Design & Access Statement.

Proposed Detached dwelling

on land adjacent to

41 Churnet Valley Road
Kingsley Holt
Staffordshire Moorlands
ST10 2BQ

for

Mr M Matner

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Contents

1.0 Introduction

2.0 Use/Planning Policy

3.0 Amount

4.0 Layout

5.0 Landscape

6.0 Appearance/Scale

7.0 Access

1.0 Introduction

1.1 This Design & Access statement has been prepared in response to the Government's changes to the planning application process outlines in circular: *Guidance on Changes to the Development Control System*, which came into effect on 10 August 2006.

1.2 The statement provides an analysis and narrative of the proposals and is in line with guidance produced by CABE entitled *Design and Access Statements; how to write, read and use them.*

1.3 This statement relates to an application for the construction of single 3bed detached dwelling adjacent to 41 Churnet Valley Road Kingsley Holt,

2.0 Uses/Planning Policy

2.1 The existing use of the site is a well established dwelling situated on the main road towards the centre of the village,
The site sits with the village development boundary as defined in the local plan
The existing dwelling sits within a larger than average plot where the village as a whole has a mixture of detached, semi-detached and terraced properties which predominantly sit on narrow plots and so in terms of its physical context it is considered that the proposal would be appropriate and in keeping with its neighbours,

2.2 The site is slightly sloping up to the rear and is bounded by mature hedges.

2.3 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that the determination of development proposals must be made in accordance with the Development Plan unless material considerations indicate otherwise. The adopted Core Strategy (March 2014) is the key development plan document for the purposes of decision-making.

2.4 There are a number of adopted Core Strategy policies which are relevant to this application. These comprise;

- 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'
- SS6 'Rural Areas'
- SS6c 'Smaller Villages'
- SD1 'Sustainable Use of Resources'
- H1 'Housing Development'
- R1 'Rural Diversification'

2.5 The general application of these policies, and their status, is considered at paras 8-10 below but there are specific points regarding the relationship between the application proposal and these policies which are worthy of note. Policy SS2 states that *'sufficient deliverable land will be identified to provide at least 5 years of development at all times'.* Reference to the Housing Land Supply Schedule (March 2017) indicates that there is insufficient supply of housing land to meet the aspirations of this policy.

2.6 Policies SS4 and SD1 both promote a preference for the development of brownfield sites; the application proposal utilises brownfield land within the curtilage of an existing dwelling.

2.7 The actual relevance of specific housing policies, and the housing elements of the more general development policies referenced above, must be considered in the context of the Council's inability to demonstrate a five year supply of deliverable housing sites. The supply position as at March 2017 with a published deliverable supply of only 1.99 years and the situation is worsening. In 2012 a supply position of 4.3 years was claimed, whilst in March 2014 a supply of 2.17 years was identified. The under-supply position is therefore acute and deteriorating.

2.8 National planning advice and guidance is set out in the National Planning Policy Framework (NPPF) which re-affirms that development proposals which accord with the development plan should be approved without delay and where the development plan is absent, silent or its policies are out of date permission should be granted unless, inter alia, the proposal's adverse impacts would significantly outweigh the benefits.

2.9 In relation to housing proposals, the NPPF seeks, at para.47, to boost significantly the supply of housing by a number of means, including the need for local planning authorities to identify and update annually a supply of specific, deliverable sites sufficient to provide 5 years worth of housing against their housing requirements. Paragraph 49 of the NPPF states that housing applications should be considered in the context of the presumption in favour of sustainable development. Importantly, it adds that relevant policies for the supply of housing should not be considered up to date where a five year supply of deliverable housing sites cannot be demonstrated. In this case, the absence of a five year supply is clear and as such, policies relating to the provision and distribution of housing must be considered as either out of date or attract little weight in the decision making process.

2.10 In terms of the spatial distribution of new housing, policies which seek to restrict new housing to defined settlements must also be considered to be out of date. In this case, the application site is located outside a defined settlement but little or no weight can be attached to those Core Strategy policies which limit new housing to such locations. These include policies SS3, SS4 and SS6/6a.Recent appeal decisions confirm this position and the conclusions of these appeals, in the context of the status of development policies, represent important material considerations.

2.11 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 an 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.*

2.12 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.

2.13 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.

2.14 A recent appeal at a rural site at Baldwins Gate (Ref. APP/P3420/A/14/2218530) for 100 houses was upheld, inter alia, on the grounds that a five year supply could not be demonstrated and little or no weight could be attached to those development plan policies which had a spatial housing dimension. In the Baldwins Gate case, Saved Newcastle-under-Lyme Local Plan policy H1resists new housing outside development boundaries; Newcastle- under-Lyme and Stoke-on-Trent Core Strategy policy SP1 directs new housing to the urban core and Core Strategy policy ASP6 defines quantums of new housing as between urban and rural areas. In refusing the application, the Local Planning Authority had relied on these policies. The Inspector concluded that;

" …the Council cannot demonstrate a 5 year housing supply and, therefore, the relevant policies for the supply of housing (LP Policy H1 and CSS Policies SP1 and ASP6) should not be considered up-to-date. The weight given to them, and to the defined village envelope, should therefore be significantly reduced"

2.15 A recent appeal at Garston, Watford (Ref; APP/B1930/A/13/2207696), relating to a housing proposal for 100 dwellings, was upheld with the Inspector noting that;

"Whilst a lack of a five year land supply of deliverable housing land does not provide an automatic 'green light' to planning permission a balance must be struck. The deficiency in land supply would carry substantial weight in that decision balancing exercise"

2.16 Although these decisions apply to large scale housing proposals, the principles and approach to decision making taken in those cases have been successfully applied in relation to other housing development proposals and are relevant and applicable in relation to the application proposal which is made against a background of not only an absence of a five year housing land supply but also a deteriorating supply position as confirmed by the Council's own evidence. Against this background there can be no reasonable planning policy objection to this application which will allow for the provision of new housing in Kingsley Holt.

2.17 As the relevant development plan policies are clearly out of date in relation to housing supply and distribution, the application proposal must be determined in accordance with the requirements of paragraph 14 of the NPPF which supports sustainable development and requires, where the development plan is absent, silent or relevant policies are out of date, as is the case in this instance, that such development be granted permission unless,

"— 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; or

— specific policies in this Framework indicate development should be restricted."

2.18 In terms of para. 14 of the NPPF, the application site is not within an area where specific policies require development to be restricted (eg green belt) but it is necessary to consider whether the proposal will have adverse effects which outweigh its benefits and whether it represents sustainable development.

2.19 Although the application proposal is relatively modest in scale, it does deliver significant benefits and satisfies the roles of sustainable development as set out in the NPPF (para 7). In economic terms it will provide employment during the construction phase. A social role will be satisfied through the provision of a new dwelling which will help to meet unmet housing need in the District where the availability of suitable land to meet housing needs is severely deficient. In addition,

The site's redevelopment will not result in the loss of trees or habitats.

2.20 Overall, it is considered that the proposal is not in conflict with adopted policy on the basis that the relevant policies of the development plan, including those relating to the spatial distribution of new housing, are out of date. In contrast, the proposal derives general and specific support from the NPPF, notably paras 47 and 49. The proposal delivers tangible benefits and any harmful impacts arising from this scheme, which in any event are difficult to identify, do not significantly and demonstrably outweigh the benefits. As such the application should be approved.

3.0 Amount

3.1 The application seeks permission for the construction of a single detached 3 bed family dwelling having approximate footprint areas of 43.5sq m which reflects the size of some of the other properties in the vicinity.

3.2 The dwelling will be set in a reasonable sized plot, of about 248sqm in total whilst the overall existing site area is 796sqm

3.3 It is considered that the site can easily accommodate the proposed dwelling whilst achieving a sufficient private amenity garden area to both the new dwelling and the existing retained dwelling which exceed the minimum Space About Dwellings Standards.

4.0 Layout

4.1 The layout, has been determined to make the most efficient use of the site whilst also ensuring that the character and amenity of the locality is not compromised. Furthermore, it ensures that appropriate separation distances can be achieved between the new and existing properties adjoining the site.

The layout has been further influenced by the requirement to provide suitable car parking facility within the curtilage of the site for each of the dwellings.
Account has been taken of the need to avoid impacting on the amenity and privacy of the adjacent dwellings by restricting all new windows to principal room to the front and rear elevations,

The layout has been designed to make the most efficient use of the site whilst ensuring that the character and amenity of the locality is not compromised.

4.2 The layout of the proposal has been influenced by the site constraints and character of similar dwellings found elsewhere in the vicinity with the aim being to provide a property which will sit comfortably within the rural location.

5.0 Landscape

5.1 It is intended to provide a detailed landscaping scheme as a condition of any planning consent and so only the general principles are described in this statement.

5.2 The site presently comprises a hedge boundary which will be retained with a new low level hedge to subdivide the new front boundary with a new 1.8m high vertically boarded timber panel fence to subdivide the rear garden area which will be laid predominantly to lawn.
The hedge to the frontage will be reduced as required to form enable the new access to be formed and to improve visibility as required.

6.0 Appearance/Scale

6.1 In the immediate vicinity of the site the dwellings are predominantly two-storey in scale of a traditional style comprising red brick below a pitched tiled roof whilst the existing dwelling has a rendered upper section with projecting bay windows set below a pitched tiled canopy.

The proposal seeks replicate this simple traditional style with a rendered upper section with a tiled canopy over the entrance door

7.0 Access

7.1 For the purpose of this statement compliance with the current edition of the Building Regulation part M is assumed to be covered with the detailed design and proposals, as this is mandatory. It is not intended to therefore provide exhaustive coverage of all means taken to secure such compliance.

7.2 For the purposes of the statement of the definition of 'disability' is taken as that in Part 1 of the Disability Discrimination Act 1995.

All entrances into the building will be fully compliant with Part 'M' of the Building Regulations having a level approach and entrance door threshold.

A ground floor WC is provided to the property and all internal doors will be of a sufficient width to suit all users.

7.3 The existing hardcored access will be retained with the hedge running across he frontage will be suitably amended to suit the new access positions and will continue to be of a reduced height so as not to interfere with driver visibility when exiting both sites.

7.4 The new residential development will provide 2 no. car parking spaces to each dwelling served off both the existing and a new hardcored driveway with there being a sufficient turning facility within the curtilage of the site to exit in a forward direction.