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PLANNING / DESIGN AND ACCESS STATEMENT



PROPOSAL : OUTLINE APPLICATION FOR RESIDENTIAL DEVELOPMENT WITH ALL MATTERS EXCEPT ACCESS RESERVED

ADDRESS : LAND ADJACENT TO HIGHFIELD, HIGHFIELD, LEEK, STAFFORDSHIRE, ST13 8SG

APPLICANT : MR D ALLEN

DATE : OCTOBER 2018 **JOB No. : 2016-2149**

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1.0 INTRODUCTION

Sammons Architectural Ltd have been appointed by Mr D Allen to prepare and submit an outline planning application to Staffordshire Moorlands District Council for the erection of 2no. dwellings on land adjacent to Highfield, Leek, Staffordshire. The application is in outline with means of access sought and all other matters reserved for subsequent consideration. The application is accompanied by existing and proposed drawings, a visual impact landscape assessment, heritage impact assessment, preliminary ecological appraisal and arboricultural report which should be read in conjunction with this planning, design and access statement.

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 or harm to the historic interests of the heritage asset.

2.0 SITE DESCRIPTION

The application site relates to a broadly rectangular parcel of land which lies just outside the Leek development boundary, which terminates at the southern end of Leek Cricket Club. The existing site is relatively flat in nature and is occupied by a detached dwellinghouse that is located in the south western portion of the plot with the remainder of the site being used for grazing. Lowfield and Highfield serve to separate the plot from the main Macclesfield Road. A private driveway that serves Home Farm and a number of residential properties to the north east of the site runs contiguous with the northern boundary of the site, with open agricultural land beyond.

The site occupies a sustainable location within easy walking distance of the numerous facilities and public transport connections available within the Town.

3.0 PROPOSAL

This is an outline application which seeks consent for the principle of residential development for two dwellings on land adjacent to Highfield, The application is in outline with means of access considered and all other matters reserved for subsequent consideration. A Visual Impact Assessment has been submitted to support this level of development and a Heritage Impact Assessment has been submitted which presents clear evidence about the history of the site, its evolution and what is special and of heritage value.

4.0 RELEVANT PLANNING HISTORY

SMD/1978/0937	Residential Development.	Refused
SMD/2017/0635	Proposed outline planning permission with all matters reserved (except for access) for the erection of dwellings.	Refused

5.0 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 National Planning Policy Framework (NPPF) which was published on 27th March 2012 and revised in July in 2018 replaced a significant proportion of central government planning policy advice with immediate effect. It is the Government's clear intention that the document should be considered to be a material consideration and as such carries particular weight where development is not addressed by planning policies in the existing Development Plan.

Whilst the recently published NPPF does not change the statutory status of the Development Plan as the starting point for decision making it does provide guidance to LPA's and is a material consideration in determining planning applications. The NPPF confirms that at the heart of the guidance is a presumption in favour of sustainable development (para 11) and that for decision making this means approving development proposals that accord with the Development Plan without delay unless material considerations indicate otherwise. The NPPF also sets out requirements in respect of housing delivery and securing high quality design.

The Development Plan for the Staffordshire Moorlands comprises of the adopted Core Strategy Development Plan Document (March 2014) and the Saved Local plan Proposals Map / Settlement Boundaries (1998). The most relevant policies of the adopted Core Strategy are considered to be SS1 (Development Principles); SS1a (Presumption in Favour of Sustainable Development); SS2 (Future provision of Development); SS3 (Distribution of Development); SS4 (Managing the Release of Housing Land); SS5a (Areas Strategy); SS6c (Other Rural Areas Area Strategy); SD1 (Sustainable Use of Resources); SD3 (Carbon Saving Measures in Development); H1 (New Housing); DC1 (Design Considerations); DC2 (The Historic Environment)DC3 (Landscape and Settlement Setting), NE1 (Biodiversity and Geological Resources); (T1 Development and Sustainable Transport) and T2 (Other Sustainable Transport Measures). For the sake of brevity these policies are not quoted in full but they are referred to where appropriate in the following section.

In terms of Supplementary Planning Guidance the Space About Dwellings (September 1998 - Appendix 3 of the Local Plan [1998]) and Design Principles for Staffordshire Moorlands are also important in the consideration of this application.

Also of particular relevance to this application is the Staffordshire Moorlands Housing Land Supply Statement (March 2018) which 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.

Policy H1 of the emerging Local Plan relates to "New Housing Development" and sets out a criteria based approach to the assessment of new housing on the edges of

6.0 KEY PLANNING ISSUES

An outline consent for the redevelopment of this site for residential development was submitted to Staffordshire Moorlands District Council and refused by planning committee in July 2018 for the following reasons:-

"1.The application site is divorced from the settlement boundary and presents a poor relationship to the built up area of Leek. Development of this site is likely to present an uncharacteristic urban form of development that would appear divorced from the town and incongruous in this location. As such this application is considered contrary to Staffordshire Moorlands Core Strategy policies DC1, DC3 and R1 and Section 7 of the National Planning Policy Framework".

2. The development would result in significant impact on trees arising from the proposed access arrangements, involving the felling and removal of trees in three locations within continuous canopy tree belts, protected as Groups and Woodlands under a Tree Preservation Order reflecting their significant contribution to the character and landscape structure of the former Highfield House and the visual amenity of the area generally. In this regard the application is contrary to Policy DC1 of the Staffordshire Moorlands Core Strategy, the provisions of the NPPF and section 2.2.6 of the Council's adopted Tree Strategy. "

Essentially this is a second attempt application which seeks to address the previous two reasons for refusal. The key issues for consideration in the determination of this application are therefore considered to be:-

- The principle of development
- The application site's relationship to the settlement boundary of Leek and the proposed development's impact upon the character and appearance of the area
- Tree implications
- Other issues including highway safety and residential amenity.

The Principle of Development

Policies in the Core Strategy set out the 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. For the purposes of this assessment the site is situated outside the recognised settlement boundary for the town and is therefore considered to be located within an area of open countryside. Therefore, in terms of the relevant Development Plan policy (SS6c) and as the provision of residential development within this location would not fall within any of the exceptions for new housing within the countryside, there would therefore be an acknowledged conflict with Policy SS6c, and also H2 and R2 of the adopted Core Strategy.

Notwithstanding this the Council can still only demonstrate a 1.8-year deliverable supply of housing against its five year target, as is required by the NPPF. It therefore follows from paragraph 73 of the NPPF that relevant policies for the supply of housing cannot be considered to be up-to-date as discussed above. Whilst the Council is working towards adopting a new Local Plan at this stage only limited weight can be afforded to the document due to its status. In these circumstances paragraph 11 of the NPPF is engaged and as a consequence the titled balance in favour of approving housing proposals applies unless there would be significant and demonstrable harm to outweigh the benefits of the proposed housing provision, which is assessed against the significant shortfall in housing numbers within the district. The principle of development is therefore acceptable subject to compliance with the following.

The application site's relationship to the town's settlement boundary and the impact of the proposed development on the character and appearance of the area

Core Strategy 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 ..."

Core Strategy policy H1 "New Housing Development" states that "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 policies of the CS also seek to promote local distinctiveness and positively contribute to the area as is similarly reflected in the NPPF which confirms that the Government attaches great importance to the design of the built environment. It furthermore states that good design is a key aspect of sustainable development; is indivisible from good planning; and should contribute positively to making places better for people. Developments should function well and establish a strong sense of place creating attractive and comfortable places to live, work and visit. Proposals should also optimise the potential of the site to accommodate development and respond to local character and history including local materials and the use of good architecture and appropriate landscaping. Developments should also create safe and accessible environments where crime and disorder and the fear of crime do not undermine quality of life or community cohesion.

Policy DC1 sets out the design criteria relating to new development to reinforce local distinctiveness and positively contribute to the area. Policy DC2 states that Council will restrict development which would harm or be detrimental to, the special character and historic heritage of the District's towns and villages and those interests of acknowledged importance.

The recently updated NPPF advises that the Government attaches great importance to the design of the built environment and states that great weight should be given to outstanding or innovative designs which help to raise the standard of design more generally within the area. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of the area.

The first reason for refusal states that the application site is divorced from the settlement boundary and presents a poor relationship to the built up area of Leek. Concerns were also raised that development of this site would present an uncharacteristic form of development that would appear divorced from the town and incongruous in this location.

Firstly it is important to note that the application site lies a mere 120m from the edge of the town development boundary as specified within the Staffordshire Moorlands Local Plan. In fact it is only the width of the cricket pitch which "divorces" it from the town. Secondly the deposit Local Plan which is currently being examined by the Planning Inspectorate proposes an extension to the settlement boundary in this location to accommodate a housing allocation (LE102) along Macclesfield Road, which would extend the level of built development from Bridge End to the Cricket Club perimeter. Thirdly there is an extant consent to build 11 units on the site of the former Reservoir which would also extend build development towards the application site. The existence of an extant permission is a significant and material consideration which should be afforded significant weight. The development of this elevated and prominent site would also

extend built development towards the application site thereby reducing the distance between the urban edge of the town and the application site. Finally the application site sits within a small cluster of dwellings on this side of Macclesfield Road with residential dwellings to the north, east and west. Planning permission for new residential housing has recently been permitted within the immediate locality with 2 dwellings to the side of The Coach House and 4 new dwellings within the former walled garden of Highfield House. Both of these locations have much more open aspects and are more divorced from the built development of the town than the application site yet no concerns were raised in the assessment of these. Rather than appear as an incongruous and uncharacteristic form of development the current scheme which proposes the erection of two new dwellings within the grounds of Highfield would appear as a logical continuation of the built fabric and would be set against the backdrop of the adjacent dwellings rather than appear as a sporadic and unwarranted intrusion into the open countryside. It is therefore suggested on the basis of the above that the scheme as submitted clearly meets policies DC1, DC3 and R1 of the Council's adopted Core Strategy and guidance contained in the NPPF more generally.

Impact on Trees

The second reason for refusal related to the impact on trees arising from the proposed access arrangements. The new access off the main A523 proposed as part of the previous application has now been omitted from the current proposal. The current scheme proposes to use the current vehicle access arrangement and whilst a new access to the site off the tree lined drive will be required this has now been reduced to a single opening. The revised arboricultural report confirms that there are a large number of trees around the edge of the site the layout has been carefully designed to avoid removing any of the Category A or B trees. Whilst some trees along the Cricket Club drive will need to be removed these comprise of lower quality trees which would need to be removed in any event. The overall appearance of the drive should not alter greatly from a tree perspective. The amended scheme is therefore considered to overcome the original concerns regarding trees and the application complies with Policy DC1 of the Staffordshire Moorlands Core Strategy, the provisions of the NPPF and section 2.2.6 of the Council's adopted Tree Strategy.

Other Material Considerations

Highways

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 is reflected in CS Policy T1 Development and Sustainable Transport.

The previous scheme proposed the creation of a new access road onto the main Macclesfield Road. Whilst the Local Highway Authority considered this to be an improvement in highway terms Members felt that the provision of an additional access in such close proximity to the existing access serving the Cricket Club and dwellings would however be an issue and an informative which raised concerns over the highway safety implications of the development owing to local knowledge of pre-existing concerns regarding the A523 was included on the decision notice.

Rather than propose a new access the current scheme proposes to use the existing access road from the main A523. Whilst the access is narrow it is not considered that the provision of two additional dwellings would result in such an intensification of the access to warrant refusal on highway grounds. It is important to note that a similar approach was taken by the Local Highways Authority when considering the application for the two new dwellings adjacent to the Coach House (SMD/2017/0540 & SMD/2017/0776). On the basis of the above revisions it is considered that the proposal complies with CS policy T1 and guidance contained within the NPPF.

Amenity

The National Planning Policy Framework emphasises that good design is indivisible from good planning and should contribute positively to making places better for people. The NPPF also states that developments should function well and add to the overall quality of the area. Core Strategy policy DC1 requires that all development proposals should 'protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.' The Council's Supplementary Planning Guidance 'Space About Dwellings' details standards that should be considered and met to ensure privacy for existing and proposed residents.

No amenity issues were raised as part of the previous application. Given the size of the application site and the inter relationship with neighbouring dwellings it is considered that a suitable scheme could be designed at the reserved matters stage which would respect the amenity of the occupiers of the neighbouring dwellings and provide an adequate degree of amenity to the occupiers of the proposed units. The proposed development is therefore considered to comply with policy DC1 of the adopted CS and guidance contained within the NPPF in this respect.

Biodiversity

The conservation and enhancement of the natural environment is a core principal 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. The ethos of this is provided for in CS Policy NE1.

No issues in respect of biodiversity were raised as part of the previous application. The preliminary ecological survey undertaken as part of the original application confirmed that the habitats found on site are generally common and of limited ecological value. Subject to compliance with the recommendations contained within the report it is not considered that development of the site for residential purposes would be prejudicial to the established ecological interests of the area and would therefore accord with CS policy NE1 and the guidance contained within the NPPF.

Impact on Non Designated Heritage Assets

The application site flanks the side of the formal drive to the Highfield Estate and will be visible from the roadside and visitors to Leek Cricket Club. Whilst the Hall has been demolised the key estate character is still present with the wrought iron, hooped roadside railings, the historic entrance lodge, gates and railings and tree lined drive. This is therefore considered to be a non designated heritage asset. The NPPF states that the effect of an application on the significance of a non designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets a balanced

judgement will be required having regard to the scale of any harm or loss and the significance of the heritage of the asset.

A Heritage Impact Assessment was submitted with the original application which presented a detailed assessment of the way in which the estate has evolved over time. This report has been updated to reflect the changes proposed as part of this application and essentially concludes that the development of the site, which is located within a discrete area of low interest that does not impinge on the main views, would be seen as the further evolution of the estate. There would be no harm to the setting of the gate lodge or entrance and it is concluded that any harm to the non designated heritage asset could be offset by appropriate mitigation secured by condition to positively enhance landscape and setting of the asset such as careful landscape design and a landscape management plan to address the long term treatment of the historic planting.

No concerns were raised as part of the assessment of the previous application on heritage impact grounds with the planning case officer concluding that sensitively designed and considered development on this site would result in less than substantial harm to the historic integrity of a non designated heritage asset in accordance with Policy DC2 and chapter 12 of the former NPPF and that any harm would be outweighed by the public benefits of providing housing at a time of a significant housing shortfall.

7.0 CONCLUSION

The Government has a strong commitment to growth and provides a strong presumption in favour of development and is committed to increasing levels of growth. The NPPF states that local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. It goes on to state that local planning authorities should look for solutions rather than problems, and decision-takers at every level should seek to approve applications for sustainable development where possible. It also states in the NPPF that where proposals accord with the development plan they should be approved without delay, and where policies are out-of-date permission should only be refused where there is significant and demonstrable harm to outweigh the benefits of the development.

It is considered that the revised application adequately addresses the previous reasons for refusal and that the redevelopment of this site to provide two detached dwellings would accord with policies in the Development Plan and guidance contained within the National Planning Policy Framework. As such, the proposal would amount to sustainable development in the terms of the Framework and would therefore benefit from the presumption in favour of sustainable development as set out in paragraph 79 of the NPPF.

Furthermore, the proposed development would make a valuable contribution towards meeting the housing land supply shortfall in the District within an accessible and sustainable location. The development would also attract significant economic and social benefits that will aid the local economy and local businesses.

8.0 DESIGN & ACCESS STATEMENT

USE

The application site currently forms the garden and orchard of Highfield, Leek. The site itself is located outside the defined settlement boundary of Leek and is therefore considered to be located in the open countryside.

AMOUNT

The proposal is for 2no detached dwellings.

LAYOUT

At this stage layout is not a consideration as the submitted plan is for indicative purposes only. This matter will be addressed in a future reserved matters application.

SCALE

At this stage scale is not a consideration. This matter will be addressed in a future reserved matters application.

LANDSCAPING

At this stage landscaping is not a consideration as the submitted pan is for indicative purposes only. This matter will be addressed in a future reserved matters application.

APPEARANCE

At this stage appearance is not a consideration. This matter will be addressed in a future reserved matters application.

ACCESS

The proposal will utilise the existing access to the Cricket Club. The application site itself will then be accessed off a small access to be created off the tree lined drive to the north of the road to Highfield.