

Rob Duncan
Planning
Consultancy



PLANNING STATEMENT

LAND OFF BACK LANE, BELLE VUE, LEEK

SEPTEMBER 2018



Site Address:

Land off Back Lane, Belle Vue, Leek, Staffordshire, ST13 8ER

Applicant:

Mr. R. Fisher

Proposal:

Erection of Detached Dwelling

Planning Statement:

Date Issued: 7th September 2018

Job Reference: RDP/2018/063

Report Prepared By:

Rob Duncan BSc(Hons) MA MRTPI

Rob Duncan Planning Consultancy Ltd

Contact Details:

Rob Duncan Planning Consultancy Ltd.

70 Ferndale Road, Lichfield, Staffordshire, WS13 7DL

Email: rob@robduncanplanning.co.uk

Tel. 07779 783521

1 Introduction

1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Mr. R. Fisher to seek full planning permission for the erection of a detached dwelling on land to the south of Back Lane, Belle Vue, Leek.

1.2 The proposed dwelling will encompass a split-level design, entailing integral garaging for three vehicles, utility and wash room at ground floor, with three bedrooms (one ensuite) and family bathroom at first floor, with an open plan kitchen/diner and separate living room at second floor. Vehicular access to the site is to be taken via Back Lane, which is an un-made road which leads up from Belle Vue Road in the east.

1.3 The application site has been subject to a number of planning applications for residential development in the past, which can be summarised as follows:

- **SMD/2009/0955** – Erection of three town houses. Refused consent owing to highway safety concerns arising from proposed parking and increased use of Back Lane. Application also refused on the grounds of unsatisfactory levels of amenity for future occupiers.
- **SMD/2010/0038** – Erection of pair of semi-detached dwellings. Refused consent owing to concerns about the amenity of future occupiers and overbearing impact from proposed retaining wall. A subsequent appeal against the decision was dismissed.
- **SMD/2014/0527** – Erection of pair of semi-detached dwellings. Refused consent on grounds of unsatisfactory garden space and overbearing impact of retaining wall. Concerns also raised about the poor standard of Back Lane and safety of road users.

- 1.4 This latest application seeks to address the various issues raised in previous applications, and deliver a high quality development on the site.

2 Site & Surroundings

- 2.1 The application site lies on the southern side of Back Lane, and comprises a parcel of land which slopes steeply in a southerly direction, supported by a retaining structure at its base. The site had until recently been overgrown but has since been stripped of vegetation to enable an accurate topographical survey to be undertaken. The site is bordered to the east by three-storey residential development, with the applicant's car repair yard located to the west. Further residential development is located to the north beyond Back Lane (The Bungalow), with planning permission approved for a four bedroomed dwelling to the northwest (SMD/2012/0438) which appears to have been implemented. To the south of the site, and beyond the top of the bank, lies further residential development in Barracks Way. The site as a whole lies within the defined settlement boundary of Leek and occupies a sustainable location within easy walking and cycling distance of local services and facilities.

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 Stafford Moorlands Core Strategy DPD (2014) of which the following policies are of relevance:

3.2 Policy SS1 of the Core Strategy relates to Development Principles and states that the Council will expect development to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands in terms of delivering, amongst others, easy access to jobs, shops and transport services by all sections of the community; development which maintains the distinctive character of the Staffordshire Moorlands, its individual towns and villages and their settings, and development that secures high quality, sustainable environments.

3.3 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.*

- 3.4 Policy SS2 of the Core Strategy 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.
- 3.5 Policy SS3 of the Core Strategy states that development will be located in accordance with the Spatial Strategy and will be distributed between the towns and rural areas. It identifies that some 30% of the total residential provision outlined in policy SS2 will be allocated within Leek.
- 3.6 Policy SS5a of the Core Strategy states that the Council will seek to consolidate the role of Leek as the principal service centre and a market town through a number of actions. These include, allocating a range of deliverable housing sites both within the urban area and, on land adjacent to the urban area. Sites within the urban areas shall be in locations across the town which have good accessibility to serves and facilities with encouragement given to previously developed sites.
- 3.7 Policy H1 of the Core Strategy states that residential development on unidentified windfall sites will be permitted up to an indicative maximum of 9 dwellings within the development boundaries of the towns and villages. It also stipulates that all new dwellings must 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 DC1 of the Core Strategy states that 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. Proposals should 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. Development should also protect the amenity of the area, including residential amenity in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

4 Other Material Considerations

National Planning Policy Framework

- 4.1 The recently revised National Planning Policy Framework places a strong emphasis on promoting 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 and highway safety. The content of the National Planning Policy Framework is explored in more detail, where relevant, in the Planning Assessment below.

Staffordshire Moorlands Housing Land Supply Statement (March 2018)

- 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 1.8 years supply. This represents a reduction from the previously identified supply of 1.99 years.

5 Planning Assessment

Principle of Development

- 5.1 The application site lies within the settlement boundary for Leek wherein a substantial degree of new development is to be targeted over the plan period (policies SS2 and SS3 of the Core Strategy refer). The site also lies within easy walking and cycling distance of the town centre where a wealth of local services and facilities are on offer, as well as the nearby Sainsbury's supermarket. Future occupants of the dwelling will therefore have a viable
-

and realistic alternative means of transportation to the car. The proposed development is therefore considered to fully accord with adopted development strategy for the District, and meets the requirements of policies SS1, SS2, SS3, and SS5a of the adopted Core Strategy. The principle of development is therefore considered to be entirely acceptable.

Design & Layout

- 5.2 The surrounding area exhibits a varied character, with a mixture of house types and scales of development. The application site is bordered to the east by three-storey development which extends eastwards along Back Lane, with further three storey development to its southeast along the western side of Belle Vue. On the eastern side of Belle View, a mixture of single storey and two storey developments can be observed, with further single storey development located to the north of the site. Planning permission has also been granted (and subsequently implemented) for a two storey dwelling to the northwest of the site beyond Back Lane (SMD/2014/0438). The architectural styles exhibited within the locality vary considerably, and there is no strong prevailing vernacular.
- 5.3 The proposed dwelling will entail a split-level, three-storey dwelling, and will relate positively to the three-storey development to the immediate east of the site. The overall scale and bulk of the proposal is in-keeping with character of this adjacent development, and will not result in an incongruous form of development. The development furthermore takes its design cues from the adjacent terrace, incorporating a mixture of window sizes, a shallow pitched roof, and a complimentary palette of materials (facing brickwork and tiled roof). The front projecting gable will help to break up the mass of the proposed dwelling, and takes its cues from a number of other properties along Belle Vue to the southeast of the site.

- 5.4 Having regard to the varying character of surrounding development it is considered that the proposed dwelling will not result in any significant and demonstrable adverse impacts to the character and appearance of the surrounding area, and therefore accords with the provisions of policy DC1 of the Core Strategy in this regard.

Residential Amenity

- 5.5 The three previous applications for residential development on this site have all been refused on the grounds there being an unacceptable level of residential amenity for future occupiers of the proposed dwellings. Those previous applications all involved multiple units, rather than a single dwelling as proposed in this application.
- 5.6 In order to ensure that a satisfactory level of residential amenity is achieved for future occupants, an accurate topographical survey of the site has been undertaken in order that the levels across the site can be fully understood. The resultant split-level dwelling will derive a single storey form when viewed from the rear elevation, with the section drawing submitted demonstrating how the slope to the rear of the dwelling will be terraced in order to provide a functional and spacious amenity area for use by future occupants.
- 5.7 The second storey kitchen/diner and living room will open out onto a flat terraced area that extends to 65 square metres in area, with a 2 metre high retaining wall supporting the second tier of amenity space above. The total area of private amenity space to be provided extends to some 129 square metres. The previous applications on the site have all involved the provision of much more substantial retaining structures (or did not provide any detail), with the most recent proposal (SMD/2014/0527) encompassing a retaining wall extending to some 9 metres in height.

- 5.8 This revised proposal adopts a more sympathetic approach to the re-development of the site, and seeks to work with the existing levels to achieve an area of private amenity space which is not dominated by large retaining structures. Steps will lead up from the lower level, up to the second and third tiers of the garden, and these will have similarly scaled retaining structures in the interests of avoiding any form of overbearing impact.
- 5.9 The resultant effect will be a dwelling which is afforded an appropriate outlook from its rear elevation that is not dominated by a large retaining structure. The total area of amenity space to be provided (129 square metres) is also well in excess of the minimum recommended standard, and will be free from overlooking by neighbouring properties. As a consequence, the concerns raised in the previous applications regarding residential amenity are addressed, and the proposed development is in accordance with the provisions of policies H1 and DC1 of the Core Strategy in this regard.
- 5.10 In addition to the above, the proposed development will not derive any adverse impacts to the amenity of neighbouring residential occupiers. The proposed dwelling will not derive any adverse impacts to the amenity of the properties to the north and east of the site. The proposed dwelling will furthermore not give rise to harm to residential amenity to the south, owing to the change in levels between the respective dwellings. Whilst some windows are proposed within the side elevations of the proposed dwelling, these are secondary in nature, and can be fitted with obscure glazing if deemed necessary to safeguard neighbouring residential amenity. Previous applications have furthermore not raised impact on neighbouring occupiers as a reason for refusal. For these reasons the proposal is also considered to be acceptable in terms of its relationship to neighbouring residential properties, and accords with the provisions of policies H1 and DC1 of the Core Strategy in this regard.
-

Highway Safety

5.11 Back Lane is an un-made lane which connects with Belle Vue Road at its eastern end. Historically it had connected with Kiln Lane to the west, but over the years has become a no-through road. The Local Authority has previously raised concerns that the visibility at the junction of Back Lane with Belle Vue Road is restricted, and that it would derive material harm to highway safety. This is on account of the acute angle between the two roads. This conclusion was at odds with the professional views of the Local Highway Authority who did not raise any objections to the proposed development.

5.12 Paragraph 109 of the NPPF confirms that:

“Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe”

5.13 The current application entails a lesser number of units compared to the previously refused scheme on the site, and in turn will derive fewer vehicle movements at the junction with Belle Vue Road. The traffic generated by the proposed development would not be anticipated to exceed more than 1 vehicle movement per hour during peak highway hours, and around a total of 6 movements throughout the day.

5.14 A review of the County Council’s accident data reveals that there have been no reported accidents at this junction, and therefore whilst the junction may have substandard visibility, it is clear that the available level of visibility has enabled the junction to operate in a safe manner over the years. The proposed development also encompasses the provision of three parking

spaces, accommodated by way of integral garaging, which will be sufficient to meet the needs of future occupants of this three-bedroomed dwelling.

- 5.15 Having regard to the above it is submitted that such a limited increase in vehicle movements using the nearby junction, coupled with the provision of an appropriate level of off-street parking, will not derive any unacceptable impacts to highway safety and that as a consequence the proposal accords with the objectives of paragraph 109 of the NPPF.

Other Material Considerations

- 5.16 The Local Authority's continued inability to demonstrate a five-year supply of housing, as required by the National Planning Policy Framework, is a material consideration of significant weight in the determination of this application. The latest housing land supply figures for Staffordshire Moorlands confirm that the Local Planning Authority is only able to demonstrate a 1.8 year supply of deliverable housing. This represents a reduction in housing land supply compared to the previous year (1.87 years) and demonstrates an ever increasing demand for new housing.
- 5.17 The provisions of paragraph 11 of NPPF dictate that development proposals that accord with an up-to-date development plan should be approved without delay, and that where policies are 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 benefit, when assessed against the policies in this Framework taken as a whole” (my emphasis)*

- 5.18 The proposed development will derive a number of benefits, including benefits to the local economy during the construction phase, and through the
-

expenditure associated with the creation of an additional household. Social and economic benefits will also ensue as a consequence of delivering a new dwelling to meet the Local Authority's chronic shortfall in housing land supply. Given the declining supply of housing land, there is an ever increasing demand for new housing in the District, and as such the benefits of the development in contributing towards this shortfall should be afforded significant weight. Environmental benefits will also ensue as a consequence of making effective use of an otherwise redundant parcel of land, and by delivering a new dwelling in a sustainable location where future occupants will have a choice of means of transportation. Such benefits lend further weight in support of the proposed development.

5.19 It is furthermore submitted that the proposed development will not derive any adverse impacts to significantly and demonstrably outweigh these benefits. The proposal accords with the adopted development strategy for the District, and occupies a sustainable location. The proposal is of a scale, massing, design and layout which responds positively to the varied character of the area, and will not derive any adverse impacts to the amenity of neighbouring residential occupiers. The proposal will furthermore not derive any unacceptable or severe residual impacts to highway safety.

5.20 It is therefore submitted that the proposed development should be approved without delay in accordance with the titled balance in favour of approval, as set out in paragraph 11 of the NPPF and policy SS1a of the Core Strategy.

6 Conclusion

6.1 The submitted proposal is considered to constitute a sustainable form of development that is acceptable in planning terms having regard to the following conclusions:

- *The application site lies within the settlement boundary of Leek;*
- *Leek is a target for significant housing growth up to 2026;*
- *The provisions of the NPPF mean that the proposal should be determined in accordance with the presumption in favour of sustainable development;*
- *The site lies within easy walking and cycling distance of local services and facilities;*
- *The proposed development is of a scale, massing and design which is in keeping with the varied character of the area;*
- *The proposed development encompasses a functional rear amenity space and avoids any issues of overbearing impact from retaining structures;*
- *The proposed development will not derive any material adverse impact to the amenity of neighbouring residential properties;*
- *The proposed development will not derive any unacceptable impacts to highway safety, or any severe residual impacts;*

- 6.2 For these reasons the proposed development is considered to accord with the provisions of policies SS1, SS2, SS3, SS5a, H1 and DC1 of the Staffordshire Moorlands Core Strategy and guidance contained within the National Planning Policy Framework.
- 6.3 It is furthermore submitted, having regard to the provisions of paragraph 11 of the National Planning Policy Framework and policy SS1a of the Core Strategy, that this proposal should be determined in accordance with the tilted balance in favour of approval. In this context the proposal is in accordance with the objectives of the National Planning Policy Framework and will not derive any adverse impacts to *significantly and demonstrably* outweigh the benefits of the development.
- 6.4 The Local Planning Authority is therefore respectfully requested to grant full planning permission for the proposed development.