Hewitt&CarrArchitects

Planning Statement

Erection of replacement dwelling
Land at Bromley Wood, Hill Lane, Morrilow Heath
For Mr. M. Thompson

Document Reference: 00844 – PS1
Date: March 2019

Contents **Page No**

1.0	Introduction	3
2.0	Site Description	4
3.0	Planning Policy	4
4.0	Other Material Considerations	10
5.0	Statement of Case	10
6.0	Conclusion	13

1.0 INTRODUCTION

1.1. Hewitt & Carr Architects have been instructed by Mr. M. Thompson to prepare a planning application for the erection of a replacement dwelling on land at Bromley Wood, Hill Lane, Morrilow Heath. The application represents a resubmission following the approval of application P/2016/01840 which granted consent for the erection of replacement dwelling along with an outbuilding to house a biomass plant. That permission remains extant.

1.2. The application site straddles the administrative boundaries of East Staffordshire Borough Council and Staffordshire Moorlands District Council, and consequently identical applications have been submitted to both Local Authorities. No development is to take place within the administrative boundary of Staffordshire Moorlands (within which the vehicular access to the public highway runs), with the proposed development solely occurring within the administrative area of East Staffordshire Borough Council.

1.3. The application proposes the erection of a replacement dwelling occupying a floor area of gross floor area of 125.8m^2 and standing to a maximum height (above existing ground level) of 3.1 metres (2.8 metres for the bulk of the dwelling). The dwelling adopts a contemporary, flat roofed style of design, akin to that which was approved under the previous application on the site but differs in that it also encompasses subterranean accommodation. The proposed living accommodation will encompass an open plan kitchen/lounge/diner, entrance hall and two ensuite double bedrooms at ground floor, with two further ensuite bedrooms, office, utility, bike store and gymnasium at lower ground floor (subterranean) level. Vehicular access to the site is taken via the existing track along the western boundary of the site, with off-road parking for two vehicles provided.

1.4. The application has been subject to pre-application discussions where it was commented that the principle of the revised siting and design of the replacement dwelling is acceptable. It was also noted that the dwelling would be set lower into the site and as such the wider visual impact would be reduced. It was recommended that this be demonstrated within the submitted documentation. It was also commented that the revised dwelling should not be larger above ground that the approved scheme. The additional basement level, whilst effectively making the dwelling much larger, was considered to be acceptable on the basis that in material terms it would not be more visually intrusive in the wider landscape. Materials of construction will be important to the successful implementation of this contemporary scheme. The need for an Arboricultural survey was also identified, with a recommendation that a formal legal agreement be submitted in order to ensure that two dwellings cannot be constructed on the site.

2.0 SITE DESCRIPTION

2.1. The application site comprises a timber chalet and cluster of outbuildings set within a large domestic curtilage. The site lies within the rural area and straddles the administrative boundaries of East Staffordshire Borough Council and Staffordshire Moorlands District Council. The eastern boundary of the site is enclosed by a row of mature Oak trees, beyond which is open agricultural land. A small copse of self-set trees is located at the northern end of the site. The western boundary is enclosed by an indigenous hedgerow beyond which runs the vehicular access track that connects with the public highway to the south east. The site as a whole is sloping in nature and rises up in a southerly direction.

3.0 PLANNING POLICY

3.1. Paragraph 11 of the NPPF confirms that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. The existing dwelling and the proposed dwelling both lie within the administrative boundary of East Staffordshire Borough Council. However, part of the access track connecting the site to the public highway falls within the administrative boundary of Staffordshire Moorlands District Council. Consequently, it is necessary for identical applications to be lodged with each Local Authority. However, as no development is proposed within the part of the site that falls within the Staffordshire Moorlands this planning statement has not undertaken any assessment of prevailing policies within the adopted Staffordshire Moorlands Core Strategy DPD. It instead focuses solely on the relevant planning policies within the East Staffordshire Local Plan (2012-2031), which are summarised below:

3.2. Policy SP1 of the Local Plan states that development proposals will be required to demonstrate the principles of sustainable development and will be assessed against the presumption in favour of sustainable development as interpreted and applied locally to East Staffordshire Borough Council. In assessing whether a development proposal or allocation is as sustainable as possible, the Council will apply the following principles depending on the type of application or development proposed:

- located on, or with good links to, the strategic highway network, and should not result in vehicles harming residential amenity, causing highway safety issues or harming the character of open countryside;
- it is convenient and safe to walk, cycle and travel by public transport between (and for larger sites, around) the site and existing homes, workplaces, shops, education, health, recreation, leisure, and community facilities and between any new on-site provision;
- retains, enhances, expands and connects existing green infrastructure assets into networks within the site and within the wider landscape;

- re-uses existing buildings where this is practicable and desirable in terms of the contribution the buildings make to their setting
- integrated with the character of the landscape and townscape, provides for archaeological investigation where this is appropriate and conserves and enhances buildings of heritage importance, setting and historic landscape character;
- designed to protect the amenity of the occupiers of residential properties nearby, and any future occupiers of the development through good design and landscaping;
- high quality design which incorporates energy efficient considerations and renewable energy technologies;
- developed without incurring unacceptable flood risk or drainage problems and uses Sustainable Drainage Systems (SUDS) where appropriate;
- does not harm biodiversity, but rather enhances it wherever possible, including increasing tree-cover, especially as part of the National Forest;
- creates well designed and located publicly accessible open space;
- would demonstrably help to support the viability of local facilities, businesses and the local community or where new development attracts new businesses and facilities to an area this does not harm the viability of existing local facilities or businesses;
- would contribute towards the creation of sustainable communities through the provision of a mix of housing types and tenures;
- uses locally sourced, sustainable or recycled construction materials (including wood products from the National Forest where this is appropriate), sustainable waste management practices and minimises construction waste;
- safeguards the long term capability of best and most versatile agricultural land (Grade 1, 2 and 3a in the Agricultural Land Classification) as a resource for the future; and
- would result in the removal of contamination and other environmental problems associated with the site.

3.3. Policy SP8 of the Local Plan states that development outside settlement boundaries will not be permitted unless it is:

- essential to the support and viability of an existing lawful business or the creation of a new business appropriate in the countryside in terms of type of operation, size and impact and supported by relevant justification for a rural location; or
- providing facilities for the use of the general public or local community close to an existing settlement which is reasonably accessible on foot, by bicycle or by public transport; or
- in accordance with a 'made' (i.e. legally in force) Neighbourhood Plan; or
- development under the Rural Exception Sites policy (see Policy 18 on Exception Sites); or
- Appropriate re-use of Rural Buildings following guidance set out in the Rural Buildings SPD; or
- infrastructure development where an overriding need for the development to be located in the countryside can be demonstrated; or

- development necessary to secure a significant improvement to the landscape or the conservation of a feature of acknowledged importance; or
- provision for renewable energy generation, of a scale and design appropriate to its location.
- otherwise appropriate in the countryside.

3.4. Policy SP8 goes on to state that proposals falling within one of these categories will be judged against the following criteria where applicable:

- The proposed development must not adversely affect the amenities enjoyed by existing land users, including, in the case of proposals for development close to an existing settlement, the occupiers of residential and other property within that settlement.
- Proposals do not introduce considerable urban form
- Proximity to settlements where there are advantages of sustainable linkages, but this should not create unacceptable urban extensions or create the opportunity for unacceptable backfill between the development and the urban area
- The detailed siting of the proposed development and its associated environmental impact are compatible with the character of the surrounding area,
- The design of the buildings, structures and materials are visually well related to the proposed site and its setting with careful choice of materials, landscaping, massing of buildings and attention to local architecture and roofscape design.
- Landscaping associated with the proposal takes into account both the immediate impact and distant views of the development.
- The proposed development will not have an adverse impact on the transport and highway network and provides adequate access for all necessary users
- The need to maintain land of high agricultural value for food production

3.5. Policy SP24 of the Local Plan states that development proposals must contribute positively to the area in which they are proposed and:

- Help to create a sense of place, building on the urban, suburban and rural local character, respecting local patterns of development and the historic environment, and using heritage assets to their best advantage,
- Provide safe communities, through appropriate use of clearly defined public and private spaces, passive surveillance and active frontages
- Reinforce character and identity, through local distinctiveness.
- Enhance the landscape and protect and enhance biodiversity;
- Aid movement and accessibility by providing clear and legible connections that work with existing routes and streets, and account for pedestrians and cyclists
- Retain, enhance and expand green infrastructure assets within the development as the basis of the green infrastructure-led development.

- Present an appropriate layout for new development that integrates with the existing environment and context, including space around dwellings, public and private space and open spaces;
- Be adaptable in order to enable a change of uses where this is possible;
- Provide innovative and contemporary architecture where this is appropriate;
- Within The National Forest, reflect the character of the Forest in their design, through street tree planting, showcasing timber in building construction where appropriate, incorporating wood fuel systems and green roofs, especially in Burton upon Trent, where this will contribute to the town being considered as the Capital of The National Forest.
- Provide well designed and integrated public art in substantial schemes in the town centres, and in other proposals where it is intended that the public have access into the site or where there is suitable public space within the site;
- Minimise the production of carbon through sustainable construction and reuse of materials where possible and promote the use of renewable energy source technology solutions where possible;

3.6. Policy SP29 of the Local Plan states that in considering proposals for development the Council will seek to protect, maintain and enhance the biodiversity and geodiversity of the Borough through the following measures:

- Ensuring that development retains, protects and enhances features of biological or geological interest, and provides for the appropriate management of these features
- Ensuring that development produces a net gain in biodiversity in line with UK and/or Staffordshire Biodiversity Action Plan species, and biodiversity opportunities
- Supporting proposals which improve the environment by reclaiming and improving derelict, contaminated, vacant or unsightly land for biodiversity value
- Supporting developments with multi-functional benefits, particularly those relating to health, education, social inclusion and environmental protection
- Ensuring development does not disturb or damage soils of high environmental value and, where development is proposed, soil resources are conserved and managed in a sustainable way

3.7. Policy SP29 goes on to state that development proposals that would have a direct or indirect adverse effect on European, national or local designated sites, non-statutory sites or Priority habitats and species will not be permitted unless:

- They cannot be located on alternative sites that would cause less or no harm; and
- The benefits of the development clearly outweigh the impacts on the feature and the wider habitat network; and
- Prevention, mitigation and compensation measures of a comparable or enhanced value are provided.

3.8. Policy SP35 of the Local Plan states that the Council is committed to developing a well integrated community connected by a sustainable transport system which connects people to jobs, services and community facilities. This will be achieved encouraging the use of sustainable modes of transport and by taking the following steps:

- Supporting measures which facilitate the modal shift to public transport, cycling and walking demonstrated in a travel plan;
- Promoting and supporting traffic management measures and environmental improvements which increase safety, improve air quality, and make our towns and villages more attractive;
- Promoting electronic communications allowing businesses to operate throughout the borough reducing the need to travel;
- Ensuring development proposals provide appropriate infrastructure measures to mitigate the adverse effects of development traffic and other environmental and safety impacts (individually or cumulatively);
- Securing appropriate provision or contributions towards the cost of any necessary highway improvements, provision of public transport services and facilities, and walking and cycling facilities in line with the most up to date Staffordshire County Council Integrated Transport Strategy;
- Requiring developments which are likely to have an impact on the wider highway infrastructure to be accompanied by a transport assessment clearly setting out how the likely impacts of the development will be addressed.

3.9. Policy DP1 of the Local Plan states that planning permission will normally be granted for development which responds positively to the context of the surrounding area and in itself exhibits a high quality of design and is compliant with the East Staffordshire Design Guide (or any superseding document). In assessing the design of development proposals, the Borough Council will have regard to the following factors where appropriate to the type of development:

- The layout of the development in terms of its circulation routes and arrangement of buildings and how they relate to such factors in the surrounding area including the pattern of settlements.
- How the design of the development responds to the historic environment context and conserve and enhance heritage assets, including their setting.
- How elements of any open spaces, both hard and soft, in the proposed development relate to each other, the proposed buildings, the characteristics of the site and the surrounding landscape's character and appearance, including appropriate public realm.
- The density and mix of the development in relation to its context and the uses to which the development will be put.
- The massing of the development in terms of the shape, volume and arrangement of the building or buildings in relation to the context of the development.
- How the height and massing of the proposed development relates to the height of surrounding development and any vistas, views or skylines.

- Materials to be used within the development and how they interrelate with each other, their immediate and overall context and any traditional and vernacular materials used in the area.
- The detailing and construction techniques to be used in the development and how they interrelate with each other, and relate to the immediate and overall context.
- The impact on the amenity of occupiers of nearby residential properties in terms of loss of light, outlook, or privacy.
- The extent to which the design of the development takes into account the safety of users and reduces the potential for crime to occur in accordance 'Designing Out Crime' guidance

3.10. Policy DP1 goes on to state that the design and layout of parking areas will be in accordance with the Council's adopted Parking Standards or updated document and will be required to:

(i) Minimise the visual impact on the area, and integrate parking into the design to minimise the impact on the design and amenity of existing buildings, particularly on public facing frontages;
(ii) Incorporate appropriate landscaping, particularly where necessary to break up larger parking areas;
(iii) Provide clearly demarcated parking bays and safe pedestrian routes through the parking area which link with existing routes
(iv) Incorporate any required lighting sensitively to avoid adversely affecting the amenities of occupiers of nearby dwellings, or the safe use of the car park itself and adjoining highways
(v) Make adequate provision of spaces for disabled users
(vi) Make adequate provision for the parking/storage of cycles

3.11. Policy DP3 of the Local Plan states that planning permission for new residential development and/or extensions will normally be granted planning permission where they meet the following criteria and would, in all other respects, be compliant with the East Staffordshire Design Guide (or any superseding document) and other relevant policies in the development plan:

- the design and layout would not result in overlooking between principal windows of dwellings;
- the development would not result in a material loss of light to principal windows or the private amenity space of adjacent dwellings;
- the development would not have an unacceptably overbearing impact on adjacent dwellings;
- the design and layout allows outdoor domestic activities to be undertaken in reasonable privacy, bearing in mind the type of dwelling and likely household size of both the existing surrounding dwellings and the proposed dwelling/extension;
- buildings constructed within the curtilage for uses that are ancillary to the dwelling are appropriately designed (especially in terms of scale) and sited

for their intended ancillary use, paying regard to the size of the dwelling and its curtilage.

3.12. Policy DP4 of the Local Plan states that planning permission for replacement dwellings in the countryside will only be granted where:

(i) The proposed new dwelling is not significantly larger than that which it replaces;
(ii) The proposed new dwelling is not more intrusive in the landscape than that which it replaces;
(iii) Residential use has not been abandoned.
(iv) The replacement would not result in the loss of a building which displays the special qualities of a traditional rural building. (v) The replacement dwelling is more energy efficient than the original dwelling and where possible reuses building materials

4.0 MATERIAL CONSIDERATIONS

National Planning Policy Framework (NPPF)

4.1. The National Planning Policy Framework seeks to secure the delivery of sustainable development and sets out policies in respect of securing high quality design, and in respect of highway safety and ecology. The content of the NPPF has been taken into consideration in the preparation of this application.

East Staffordshire Design Guide

4.2. This document sets out guidance in respect of securing high quality design and has been taken into consideration in the preparation of this planning application.

5.0 STATEMENT OF CASE

Principle of Development

5.1. Policy SP8 of the Local Plan identifies a number of types of development that are considered appropriate within the rural area, and this includes development 'otherwise appropriate in the countryside'. The proposal entails the erection of a replacement dwelling, which is considered to be appropriate in the context of policy SP8, as was confirmed during pre-application discussions. It is also noted that the principle of erecting a replacement dwelling on this site has already been established under application P/2016/01840.

5.2. The approved replacement dwelling on the site was materially larger than the one being replaced but was justified on account of the extensions that could have otherwise been undertaken to the existing dwelling as Permitted Development. That approved replacement dwelling scheme remain extant and constitutes a material consideration in the determination of this application.

5.3. The submitted proposal encompasses the erection of a part-subterranean dwelling, which will have a gross floor area of 125.8m^2 and stand to a maximum height (above existing ground level) of 3.1 metres (2.8 metres for the bulk of the dwelling). By comparison the extant permission on the site encompasses a dwelling with a gross floor area of 113m^2, along with a biomass building occupying a floor area of 20.1m^2. The approved dwelling has a maximum ridge height of 3.4 metres.

5.4. In floorspace terms the proposed replacement dwelling is therefore larger than the replacement dwelling approved under application P/2016/01840. However, it is submitted that the proposed replacement dwelling will have a lesser overall impact on the wider landscape on account of the fact that the additional floorspace is accommodated within the subterranean part of the site and does not result in any increase in bulk or massing above ground level compared to the extant permission. During pre-application discussions it was furthermore advised that the additional subterranean level, whilst effectively making the dwelling larger, was acceptable on the basis that in material terms it would not be more visually intrusive in the wider landscape.

5.5. It is also highlighted that the proposed dwelling is to be located further into the site than the extant permission on lower ground, and consequently the dwelling will sit lower within the site than the approved dwelling, further lessening its overall impact on the wider landscape. This is demonstrated on the section drawing accompanying the application (00844 – AL(0)04) which shows that the proposed dwelling will sit some 0.96 metres lower within the site than that which was approved under application P/2016/01840. As a consequence the proposal is considered to accord with the provisions of policy DP4 and SP8 of the Local Plan, and is acceptable in principle.

5.6. During pre-application discussions it was recommended that a legal agreement be entered into in order to satisfy the Local Authority that the approved development and the proposed development cannot both be constructed on the site. We consider this an unnecessary requirement as the section drawing accompanying the application demonstrates that the two replacement dwelling schemes overlap one another by a considerable degree, and consequently it would not be possible for both permissions to be implemented.

Design & Layout

5.7. The approved replacement dwelling on the site adopts a contemporary, flat roofed style of design, with vertical window arrangements, and was found by the Local Authority to be acceptable. This revised submission encompasses a similarly contemporary and flat roofed design but differs in that it also incorporates a subterranean element to the design. The general scale, massing and design is nevertheless in keeping with that which the Local Authority has previously approved on the site. The dwelling is to be constructed from a mixture of facing brickwork (grey) with vertical composite timber effect cladding, with the latter material predominating. Such muted materials are considered to be in keeping with the rural character of the surrounding area

and give a nod to the existing timber chalet which is proposed for replacement. It is also highlighted that the proposed replacement dwelling will have less of a visual impact within the surrounding area compared to the extant permission, owing to the dwelling be set at a lower level within the site and having a reduced overall height.

5.8. Owing to the location of the proposed dwelling, there will furthermore not be any adverse impacts to neighbouring residential amenity. The proposed domestic curtilage is already established and does not exceed that which was approved under the previous application, and consequently the scale, massing, design and layout of the proposed dwelling is considered to in keeping with the provisions of policies SP1, SP8, SP24 and DP3 of the Local Plan.

Impact on Trees

5.9. Owing to the presence of a row of mature oak trees along the eastern boundary of the site, and a small group of self-set trees towards the northern end of the site, the applicant has commissioned Tree Heritage to prepare a Tree Survey and Arboricultural Impact Assessment (AIA) to accompany the application.

5.10. The survey identifies that of the 10 Oak trees which enclose the eastern boundary of the site, one is graded as Category A (high quality), and six are graded as Category B (moderate quality). The remainder of the Oak trees, along with a Silver Birch on the northern boundary, and the group of trees towards the northern end of the site, are graded as Category C (low quality).

5.11. The AIA identifies that the proposal will involve the removal of one Category C Oak tree, and the majority of the Category C group of trees to the north of the proposed dwelling. The AIA advises that the better trees within that group may be retained, or potentially transplanted to elsewhere within the site. None of the other trees on the site, including those identified as Category A and B specimens, will be affected by the proposed development.

5.12. Tree protection measures are recommended and shown within the AIA document. The imposition of a suitably worded planning condition can ensure that such tree protection measures are implemented, and in doing so the development will not result in any adverse harm to important trees on the site. The proposed development is therefore in accordance with the provisions of policy SP29 of the Local Plan.

Impact on Protected Species

5.13. Owing to the proposed demolition of the existing structures on the site, the application is accompanied by a Bat & Bird Survey prepared by Absolute Ecology. The survey concludes that the main chalet building, and adjacent structures do not have any evidence of roosting bats, and can be demolished without causing adverse impact to protected species. The only building on site with potential for bats is located in the northeastern corner of the site. However, that building is proposed for retention, and consequently the development as a

whole will not derive any conflict with the provisions of policy SP29 of the Local Plan.

Highways & Parking

5.14. The application site is accessed via a track which runs up the western boundary of the site. The submitted proposal encompasses no alterations to the existing track but encompasses the provision of two off-road parking spaces for use by future occupiers. There is scope to accommodate additional off-road parking within the site if so required. An internal bike store is also proposed in the interests of encouraging more sustainable modes of transportation. The proposed level of parking provision is considered appropriate for the proposed development, and consequently the development will not derive any material adverse harm to highway safety in the locality. The proposal is therefore in accordance with the provisions of policies SP35 and DP1 of the Local Plan.

6.0 CONCLUSION

6.1. The proposed replacement dwelling is considered to be acceptable in principle and will have less of a visual impact on the surrounding rural area than the extant permission on the site. The proposed contemporary, flat roofed design, and proposed palette of materials is considered to be in keeping with the design approved under the extant permission and will not result in significant adverse harm to the character and appearance of the surrounding area. The proposal is also acceptable in terms of its overall layout, means of access, relationship to surrounding trees and impact on local ecology interests.

6.2. The proposed development is therefore considered to accord with the provisions of policies SP1, SP8, SP24, SP29, SP35, DP1, DP3 and DP4 of the East Staffordshire Local Plan, and guidance contained within the National Planning Policy Framework and the East Staffordshire Design Guide. The Local Authority is therefore respectfully requested to grant planning permission for the proposed replacement dwelling.