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PLANNING, DESIGN & ACCESS

PROPOSAL : OUTLINE APPLICATION FOR THE ERECTION OF A SINGLE DETACHED TWO STOREY DWELLING INCLUDING PROVISION OF CAR PARKING FOR 4

ADDRESS : LAND ADJACENT TO NO 5 THE PLAIN, BLACK LANE, WHISTON, STAFFORDSHIRE, ST10 2HZ

APPLICANT : MR COPE

DATE : FEBRUARY 2019 JOB No.: 2018-2386

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INTRODUCTION

This statement is submitted in support of an outline planning application for the erection of a single dwelling on land adjacent to 5 The Plain, Black Lane, Whiston. The application is in outline with means of access and layout sought and all other matters reserved for subsequent consideration. The application has been submitted by Sammons Architectural Ltd on behalf of Mr Cope. The application is accompanied by a location plan and existing and proposed block plan which should be read in conjunction with this accompanying 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.

APPLICATION SITE AND ITS SETTING

The application site comprises of part of the garden area of No 5 The Plain, a modest semi-detached cottage which lies on the north eastern edge of Whiston Village. A single track lane borders the southern boundary of the site and alongside this is the high stone wall of buildings associated with Whiston Hall. Access to the site is via the track on the southern side which links to Black Lane a short distance (c. 75m) to the east.

THE PROPOSED DEVELOPMENT

This is an outline application which seeks outline planning permission for the erection of a single storey detached dwelling with means of access and layout sought and all other matters reserved for subsequent consideration. An indicative block plan which has been submitted in support of the application shows that the proposed dwelling would have a simple rectangular footprint measuring 10.25 sq metres x 5.65 sq metres and would provide a modest kitchen/dining room with separate lounge, hallway, utility room and w.c at ground floor with two bedrooms and a family bathroom above. Vehicular access would be derived directly off the private lane leading to Black Lane through the existing arrangement and 4 parking spaces 2, for number 5 and 2 for the application dwelling would be provided to the south of the site.

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

- SO1 Spatial Objectives
- SS1 - Development Principles
- SS1a - Presumption in Favour of Sustainable Development
- SS2 - Future Provision of Development
- SS3 - Distribution of Development
- SS6b Other Rural Areas Area Strategy
- SS6c - Other Rural Areas Area Strategy
- DC1- Design Considerations
- DC2 The Historic Environment
- DC3 Landscape and Settlement Setting
- SD2 - Renewable / low carbon energy
- H1 - Housing
- R1 - Rural Diversification
- R2 - Rural Housing
- 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

Paragraphs 1-14

Section 4 Decision making

Section 12 Achieving well designed places

Section 16 - Conserving and enhancing the historic 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 2018)

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.

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.

Whilst the village of Whiston is recognised as a smaller village 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, the infill boundary for Whiston is considered to be out of date as it has not yet been fully reviewed in order to accommodate the level of housing development required by the Core Strategy. It also 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. The principle of the development proposed is therefore considered acceptable subject the following criteria.

Sustainability

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.

Whiston has a limited range of facilities/services including a village hall, a playground, football pitch and a church. In the allowed appeal for a single dwelling at land between Brook Cottage and Sneyd Arms, Ashbourne Road (ref: APP/B3438/W/17/3187025 – copy attached) the Inspector recognised that “Whiston is a designated smaller village where limited infill development could take place in accordance with Policy SS6 and SS6b of the Core Strategy. Whilst I can only place limited weight upon the proposed settlement boundary within the emerging Site Allocations DPD, the appeal site does relate well functionally to the core of the village”. Furthermore, “the proposed development would not lead to a peripheral expansion of the village which would be according to the Core Strategy, a factor in the setting of appropriate settlement boundaries for the smaller villages. Furthermore, the proposed development would not be isolated development in the countryside and would be consistent with paragraph 55 of the Framework which seeks to locate rural housing where it will maintain or enhance the vitality of rural communities, for example where development in one village may support the services in a village nearby”.

In conclusion therefore the 2018 appeal decision found that the scheme for a single dwelling represented infill development and related well functionally to the village of Whiston. In addition, it should be noted that an outline planning permission for the erection of 2 dwellings including the provision of car parking for 4 has recently been approved under reference number SMD/2018/0309 on the neighbouring garden. Following the grant of permission in principle a subsequent full application for a row of four terraced properties has now been submitted (reference SMD/2019/0005) and is due to be determined by the Planning Applications Committee on 4th April 2019. The recent appeal decision and the granting of outline consent for residential development on a neighbouring site both constitute material planning considerations which should be afforded significant weight. On this basis it is considered that 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.

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.'

As an outline application details of design will be considered under a subsequent reserved matters application. An indicate site layout plan has been provided and this is key to ascertaining the practicalities of fitting the proposed dwelling within the site. The layout plan shows a modest cottage style building which has a simple rectangular footprint which mirrors that of the host building and attached semi. Whilst the land to the rear of the application site is currently free from any built development an adequate separation distance between the two could be achieved. Whilst the detached dwelling to the west of the application site (number 1 The Green) is angled towards the application site the juxtaposition and design of the dwelling is such that the integral garage would be closest to the shared boundary. This combined with the layout of the proposed dwelling and the orientation of the building to the north with the passage of the sunlight will mean that there will be minimal if any impact on the outlook, amenity or privacy of either the occupiers of the existing dwelling or the proposed dwelling.

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 pattern of development in that it is not a ribbon development or sporadic parcel of land. 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

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'.

The application proposes to use the existing private lane which leads directly to Back Lane. In addition it proposes to provide dedicated off road parking provision for both the occupiers of the host building (5 The Plain) and the proposed dwelling. It should also be noted that no objections were raised to the provision of a further two dwellings by the County Highways Authority and it is not considered that the provision of a further dwelling utilising this arrangement would result in such an intensification of use as to raise any

adverse highway issues. 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 site comprises of domestic curtilage for the adjoining dwelling and as such has no ecological value. No ecological assessment has therefore been provided as part of this outline application and is considered that any biodiversity issues raised as part of this application could be treated using suitably worded conditions which would be consistent with the approach used for the development on the neighbouring plot.

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. Whilst lying outside the designated settlement boundary the erection of a single dwelling 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, DC1 and DC3 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.

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. The application proposes a single two storey dwelling and this amount of development is considered to be in keeping with the nature and character of existing development which surrounds the site.

LAYOUT

To demonstrate that a single dwelling can be accommodated on the site approval for layout is sought as part of this outline application. The submitted site plan proposes an illustrative layout which provides for a single detached dwelling which would have a simple rectangular footprint. The dwelling would lie to the south of the existing semi-detached cottage and maintain the building line. Adequate garden and amenity space for the occupiers of both the proposed and existing residential development will be maintained and as such the proposal represents a 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 a single two storey dwelling which would be in keeping and consistent with the scale of the adjacent development.

LANDSCAPING

The site is located within part of an existing domestic curtilage and therefore benefits from existing hard and soft landscaping. 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 house would however be in keeping with the local vernacular consisting of traditional facing materials.

ACCESS

The application proposes the use of the existing vehicular access off Black Lane, Whiston which has recently been approved to serve the erection of a further two dwellings on the adjoining site. The site is located within a sustainable edge of village 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.