Rob Duncan
Planning
Consultancy

PLANNING STATEMENT

THE TRAVELLERS REST
CHEADLE ROAD, LEEKBROOK

JANUARY 2019

Site Address:
The Travellers Rest, Cheadle Road, Leekbrook, Staffordshire, ST13 7DR

Applicant:
Broad Oak Properties Ltd.

Proposal:
Demolition of public house and re-development of site for up to 9no. detached dwellings (outline)

Planning Statement:
Date Issued: 24th January 2019
Job Reference: RDP/2019/011

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1. Introduction

1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Broad Oak Properties Ltd. to submit an application for the demolition of the Travellers Rest Public House, Leek Road, Leekbrook, and the re-development of the site for 9no. dwellings.

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

1.3 The application follows on from the recent grant of planning permission for the erection of five detached dwellings on land to the rear of the public house (SMD/2018/0280), and the change of use of the existing public house to retail (SMD/2018/0279).

1.4 The indicative layout plan accompanying the application shows the provision of nine dwellings, served off a central access road, with dwellings flanking the access on either side, leading up to a turning head at the southernmost end of the site, where a row of five dwellings will be sited. Plots 1 – 5 are shown arranged in a linear fashion, akin to the layout approved under application SMD/2018/0280. Plots 6, 7 and 8 are shown located to the northeast of the new access road, with plot 9 located on the southwestern side of the access.

1.5 Each dwelling is shown as benefitting from off-street car parking for a minimum of two vehicles, and will each have their own area of private residential amenity space to the rear. Whilst matters of layout, scale and appearance are reserved for subsequent approval, it is envisaged that the dwellings will be two-storey in nature, reflecting the scale, massing and design of the plots approved under application SMD/2018/0280.

2. Site & Surroundings

2.1 The application site comprises a parcel of land located within the defined settlement boundary for Leek, which is currently occupied by the Travellers Rest Public House, and its associated parking areas, beer garden and crazy golf course. There are two existing vehicular access points to the site, one at the northeastern end of the site, the other at the southwestern end. The southwestern boundary of the site the site is enclosed by a private road which leads up to properties to the east of the site, with further built development located to the east and northeast. The Cheadle Road encloses the northern boundary of the site, beyond which lies an established residential estate. Regular public transport services connecting with Leek and Hanley are available nearby on the Cheadle Road. The site is, in part, located within the flood plain of the River Churnet.

3. Planning Policy

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application. The Development Plan for this area comprises the Staffordshire Moorlands Core Strategy DPD (2014) of which the following policies are considered to be relevant:

3.2 **Policy SS1a** of the Core Strategy states that when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work pro-actively with applicants jointly to find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic,

social and environmental conditions in the area. Planning applications that accord with the policies in the Core Strategy will be approved without delay, unless material considerations indicate otherwise. Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- *Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole;*

- *or specific policies in that Framework indicate that development should be restricted.*

3.3 **Policy SS1** of the Core Strategy 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.

3.4 **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. In identifying land for new development or in considering planning applications, development shall also be compatible with the settlement hierarchy identified in policies SS5-SS6 which seek to distribute new residential development between the thee market towns of

Leek, Cheadle and Biddulph (72% in total), with the remaining 28% distributed within the rural areas.

3.5 **Policy SS6b** of the Core Strategy states that the smaller villages will provide for appropriate development which enhances community vitality or meets a local social or economic need of the settlement and its hinterland. Local community, social and economic needs will be met by, inter alia, enabling new housing development which meets a local need, including affordable housing.

3.6 **Policy C1** of the Core Strategy states that the District Council will resist proposals involving the loss of community facilities unless:

i. an alternative facility of the same type is available or can be provided in an accessible location in the same locality; or

ii. a viability appraisal including a marketing exercise by a qualified professional demonstrates that there are no options for continued use Staffordshire Moorlands as a community facility which are financially viable and it can be demonstrated that loss of the facility would not disadvantage local residents.

3.7 **Policy H1** of the Core Strategy states that new housing development should provide for a mix of housing sizes, types and tenure including a proportion of affordable housing as set out in policy H2 of Core Strategy. Policy H1 goes on to state that all development will be assessed according to the extent to which it provides for high quality, sustainable housing and to which it meets identified local housing market needs and the strategy for the area, having regard to the location of the development, the characteristics of the site and the economics of provision. It adds that residential development on

unidentified 'windfall' sites will be permitted up to a maximum size of 9 dwellings within the Development Boundaries of the towns and larger villages. The policy also states that new dwellings should 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 all development should be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council's Design SPD. It goes on to state that new development should (amongst others):

- *be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area;*

- *be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance;*

- *protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping;*

- *provide for safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use; ensure that existing drainage, waste water and sewerage infrastructure capacity is available.*

3.9 **Policy SD1** of the Core Strategy states that the Council will give encouragement to development on previously developed land in sustainable locations in allocating land for development and determining planning applications, except where:

- *a previously developed site performs poorly in sustainability terms and could not be made otherwise acceptable;*

- *development upon a previously developed site would cause harm to some asset of acknowledged importance or if it would create an unacceptable flood risk*

3.10 **Policy SD4** of the Core Strategy states that development proposed within the floodplain will be guided to first make use of areas at no or low risk of flooding before areas at higher risk, where this is viable or possible and compatible with other polices aimed at achieving a sustainable pattern of development. Development deemed acceptable within areas at risk of flooding due to national or other policies or other material considerations, must be subject to a flood risk assessment.

3.11 **Policy NE1** of the Core Strategy states that the biodiversity and geological resources of the District and neighbouring areas will be conserved and enhanced by positive management and strict control of development by (amongst others):

- *Resisting any proposed development that could have an adverse effect on the integrity of a European site alone or in combination with other plans or projects unless it can be demonstrated that the legislative provisions to protect such sites can be fully met.*

- *Ensuring development where appropriate produces a net gain in biodiversity, and ensuring that any unavoidable impacts are appropriately mitigated for.*

3.12 Policy T1 of the Core Strategy states that the Council will promote and support development which reduces reliance on the private car for travel journeys, reduces the need to travel generally and helps deliver the priorities of the Staffordshire Local Transport Plans, where this is consistent with other policies. This will be achieved by:

- *Ensuring that all new development is located where the highway network can satisfactorily accommodate traffic generated by the development or can be improved as part of the development.*

- *Ensuring that major development is located in areas that are accessible by sustainable travel modes or can be made accessible as part of the proposal.*

- *Referring to appropriate parking standards as laid out in national guidance, or any parking standards that may be produced locally.*

- *Where appropriate all new development shall facilitate walking and cycling within neighbourhoods and town centres, and link with or extend identified walking or cycling routes.*

4 Other Material Considerations

National Planning Policy Framework (July 2018)

4.1 The National Planning Policy Framework seeks to significantly boost the supply of new housing throughout the country, and encourages the effective use of land by reusing land that has been previously developed (brownfield land), provided that it is not of high environmental value. It also sets out guidance, *inter alia*, in respect of securing high quality design, safeguarding ecological interests, and maintaining highway safety. The content of this document is explored in more detail within 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. This represents a reduction in the available supply of housing compared to that in existence at the time of the previous application for residential development on the site (1.99 years). The content of this document is explored in more detail within the Planning Assessment below.

5 Planning Assessment

Principle of Development

5.1 The application site lies within the settlement boundary of Leekbrook, which is defined as a smaller village within the adopted Core Strategy (policy SS6b refers). Within such areas the erection of new dwellings is acceptable in principle, as was noted by the Local Authority in its determination of application SMD/2018/0280, where it was commented that:

> *"The site, despite being in a small village with limited shops and services, is well connected to the nearby town of Leek and the town centre is just 2 miles away and can be reached via lit footways along the main road. There is also a nearby bus service into the town. The site can be considered to be in a sustainable location and would also use previously developed land (part of a former pub) which is also encouraged in both local and national planning policies.*

5.2 As a consequence the proposed development is considered to accord with the provisions of policy SS6b of the Core Strategy in this regard, and will secure the delivery of new residential development in a sustainable location, on a previously developed site. The principle of development is therefore considered to be acceptable and in accordance with the development strategy for the District.

Loss of Public House

5.3 The proposal involves the demolition of the public house in order to facilitate the development. The pub has struggled over the years to be profitable, with numerous attempts by different tenants / owners to make it a viable operation. The applicant put the premises on the market in November 2017 as a going concern, noting its potential for alternative commercial uses subject to planning. Only one firm expression of interest was received, which was for the use of the premises as a retail unit. In order to facilitate the sale the applicant submitted an application to change the use of the premises to retail, which was subsequently approved by the Local Authority (SMD/2018/0279).

5.4 However, following the grant of that application, the prospective purchaser undertook a Summary Building Condition Report of the building, which

identified a number of repairs that would need to be undertaken to the in order to bring it up to a suitable and safe standard (excluding any costs of converting it for retail use). The estimated costings for those works were quoted in the report as exceeding £300,000, and this prompted the prospective purchaser to pull out of the deal. The building therefore remains vacant. The sales particulars were updated following the grant of planning permission to confirm its suitability for retail use, and it remains on the market to the present day. However, no subsequent purchasers have come forward, and the decision has therefore been taken to pursue comprehensive re-development of the site, including the demolition of the public house.

5.5 Having regard to the marketing undertaken in respect of this building (and which is still ongoing), and given the numerous failed attempts by previous tenants / owners at making a success of the public house as a business, it is considered that retaining the public house as a commercial entity would not be financially viable. This conclusion is reinforced by the Building Condition Report carried out by the previous prospective purchaser which confirmed the need for £300,000 worth of repairs to be carried out to the building.

5.6 It is furthermore noted that there are other public houses in the local area, a short distance away in Cheddleton (1.6km) which is accessible both on foot (the route having a footpath and street lighting), and via the regular public transport connections that operate along the Cheadle Road. Consequently it is submitted that local residents would not be significantly disadvantaged by the loss of this community facility, and there is therefore no conflict with the provisions of policy C1 of the Core Strategy.

Means of Access

5.7 The application proposes the alteration of the southwesterly access to the site to create a new, wider access to serve the new development. It will encompass a bell mouth access, with carriageway that is 4.5 metres in width, thereby enabling two vehicles to pass one another. Owing to the open site frontage, there will be good visibility on egress from the site in both directions and the indicative site plan demonstrates that the site is capable of accommodating a turning head in order to enable vehicles to exit the site in a forward gear. The existing vehicular access point at the northeastern end of the site will be closed up, and reinstated as highway verge. As consequence the proposed development will not derive any adverse impacts to highway safety within the locality, and accords with the provisions of policy T1 of the Core Strategy and paragraphs 108 and 109 of the NPPF.

Flood Risk

5.8 The site lies, in part, within the flood plain of the River Churnet. The application is therefore accompanied by a Flood Risk Assessment to demonstrate that the development will not be adversely affected by flood events in the locality. The Flood Risk Assessment concludes that the development would remain unaffected by the 1:100 year plus climate change flood events, and recommends that finished floor levels should be set 300mm above the general ground level of the site. Such floor levels will be detailed on the Reserved Matters submission, and can be secured via an appropriately worded planning condition. The development is therefore considered to be suitable from a flood risk perspective and accords with the provisions of policy SD4 of the Core Strategy and paragraphs 155 and 163 of the NPPF.

Ecology

5.9 The building has previously been assessed for its potential for bats and nesting birds, with no evidence of bats using the building as a place of shelter. A copy of the bat survey is submitted to accompany the application. One roosting opportunity was identified in the soffit at the front of the property, but this was deemed to be poor due to the open nature of the soffit. The bat survey nevertheless recommends the provision of a brick built bat box in the interests of enhancing roosting opportunities for bats, and such mitigation can be secured by way of an appropriately worded planning condition. In doing so the development will accord with the provisions of policy NE1 of the Core Strategy and paragraph 175 of the NPPF.

Other Matters

5.10 Matters of layout, appearance, scale and landscaping are reserved for subsequent approval, and consequently the proposed layout, scale and appearance of the dwellings is not known at this stage. The application is nevertheless accompanied by an indicative site plan which shows that the site is capable of accommodating up to 9 detached dwellings.

5.11 The character of the surrounding area is varied when it comes to the layout of developments, with some dwellings sitting side on to the highway, particularly those on the southeastern side of the Cheadle Road, and others fronting towards it, as is more prevalent on the northwestern side. The developments on the southeastern side of the road encompass a two storey dwelling sited side-on to the highway with further two-storey dwellings, orientated northeast / southwest, located behind in a broadly linear pattern. Beyond the southeastern boundary of the site is a long terrace of two storey properties orientated in a broadly northeasterly / southwesterly direction.

5.12 The indicative layout responds positively to this surrounding character by having dwellings orientated northeast / southwest as per the developments to the northeast, and a linear row of properties towards the southeastern boundary of the site, reflecting the linear terrace of properties beyond. It also demonstrates that the dwellings are capable of accommodating adequate private amenity space, as well as ensuring compliance with the Local Authority's minimum interface distances. The indicative layout also shows the provision of a minimum of two parking spaces per dwelling. Consequently the indicative layout demonstrates that the site is capable of accommodating up to nine detached dwellings. The final form and layout of the development will subject to scrutiny at the Reserved Matters stage.

Planning Balance

5.13 The titled balance in favour of approval, as set out in paragraph 11 of the National Planning Policy Framework is also engaged by this proposal, owing to the Local Authority's inability to demonstrate a five year deliverable supply of housing. The Local Authority's Housing Land Supply Statement (March 2018) confirms that only a 1.8 year deliverable supply of housing exists, and this represents a chronic shortfall in housing land against the requirements set out within the NPPF. In such circumstances paragraph 11 of the NPPF (and policy SS1a of the Core Strategy) dictates 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 this Framework taken as a whole" (my emphasis)*

5.14 This proposal will derive benefits of to the local economy, both to local tradesmen during the construction phase, and though the expenditure associated with the creation of nine additional households. Social and

economic benefits will also ensue as a consequence of delivering nine new dwellings to help meet the Local Authority's chronic shortfall in housing land. Such social and economic benefits are considered to be worthy of significant weight. The loss of the public house weighs against the proposal, but for the reasons set out above it is considered that alternative provision is available, and that continued use as a public house is not realistically viable. Significant environmental benefits will also ensue as a consequence of delivering nine new dwellings on a previously developed site which occupies a sustainable location, well served by public transport.

5.15 The submitted proposal is consistent with the adopted development strategy for the District, as set out in policies SS3 and SS6b of the Core Strategy, which make provision for new residential development within the smaller villages. It is furthermore submitted that no adverse impacts will arise as a consequence of the development to *significantly and demonstrably* outweigh the benefits when assessed against the NPPF taken as a whole.

6 Conclusion

6.1 It is considered that the proposed development represents an appropriate form of sustainable development having regard to the following conclusions:

- *The site lies within the defined settlement boundary of Leekbrook, wherein new development is considered acceptable under the provisions of the adopted Core Strategy;*

- *Extensive marketing of the premises has been undertaken, with only one firm expression of interest received for retail use. That sale did not proceed owing to the considerable costs of repairing the building. The*

continued use of the site for a public house / alternative commercial use is not considered to be economically viable;

- *The proposed means of vehicular access will not derive any significant adverse impacts to highway safety within the locality;*

- *The development will not be adversely affected by flood events;*

- *The proposed development will not derive any adverse harm to protected species within the locality;*

- *The indicative site plan submitted demonstrates that the site is capable of accommodating the proposed quantum of development, whilst safeguarding the character of the area and the amenity of neighbouring residential occupiers;*

- *There proposal will derive a number of material benefits which are not significantly and demonstrably outweighed by any adverse impacts;*

6.2 As a consequence, the proposed development meets the requirements of policies SS1, SS3, SS6b, C1, H1, DC1, SD1 and T1 of the Staffordshire Moorlands Core Strategy, and policies set out within the National Planning Policy Framework.

6.3 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.