological assessment has also been undertaken and submitted as part of this application.

THE PROPOSED DEVELOPMENT

This is an outline application which seeks outline planning permission for residential development of up to 55 dwellings and associated means of access from Leek Road, Leekbrook. An indicative plan which shows the provision of 55 dwellings, their curtilage and associated parking and turning provision has been submitted for information.

The proposed development will provide a mix of housing sizes and tenure to meet local needs and the housing density equates to 25 dwellings per hectare which is in keeping with the surrounding development and meets the criteria advanced by the Council as part of the pre-application response. Whilst not for consideration at this stage it is anticipated that the proposed dwellings would be two storey in nature and comprise of a mix of both semi-detached and detached dwellings offering a range of three and four bedrooms. Of the 55 new homes up to 18 will be affordable which would be compliant with policy HC2 of the Local Plan.

The proposed development will be accessed via a new access directly off the Leek Road, Leekbrook. The access has been designed to incorporate a five metre wide adoptable carriageway and two 4.5m x 120m visibility sight lines. The junction has been positioned off centre within the roadside frontage to provide an adequate separation distance between the access to the Spicerstone Estate and the access serving the Joshua Wardle site opposite. Each home will have parking available with some properties having garages.

PLANNING POLICY

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

The Staffordshire Moorlands Local Development Framework (LDF) is a District wide development plan which replaces the Staffordshire Moorlands Local Plan to provide a framework for delivering development up to 2026. The Core Strategy (2014) is the key LDF document. It is a strategic District wide plan which influences how and where the Staffordshire Moorlands will develop in the future. It sets out what the Council would like to achieve in each of the main towns and the rural areas outside of the Peak District National Park. The Core Strategy provides the framework for future LDF documents which will then identify specific sites for development in the District (Site Allocations Development Plan Document) and provides detailed guidance to supplement the policies (Supplementary Planning Guidance).

The most relevant policies of the adopted Core Strategy are considered to be policies

- SS1 - Development Principles
- SS1a - Presumption in Favour of Sustainable Development
- SS2 - Future Provision of Development
- SS3 - Distribution of Development

- SS6c - Other Rural Areas Area Strategy
- SS7 - Churnet Valley Area Strategy
- SD1 - Sustainable Use of Resources
- SD2 - Renewable / low carbon energy
- H1 - Housing
- H2 - Affordable and Local Needs Housing
- R1 - Rural Diversification
- R2 - Rural Housing
- DC1 - Design Considerations
- DC3 - Landscape
- NE1 Biodiversity and Geological Resources
- T1 - Development and Sustainable Transport

Supplementary Planning Guidance

Space About Dwellings (September 1998 - Appendix 3 Local Plan)

Pertinent other documents

The Landscape and Settlement Character Study (2008)

National Planning Policy Framework

Achieving Sustainable Development

Section 1 Building a strong, competitive economy

Section 4 Promoting sustainable transport

Section 6 Delivering a wide choice of high quality homes

Section 7 Requiring good design

Section 8 Promoting healthy communities

Section 11 Conserving and enhancing the natural environment

The revised NPPF was published on the 24th July 2018 and replaces the previous NPPF published in March 2012. The NPPF is an important material consideration in determining planning applications. It introduces a presumption in favour of sustainable development and paragraph 11 states that development proposals that accord with the development plan should be approved without delay. Paragraph 11d states:-

"Where there are no relevant development plan policies , or the policies which are most important for determining the application are out of date granting permission unless:-

(i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

(ii) 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"

Footnote 7 sets out:

This includes, for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five year supply of deliverable housing sites (with the appropriate buffer, as set out in paragraph 73); or where the Housing Delivery Test indicates that the delivery of housing was substantially below (less than 75% of) the housing requirement over the previous three years.

As set out at paragraph 74, a five year supply of deliverable housing sites with the appropriate buffer can only be demonstrated where it has been established in a recently adopted plan or in an annual position statement which has been considered by the Secretary of State and incorporates the recommendation of the Secretary of State.

National Planning Policy Guidance

The NPPG sets out that a thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities.

The PPG states that "all settlements can play a role in delivering sustainable development in rural areas, and so blanket polices restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.

Staffordshire Moorlands Local Plan (1998)

The Council consider that the settlement development boundaries within the 1998 Adopted Local Plan are considered to still be in force until such time as they are reviewed and adopted through the site allocations process. However, given that the relevant Local Plan settlement boundary policies no longer apply this is arguable.

Staffordshire Moorlands Annual Monitoring Report (March 2017)

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 1.99 years supply.

Emerging Plan

The Local Plan Submission Version which will shape how the District shapes over the next 14 years was submitted to the Secretary of State for examination on 29th June 2018.

The Local Planning Authority is required to determine planning applications in accordance with the development plan, unless there are material circumstances which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations. The Council's Development Plan is formed of the Core Strategy Development Plan Document (adopted March 2014) and the Saved Local Plan Proposals Map / Settlement Boundaries (adopted 1998) remains in force until the Council's Development Plan Document is adopted.

Core Strategy Policy SS1a establishes a 'Presumption in Favour of Sustainable Development' as contained within the National Planning Policy Framework (the Framework) where: (1) planning applications that accord with policies within the Core Strategy will be approved without delay and (2) where there are no relevant policies or they are out of date, the Council will grant planning permission unless material considerations indicate otherwise considering:- I. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or, II. Specific policies in+ that Framework indicate that development should be restricted.

Paragraph 47 of the NPPF requires the Council to identify a five-year supply of deliverable housing land sites, including a 5% buffer to allow for choice and competition in the market for land increased to a 20% buffer where there is a persistent under-delivery in past years. Paragraph 49 requires all housing applications to 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.

The policies contained in the Framework as supplemented by the National Planning Policy Guidance (NPPG) are also a material consideration in the determination of this application.

The Council calculates its 5-year land supply on a district basis. As at 31st March 2017, it was 1.99 years (with a 20% buffer). The Council cannot demonstrate a five-year supply of deliverable housing sites, housing applications should be considered in the context of the presumption in favour of sustainable development. Clearly, the CS Policies that regulate the supply and location of housing, which include open countryside policies, are out of date and the application must be determined in the context of paragraph 11 of the Framework.

KEY PLANNING ISSUES

The key issues for consideration in assessment of this application are the principle of development, whether the application site is in a sustainable location for the proposed development with particular regard to the proximity of services and facilities, the effect of the proposal on the character and appearance of the

area, impact on residential amenity, the effect of the proposal on highway safety with specific reference to the proposed access and impact on any established ecological interests of the area.

Principle

Policies in the adopted Core Strategy document set out the overarching spatial strategy for housing development in the District and essentially adopt a hierarchy approach which seeks to concentrate the majority in the three main towns of Leek, Cheadle and Biddulph. Within the rural areas the larger villages are identified as the most sustainable settlements and able to accommodate the bulk of rural development after the towns. Smaller villages are identified as having a poor range of services and facilities with local residents having to travel outside the village for most of their daily needs Limited infill development will be permitted within the smaller villages as set out in policy SS6 of the Core Strategy. Policy SS6b recognises that there is a need to strictly control new development and restrict it to limited infilling and redevelopment within the as yet to be defined Infill Boundaries.

There are some smaller settlements and hamlets which are not identified in Policy SS6b as "Small Villages" because their predominately open character and loose knit nature makes infilling and the definition of an Infill Development Boundary inappropriate. New housing in the open countryside will be strictly restricted to meeting the requirements set out in Policies H2 and R2 and para 89 of the Framework which support rural 'exception' sites. A rural exception site is defined in these policies to be a small site on the edge of a village but outside a settlement boundary where planning permission would not otherwise by granted. However the policy is very specific and applies only where the scheme a) is delivering 100% affordable housing and b) meeting an identified need which cannot otherwise be met by means of provision in the plan.

For the purposes of the Development Plan the application site lies outside any designated settlement plan within an area of open countryside. The application as submitted would therefore not fall within any of the accepted exceptions for new housing within the countryside and would therefore be in conflict with Polices SS6c, H2 and R2 of the adopted Core Strategy and guidance contained in the NPPF.

However, it remains the case that the Council can only demonstrate a 1.99 year deliverable supply of housing against its five year target, as is required by the NPPF. It therefore follows that relevant policies for the supply of housing cannot be considered up to date and paragraph 11 is engaged. The housing land supply shortfall is significant and in these circumstances this significantly reduces the weight that can be afforded to the schemes conflict with policies SS6c, H1 and R2 which seek to restrict residential development in the rural areas outside of defined boundaries. In these circumstances the NPPF would encourage the provision of new houses in the District unless there would be significant and demonstrable harm to outweigh the benefits of the proposed housing provision, which is set against a backdrop of significant housing shortfall within the district.

CS Policy T1 states that the Council will promote and support development which reduces the reliance on the private car for travel journeys, reduces the need to travel generally and helps deliver the priorities of the Staffordshire Local Transport Plan, where this is consistent with other policies. Paragraph 34 of the

Framework says that decisions should ensure developments that generate significant movement are located where the need to travel can be minimized and the use of sustainable transport modes can be maximized.

The application site is located on the periphery of Leekbrook, which is a small rural settlement mainly comprising of residential ribbon development laid out on both sides of the public highway. Despite its location the site is within easy walking/cycling distance of a public house, local shop, children's nursery and several employment opportunities at the Leekbrook Industrial Estate. In addition, there is a regular bus service which runs a short distance away from the junction of Cheddleton Heath Road with the main A53 that provides regular links from the site to the neighbouring village of Chedddleton, as well as the towns of Leek, Cheadle and Stoke on Trent. The site is suitable for residential development as it comprises a sustainable location and will deliver housing in the short term. The provision of housing at the site will assist in providing flexibility to the Council's housing delivery strategy but will also assist in sustaining Leekbrook. It is an obvious settlement to direct more growth to given that it is not constrained by Green Belt and offers a range of facilities and services which will be sustained through development.

The revised NPPF (paragraph 11) highlights that at the heart of the Framework is a presumption in favour of sustainable development. This site is in accordance with this policy due to being sustainably located within a highly accessible location. The site is well located and designed to ensure compatibility with the surrounding uses, it offers a sustainable location, suitable for residential development in accordance with local and national planning policy.

Cheddleton which is circa 1.6km from the application site is defined as a larger village within the adopted Core Strategy document, which together with the towns within the District are identified as being the rural centres for services, facilities and jobs, acting to sustain the rural areas. Cheddleton village has a number of schools, churches, shops, public houses, post office, restaurants and employment opportunities Leek, the closest town and service centre lies just 4.5 km away . In these regards Government advice in the publication "Manual for Streets" suggest that walking offering the greatest potential to replace short car trips, particularly for those under 2.0km.

In these circumstances, it is considered that the application site does offer several opportunities for walking, cycling or using public transport instead of future occupiers being wholly reliant on the private car, any such car journeys being relatively short, given the close location to a sustainable settlement. As such the application site is considered to be located within a sustainable location which is in accordance with central government guidance in terms of the NPPF and policy SS1 of the CS which (amongst other things) expects new development to provide easy access to jobs, shops and transport services; and reduces the reliance on the private car for travel journeys and reduce the need to travel generally as required by CS Policy T1.

Paragraph 7 of the NPPF identifies three dimensions to sustainable development: economic, social and environmental. These roles are mutually dependant and should be jointly sought to achieve sustainable development.

The application for up to 55 dwellings would make an invaluable contribution to housing delivery in the Staffordshire Moorlands, particularly at a time where only a 1.99 year housing supply can be demonstrated. This contribution to the social aspect of sustainability also attracts significant weight attributable to the proposal. The development would also enhance the economy by the creation of jobs associated with the developments construction stage and new residents are also likely to support existing local services and businesses within the area. In addition, future council tax payments and potential New Homes Bonus would be spent within the district. In these respects the application site would contribute positively to fulfilling an economic role adding further attributable weight in support of the proposal.

In terms of the environmental dimension of sustainable development this site is considered to be reasonably well located in terms of its accessibility to local services. There is also a regular bus service which provides regular and frequent access to neighbouring villages such as Cheddleton and towns such as Cheadle, Leek and Hanley.

The site is bordered on both sides by residential development and as such is considered to be well connected to the existing settlement and will not appear as an incongruous use within the area. Provisions of SS6c and R2 of the Core Strategy are therefore clearly outweighed by other material matters.

Impact on the character and appearance of the area

CS Policy SS1 'Development Principles' states that the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvements of the Staffordshire Moorlands and 'development should be undertaken in such a way that protects and enhances the natural and historic environment of the District and its surroundings both now and for future generations …'.

CS Policy SS6c 'Other Rural Areas Area Strategy' comprises the other rural areas containing the countryside and the Green Belt outside of the development and infill boundaries of the towns and villages and therefore is directly relevant to the application site. It seeks to 'Enhance and conserve the quality of the countryside by: 'Giving priority to the need to protect the quality and character of the area and requiring all development proposals to respect and respond sensitively to the distinctive qualities of the surrounding landscape…'.

CS Policy H1 'New Housing Development' states 'all development will be assessed according to the extent to which it provides for high quality, sustainable housing … and the strategy for the area having regard to the location of the development, the characteristics of the site … All housing should be the most appropriate density compatible with the site and its location, with the character of the surrounding area …'.

The specific design and conservation policies of the CS also seek to promote local distinctiveness by means of good design and the conservation, protection and enhancement of historic, environmental and cultural assets along with the District's landscape and the setting of its settlements. Policy DC1 sets out design criteria relating to new development to reinforce local distinctiveness and positively contribute to the area. Policy DC3 sets out measures to protect and enhance the local landscape and setting of settlement.

In detail, Policy DC3 ‘Landscape and Settlement Setting’ states ‘The Council will protect and, where possible, enhance local landscape and the setting of settlements in the Staffordshire Moorlands by: 1. 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; 2. 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.'

Turning to the matter of character and appearance, whilst the application site is currently free from any built development it lies immediately adjacent to the settlement of Leekbrook. With the exception of the adjacent public house and neighbouring farmstead the surrounding area is predominately residential in character, before becoming more commercial in character as one progresses north eastwards along Cheadle Road towards Leek. Residential developments within the surrounding area, and in particular the large residential estate to the north, exhibit a mixture of two storey and three storey developments with a mix of hipped and gabled roofs and materials.

The application site is well connected to the existing settlement and will not appear as an incongruous use within the area. It is a logical site which respects its neighbours but will be integrated into the settlement, The development at the site will not result in a significant change in character to the area. The site adjoins the urban boundary and is well related to the existing patter of development in that it is not a ribbon development or sporadic parcel of land. Through the retention of important landscape features and proposing further landscaping the magnitude of change in land use of the site will be reduced and overall the change would not be uncharacteristic of the sites immediate surroundings.

Whilst the detailed design and layout of the proposal is not for consideration at this stage the submitted indicative plan shows that the site is more than adequate to accommodate the number of dwellings proposed. Furthermore it is considered that the scale of development would be consistent with the general area and ratio of openness to built development respects and reflects the character and appearance of the surrounding area The provision of frontage parking set beside frontage gardens also reflects the characteristics of the surrounding area and therefore will not appear incongruous or out of keeping with the locality.

Impact on residential amenity

National planning policy dictates that at the heart of its core principles, planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This is further re-iterated in CS Policy DC1, which seeks to protect residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping as informed by the Council’s ‘Space about Dwellings’ SPG.

The submitted site plan demonstrates that the proposed development can provide adequate amenity standards for both the proposed users of the dwellings and the occupants of the existing dwellings which

abut the application site which would be assessed in detail at any reserved matters stage. In these circumstances, the proposal accords with such requirements in relation to CS Policy DC1 and the NPPF.

Highway Safety

Paragraph 32 of the NPPF states: 'Plans and decisions should take account of whether: the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe' as is reflected within CS Policy T1 'Development and Sustainable Transport'.

A new single access point is proposed off Leek Road. The proposed access benefits from good visibility to either side and the access width will enable two vehicles to pass one another, and in doing so will preclude any adverse impacts to highway safety. The dwellings would also benefit from adequate off road parking and there would be sufficient land within the site to accommodate adequate off road parking and manouvering areas and occasional overflow guest parking. For the reasons set out above it is contended that the proposed development will not derive any serve residual impacts to highway safety and as a consequence there is no conflict with CS policy T1 or with the guidance of the NPPF.

Biodiversity

The conservation and enhancement of the natural environment is a core principle of the NPPF where planning policies should promote the preservation, restoration and re-creation of priority habitats and ecological networks. In determining planning applications, permission should be refused if significant harm resulting from development cannot be avoided, adequately mitigated or, as a last resort, compensated for. CS Policy DC1 promotes the maintenance, enhancement, restoration and re-creation of biodiversity and geological heritage, where appropriate, in accordance with Policy NE1 'Biodiversity and Geological Resources'. Amongst other matters, Policy NE1 requires that development, where it is appropriate, produces a net gain in biodiversity and ensures that any unavoidable impacts are appropriately mitigated for whilst promoting the appropriate maintenance, enhancement, restoration and/or re-creation of biodiversity through its proposed nature, scale, location and design.

The application has been accompanied by a preliminary ecological appraisal which has been undertaken by Charnia Ecology. This identifies the site as being moderately species rich with apparent management for hay. There are no buildings or suitable trees on site for roosting bats although the site may be used by foraging bats as part of their wider foraging territory. No evidence of badgers was recorded and the site is considered unlikely for reptiles. It concludes by stating that subject to phasing/timing of works, detailed control of any lighting scheme prior to works commencing the proposed development would not adversely impact upon any of the established ecological interests in the area.

Conclusion

The proposed development will deliver a number of material benefits when assessed against the social, economic and environmental dimensions of sustainable development as set out within the NPPF. The erection of up to 55 new dwellings on the site will deliver significant social and economic benefits by contributing positively to the Local Authority's chronic shortfall in housing land supply. Further economic benefits will ensue as a consequence of new household expenditure being generated, benefits to local trades people during the construction phase, and the New Homes Bonus. It is submitted that the proposed development will not derive any adverse impacts to significantly and demonstrably outweigh the aforementioned benefits and that as a consequence planning permission should be granted in accordance with the presumption in favour of sustainable development set out in policy SS1a, SS3, SS6c, C1, H1 and DC1 of the Core Strategy and paragraph 11 of the NPPF. The Local Authority is therefore respectfully requested to grant full planning permission for the proposed development in accordance with the presumption in favour of sustainable development.

7.0 AFFORDABLE HOUSING STATEMENT

Core Strategy Policy H2 for Staffordshire Moorlands sets out a 33% housing target across the District. Based on this provision up to 18 out of the 55 dwellings would be classed as affordable housing with a proposed tenure split of 70% rented and 30% intermediate. This will be secured via a Section 106 agreement as confirmed in the draft heads of terms below.

DRAFT HEAD OF TERMS FOR A SECTION 106 PLANNING OBLIGATION

This section sets out the draft Heads of Terms based on the relevant development policies and supplementary guidance in addition to the pre-application discussions with Staffordshire Moorlands District Council. The detail of the obligations below will be agreed with the local planning authority as part of the application process. The Developer reserves the right to withdraw or amend these obligations during negotiations with the local planning authority, particularly if any obligation cannot be fully justified in accordance with Regulation 122 of the Community Infrastructure Regulations 2010 (as amended) and Government Guidance on Planning Obligations.

Developer Contributions

Affordable Housing

Provision of affordable housing in line with local and national affordable housing policy. The proposed development will provide up to 33% affordable housing on site with a tenure split to be agreed subject to need. The types and sizes would be confirmed following detailed consultation with registered social landlords. The vehicle for delivery will be a Section 106 agreement in conjunction with a registered social landlord.

Public Open Space

The applicant will enter an obligation to pay reasonable contributions towards public open space in accordance with local and national planning policy and the adopted SPG on recreation and open space either on site or they will make a contribution to off site sports provision, children's play areas and open space as required. The final sum will be negotiated during the course of the application.

Education

The applicant will enter an obligation to pay reasonable contributions towards education where there is a proven need for such provision if necessary. The application and final sum will be negotiated during the course of the application.

Other Developer Contributions

If it becomes clear during the course of the application that any additional developer contributions are required or requested to those set out above, where there is a need arising as a direct result of the development herein proposed , these will need to be negotiated during the determination period of the application. The final developer contributions are subject to negotiations with the

local planning authority during the course of the planning application regarding both the range/scope of developer contributions and the amounts.

Legal and Administrative Costs

The applicant is willing to pay the Council's reasonable costs to produce the legal agreement provided that these costs are set out and agreed in advance. Any monies paid under the above terms but not directly spent on such provision shall be paid back to the applicant within five years of receipt of payment.

8.0 DESIGN & ACCESS STATEMENT

USE

The application proposes the use of the application site for residential purposes. The application is in outline within means of access and layout considered. All other matters are reserved for subsequent consideration. This form of development is considered to reflect the nature and character of existing development which surrounds the site.

AMOUNT

Although the application is only in outline form an indicative site plan has been submitted to support the application. A comfortable density of 25 dwellings per hectare equates to a total of 55 dwellings. This amount of development is considered to be in keeping with the nature and character of existing development which surrounds the site.

LAYOUT

Approval for siting and layout is not sought at this stage however the indicative site plan proposes an illustrative layout which provides for a clear progression through focal spaces and arrival points which define the layout. The layout of streets will provide a safe network which benefits from natural surveillance and designed to moderate vehicle speeds and provide cyclists pedestrians with a safe environment.

The natural topography defines changes in the grain of the development which have been utilised to create a sensitive and well designed scheme which positively responds and reflects the character and appearance of the area and surrounding landscape.

SCALE

Whilst scale is a matter which is reserved for later consideration the application proposes the erection of up to 55 dwellings. The scale of the development will be informed by that of the adjacent residential development and will continue the relaxed, leafy and attractive character in a scheme of similar density and scale. A mix of 2 and 21/2 storey, detached and semi-detached properties are proposed.

LANDSCAPING

The site is located within a rural setting and as such benefits from an established green infrastructure. The proposal seeks to maintain this. Any additional landscaping will be provided by future occupiers.

APPEARANCE

Appearance is a reserved matter that would be appropriately dealt with in a detailed application. The proposed houses would however be in keeping with the local vernacular consisting of traditional facing materials.

ACCESS

Approval of the principle of access is sought as part of this application. The proposed development would be served by new single access point which would be sited off centre off the Leek Road frontage. It is envisaged that the access along with all of the roads on the development will be offered for adoption by the Local Highways Authority.

The site is located within a sustainable edge of town location well located to existing local facilities and public transport links are easily accessible to Leek and other parts of the Staffordshire Moorlands as well as the neighbouring city of Stoke on Trent.