Rob Duncan
Planning
Consultancy

PLANNING, D&A & HERITAGE STATEMENT

LAND REAR OF 30-34 CHURCH LANE CHECKLEY

JULY 2019

Site Address:
Land rear of nos. 30-34 Church Lane, Checkley, Staffordshire, ST10 4NJ

Applicant:
Mr. J. Bevan

Proposal:
Erection of Detached Two Storey Dwelling

Planning, D&A & Heritage Statement:
Date Issued: 17th July 2019
Job Reference: RDP/2019/051

Report Prepared By:
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1 Introduction

1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Mr. J. Bevan to seek full planning permission for the erection of a detached two storey dwelling on land to the rear of nos.30-34 Church Lane, Checkley.

1.2 The site forms part of a larger parcel of land owned by the applicant, which also includes the nearby Public House (The Red Lion). The proposed dwelling will be located towards the easternmost corner of the site, in the general location of an existing cluster of ramshackle buildings which are proposed to be removed. The dwelling is to be orientated so that its front elevation will face westwards towards the pub car park and beer garden, with its rear elevation facing eastwards. It is proposed to construct the dwelling from red/orange facing brickwork, with a Staffordshire Blue tiled roof.

1.3 The proposed dwelling will occupy a footprint of 68.56 square metres, and have a gross internal floor area (GIA) of 117.2 square metres. The dwelling will stand to a maximum ridge height of 7.25 metres, and have an eaves height of 4.5 metres. Its internal accommodation will comprise of a lounge, kitchen/diner, utility, study and w.c. at ground floor, with four bedrooms (one ensuite) and family bathroom at first floor. To the rear of the property an area of private amenity space (157.25 square metres) will be provided.

1.4 The application also proposes the erection of a detached double garage, which is to be sited alongside the proposed dwelling. The garage will occupy a footprint of 39.69 square metres and stand to a ridge height of 5 metres. The dwelling and garage will be served by a new driveway that will connect to the existing vehicular access that runs alongside the eastern elevation of the public house.

2 Site & Surroundings

2.1 The application site comprises a parcel of pastoral land that extends to approximately 0.094 hectares in area. It is located to the south of nos.30-34 Church Lane, and separated from their existing rear parking area by a fence and hedgerow. The existing vehicular access that is to be used to serve the proposed dwelling runs parallel to the western boundary of no.30 Church Lane, and is separated from their rear domestic curtilage by a close board fence.

2.2 A ramshackle cluster of buildings are located at the eastern end of the site and they, along with the land immediately around them, are used for a variety of uses, including agricultural, equestrian and the storage of contract vehicles including a JCB and HGV can unit. The remaining parcel of pastoral land extends in a southerly direction, and slopes gently away from the site. That land is enclosed along its eastern boundary by a fence and mature hedgerow, with further vegetation enclosing the far southern boundary of the field. The existing beer garden and car park to the public house is located to the west / south west of the site. The westernmost boundary of the car park and beer garden is enclosed by mature hedgerow, beyond which lies Public Footpath Checkley 21 which runs in a north/south direction parallel to that boundary.

2.3 The site as a whole lies adjacent to the settlement boundary of Checkley, as defined by the 1998 Staffordshire Moorlands Local Plan, and thus is within the rural area. The emerging Staffordshire Moorlands Local Plan (Submission Version) proposes to remove the previously designated boundary, such that the whole village will then fall within the rural area. The site is also noted to lie within the Checkley Conservation Area. To the north of the existing vehicular access lie a number of Listed Buildings, including the Church of St.

Mary (Grade 1), the separately listed Churchyard Wall (Grade 2), and a row of memorials within the church yard (Grade 2).

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 (2014) of which the following policies are considered to be of relevance:

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 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.

3.4 **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.

3.5 **Policy SS6b** of the Core Strategy relates to the 'Smaller Villages Area Strategy' and states that these villages, of which Checkley is identified as one, will provide only for appropriate development which enhances community vitality or meets a local social and economic need of the settlement and its hinterland. It goes on to confirm that local community, social and economic needs will be met by (amongst others):

- *Enabling new housing development which meets a local need, including affordable housing*

3.6 **Policy SS6c** of the Core Strategy relates to the 'Other Rural Areas Area Strategy' and states that these areas will provide only for development which meets an essential local need, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside. The policy goes on to state that the Council will meet essential local needs by (amongst others):

- *restricting new build housing development in the countryside to that which is essential to local needs, including affordable housing;*

3.7 **Policy R2** of the Core Strategy relates to 'Rural Housing' and states that only the following forms of housing development will be permitted in the rural areas outside the settlement and infill boundaries of the towns and villages:

- *Affordable Housing;*

- *A new dwelling that meets an essential local need, such as accommodation for an agricultural, forestry or other rural enterprise worker, where the need for such accommodation has been satisfactorily demonstrated and that need cannot be met elsewhere;*

- *Proposals for replacement dwellings, provided they do not have a significantly greater detrimental impact on the existing character of the rural area than the original dwelling or result in the loss of a building which is intrinsic to the character of the area;*

- *Extensions to existing dwellings provided they are appropriate in scale and design and do not have a detrimental impact on the existing dwelling and the character of the rural area;*

- *The conversion of non-residential rural buildings where the building is suitable and worthy in physical, architectural and character terms for conversion and it can be demonstrated that agricultural or commercial use is not viable or suitable.*

3.8 **Policy DC1** of the Core Strategy relates to 'Design Considerations' and 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 DC2** of the Core Strategy relates to 'The Historic Environment' and states that the Council will safeguard and, where possible, enhance the historic environment, areas of historic landscape character and interests of acknowledged importance, including in particular scheduled ancient monuments, significant buildings (both statutory listed and on a local register), the settings of designated assets, conservation areas, registered historic parks and gardens, registered battlefields and archaeological remains

by resisting development which would harm or be detrimental to the special character and historic heritage of the District's towns and villages and those interests of acknowledged importance.

3.10 **Policy SD1** of the Core Strategy relates to the 'Sustainable Use of Resources' and confirms that the Council will give encouragement to development on previously developed land in sustainable locations, 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 important or if it would create an unacceptable flood risk;*

4 Other Material Considerations

National Planning Policy Framework (2019)

4.1 The National Planning Policy Framework introduces a presumption in favour of sustainable development sets out guidance, *inter-alia*, in respect of significantly boosting the supply of housing, securing high quality design, the delivery of rural housing, safeguarding heritage assets and promoting the re-development of previously developed sites. The content of the NPPF has been taken into consideration in the preparation of this Planning Statement and is discussed in more detail within the Planning Assessment below.

Emerging Staffordshire Moorlands Local Plan (Submission Version)

4.2 The new Local Plan has been subject to its examination in public and is due to be adopted in early 2020. A number of its policies are relevant to the determination of this application, including:

- **Policy SS2** of the emerging Local Plan states that the Rural Area Smaller Villages generally have a poor range of services and facilities and it is often necessary for local residents to travel outside the village for most of their daily needs. Development on a large scale would be unsustainable in these villages, as it is will generate a disproportionate number of additional journeys outside the village and may undermine the spatial strategy. However, it is recognised that these settlements have a limited role in meeting the development requirements for the District which may assist in maintaining the vitality of the smaller villages. These settlements are not defined by a Development Boundary and only limited development of an appropriate nature will be allowed. Where relevant, green belt policy will also apply.

- **Policy SS9** of the emerging Local Plan states that the smaller villages shall provide only for appropriate development which enhances community vitality or meets a social or economic need of the settlement and its hinterland. It goes on to state that meet community, social and economic needs will be achieved by enabling limited new housing development, including small infill schemes in accordance with Policy H1 and allowing for rural exceptions housing in appropriate locations in accordance with Policy H1.

- **Policy H1** of the emerging Local Plan states that outside of the development boundaries, limited infill residential development of an appropriate scale and character for the Spatial Strategy will be supported, provided that:

  - The development will adjoin the boundary of a larger village and be well related to the existing pattern of development and surrounding land uses, or:

- The development is well related to the existing pattern of development of a smaller village and will not create or extend ribbon development or lead to sporadic pattern of development; and;
- In all cases the development will not lead to a prominent intrusion into the countryside or have a significant adverse impact on the character and appearance of the countryside.

Staffordshire Moorlands Housing Land Supply Statement (2018)

4.3 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. As a consequence the so-called tilted balance in favour of approval is engaged by this proposal.

Staffordshire Moorlands Design SPD (2018)

4.4 This document sets out guidance aimed at securing good quality design and confirms that the architectural style of new development should be guided through an assessment and understanding of the character and context of the area. The content of the SPD has been taken into consideration in the preparation of the application and is referred to in more detail within the Planning Assessment below.

Staffordshire Moorlands New Dwellings and Extensions to Dwellings SPG

4.5 This document sets out guidance in respect of the design of new residential development, including matters of siting, roof design, elevations, and materials. The content of this SPG was taken into consideration in the preparation of the application and is referred to in more detail within the Planning Assessment below.

5 Planning Assessment

Principle of Development

5.1 Policies SS2 and SS3 of the Core Strategy confirm that provision will be made for the delivery of 6000 additional new dwellings within the Staffordshire Moorlands over the plan period to 2026, of which some 28% (equivalent to 1,680 dwellings) are to be delivered within the rural areas. Policy SS6b of the Core Strategy allows for appropriate development within the smaller villages, which enhances community vitality or meets a local social and economic need, including new housing development, and the proposed two-storey dwelling is consistent with those provisions.

5.2 The submitted proposal is nevertheless acknowledged to be in conflict with the provisions of policies SS6c and R2 of the Core Strategy, as the proposal does not involve a dwelling that is essential to meet a rural need (e.g. an agricultural workers dwelling), nor does it comprise affordable housing or involve the reuse of a building. However, whilst this conflict is noted, it is considered that material considerations exist to outweigh this conflict and justify approval of the proposed development.

5.3 The first material consideration is the Local Authority's inability to demonstrate a five-year deliverable supply of housing, as required by paragraph 73 of the National Planning Policy Framework. The inability to demonstrate a five-year supply of housing engages the titled balance in favour of approval, as set out in paragraph 11 of the National Planning Policy Framework. Paragraph 11 states that where relevant development plan policies are out-of-date (as is the case here), planning permission should be granted 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.

5.4 For reasons discussed within the Heritage Impact section below, the proposal does not derive any conflict with any policies within the Framework that seek to protect assets of particular important, and thus meets criterion i) above. It is also submitted that a number of material benefits will ensue as a consequence of the development, and that no adverse impacts will arise to significantly and demonstrably outweigh them, thus according with criterion ii) above.

5.5 The proposal will derive economic benefits to the local economy, derived from the generation of additional household expenditure. This is estimated at £9,388 per year (based on figures published by the Local Authority's Regeneration Service). Short-term economic benefits would also ensue as a consequence of generating work for local tradespeople during the construction phase of the development. Significant social benefits would also ensue as a consequence of delivering a new dwelling to help address the Local Authority's chronic shortfall in housing land supply. Environmental benefits will also ensue as a consequence of the proposal reusing previously developed land. Located on the site at present are a ramshackle range of outbuildings that along with the land immediately around them have been used for a variety of uses, including the keeping of horses and their associated feed and hay storage, and the storage of contract vehicles, including a JCB and HGV cab unit. The use of the buildings and surrounding

land for such purposes means the site can be considered as previously developed land, the re-development of which is supported by policy SD1 of the Core Strategy.

5.6 Further environmental benefits will ensue as a consequence of delivering a high quality design, that respects the character and appearance (discussed in more detail below), and which is located in a sustainable location. In this context it is noted that the site lies a short distance from existing public transport connections on the Uttoxeter Road (200m approx.) that provide hourly bus services to Upper Tean, Hanley and Uttoxeter. The Hutchinson Memorial Church of England First School, Checkley Community Centre, Red Lion Public House and The New Broom Public House are all located within comfortable walking distance of the site. The walking route between the application site and these existing facilities and public transport connections is lit by street lighting and has a pedestrian footway along most of it. Consequently future occupiers of the dwelling will have a realistic choice in their means of transportation to access local services, facilities, and employment opportunities.

5.7 The emerging Local Plan Submission Version is also of relevance. Policy H1 of the Local Plan states that limited infill residential development of an appropriate scale and character for the Spatial Strategy will be supported, provided that the development is well related to the existing pattern of development of a smaller village and will not create or extend ribbon development or lead to sporadic pattern of development. It also requires the development must not lead to a prominent intrusion into the countryside or have a significant adverse impact on the character and appearance of the countryside. These matters are discussed in more detail below, where it is concluded that the proposal will not create ribbon development or lead to sporadic pattern of development, and that it will not lead to a prominent

intrusion into the countryside. The proposal is therefore considered to accord with the provisions of policy H1 of the emerging Local Plan Submission Version.

5.8 The various benefits identified are considered to lend considerable weight in favour of the proposed development, and for reasons discussed below, no adverse impacts will arise to *significantly and demonstrably* outweigh the benefits of the development when assessed against the NPPF taken as a whole. The principle of development is therefore considered to be acceptable.

Heritage Impacts

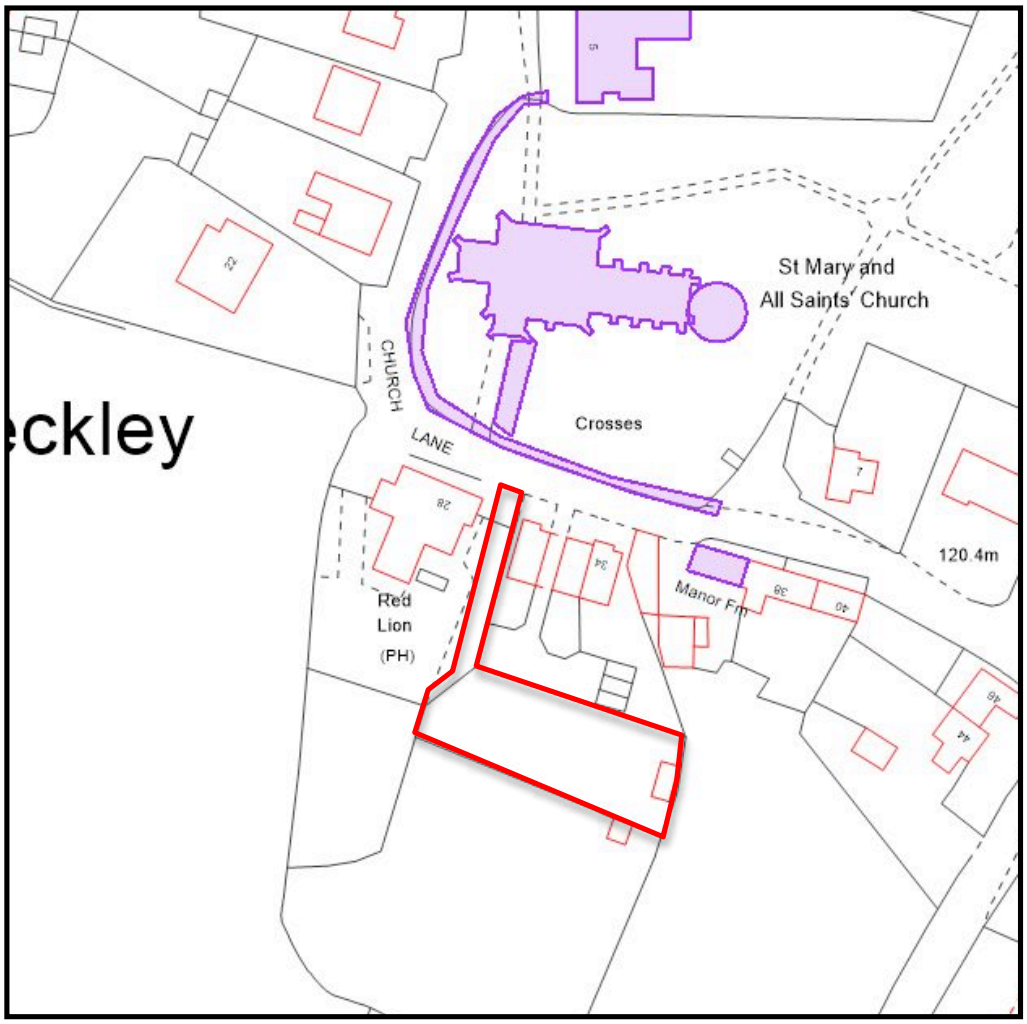
5.9 The application site is located within the Checkley Conservation Area, and is located a short distance from a number of Statutorily Listed Buildings, including the Grade I Listed Church of St. Mary. Paragraph 192 of the National Planning Policy Framework states that in determining applications, local planning authorities should take account of:

a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
c) the desirability of new development making a positive contribution to local character and distinctiveness.

5.10 Paragraph 196 of the NPPF goes on to state that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, the harm should be weighed against the public benefits of the proposal. An extract of the Local Authority's Planning

Constraints Map showing the spatial relationship of the application site to nearby Listed Buildings is shown in Figure 1 below.

Figure 1 – Extract of SMDC Planning Constraints Map



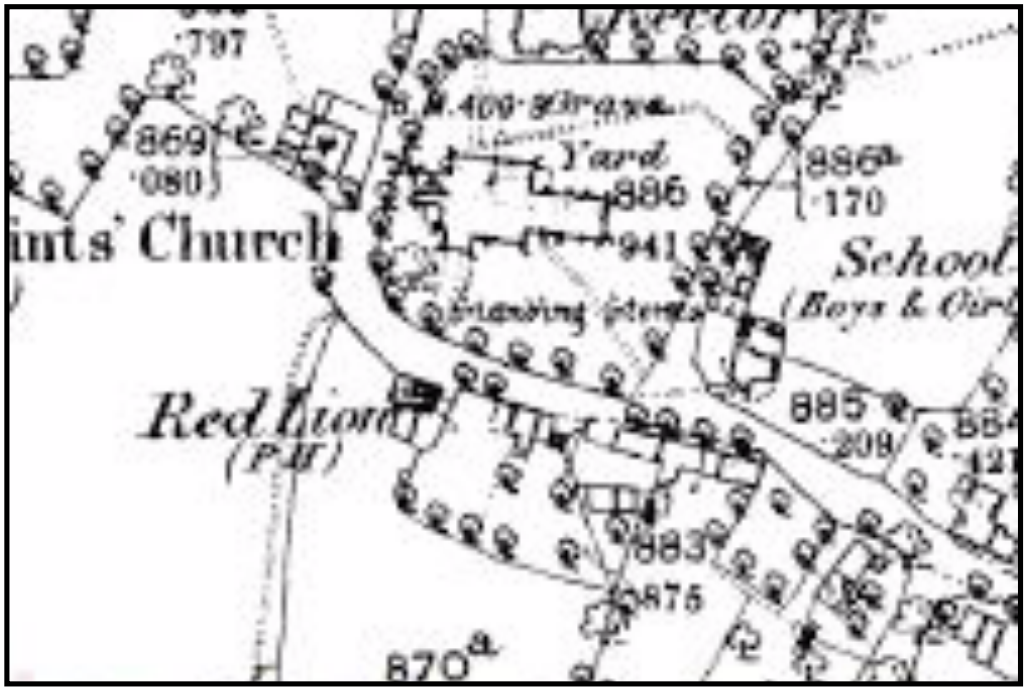
5.11 The statutorily Listed Buildings shown comprise the following:

- Church of St. Mary (Grade I)
- Churchyard Wall & Gates (Grade II)
- Row of 5 Memorials within Churchyard (Grade II)
- Woodruff Memorial (Grade II)

- Manor Farmhouse (Grade II)
- The Old Rectory (Grade II)

5.12 These existing Listed Buildings, along with the Red Lion public house are all identified on the 1881 Ordnance Survey Map of the village (see Figure 2 below), with only limited new development taking place in the village until the 1970s when additional development along the northernmost stretch of Church Lane took place, as well as the creation of St. Mary's Place to the northeast and Cranberry Avenue to the northwest.

Figure 2 – Extract of 1881 Ordnance Survey Map



Source: Old-maps.co.uk

5.13 Further limited expansion took place during the 1980s and 1990s, with the main core of the village remaining largely unaltered from the plan form that existed in 1881, aside from the introduction of infill development in the 1990s to create nos. 30 – 34 Church Lane, which lie to the immediate north of the site.

5.14 The main developable area of the application site is located to the south of the main cluster of Listed Buildings, and has been occupied by built development in its easternmost corner since at least 2006. The existing cottages at nos. 30 – 34 Church Lane stand in between. and provide a strong visual screen to the development in views from these nearby Listed Buildings, in particular the Grade I Listed Church and its Churchyard Walls and Memorials. The removal of the fence that currently encloses the existing vehicular access down the eastern side of the Red Lion Public House will not have any material adverse impact on the setting of these Listed Buildings, and consequently no material harm to the significance of these buildings as heritage assets will ensue.

5.15 The proposed dwelling has been designed to reflect the scale, massing and design of the cottages constructed at nos. 30 – 34 Church Lane, and in views from the public footpath to the west, it will be read against the backdrop of those cottages, and the two storey outbuilding associated with Manor Farmhouse. In views from the track located 60 metres to the east, any glimpses of the development will similarly be seen against the backdrop of the existing cottages and the Red Lion Public House. It will not appear as an isolated or sporadic form of development.

5.16 The existing poor quality, ramshackle buildings on the site will also be removed to the benefit of the character and appearance of the area, and having regard to the general pattern of development within the locality, which includes buildings located in set back positions behind existing development (the two storey outbuilding at Manor Farmhouse being one such example), it is considered that the development is acceptable in terms of its siting / layout.

5.17 The proposed dwelling has been designed to reflect the scale, massing and design of the adjacent cottages, and will have a similar ridge and eaves height. Consequently the development will assimilate well with its surroundings and will respect the character and appearance of this part of the Conservation Area. Such considerations lead me to conclude overall that the development will have a neutral impact on the significance of the nearby Listed Buildings and Conservation Area as heritage assets.

5.18 Nevertheless, if the Local Authority consider otherwise, and concludes that the proposal gives rise to "less than substantial harm", it is submitted that the material benefits of the proposal, in particular the delivery of new housing to meet the chronic shortfall in housing land supply, serves to outweigh any such perceived harm. The proposed development is therefore considered to meet the requirements of policy DC2 of the Core Strategy.

Design & Amenity

5.19 The proposed dwelling takes its design cues both from the immediate surrounding context, but also wider Moorlands vernacular, as informed by the adopted Design SPD. The existing cottages to the north of the site (nos.30 – 34 Church Lane) have the closest visual association to the proposed development, and encompass modest, cottage style proportions, with front projecting gables, intersecting dormer windows, and two thirds elevation / one third roof proportions. They are furthermore constructed from red/orange facing brickwork with the Staffordshire Blue tiled roof. The scale, massing and design of that development was found to be acceptable in the context of its impact on the setting of the nearby Listed Buildings, and is therefore considered to constitute to offer appropriate design cues for the proposed dwelling.

5.20 The submitted proposal encompasses a scale that is commensurate with the existing cottages to the north, and has a similarly low eaves line. It also incorporates a front projecting gable akin to the style of the neighbouring cottages, with simple brick eaves and verge details, and is to be constructed from a complimentary palette of materials. The proposal also adopts a strong ridgeline, emphasises by gables, which spans the shorter side of the building, as aspired to by the Design SPD. The development also achieves a balance of proportions with two-thirds elevation / one-third roof approach which is traditional of the Moorlands. Window proportions are similar throughout and a high solid to void ratio is achieved. Openings are arranged harmoniously, in a broadly symmetrical manner and aligned in columns rather than randomly placed. The proposed windows are to be recessed into the openings by a minimum of 50mm in line with Moorlands tradition. Traditional cill and header detailing is also proposed. The proposed garage also adopts a simple, traditional style of design, with gabled roof, matching roof pitch and side hung doors.

5.21 The above assessment demonstrates that the proposed development responds positively to the Local Authority's adopted Design guidance, and will derive a form of development that is in keeping with the character and appearance of the immediate locality. Consequently, the proposal is considered to be acceptable in terms of its scale, massing design and layout, and meets the requirements of policy DC1 of the Core Strategy and the adopted Design SPD and New Dwellings and Extensions to Dwellings SPG.

Residential Amenity

5.22 The layout and design of the proposed dwelling has been designed to ensure that the development will not have any adverse impact on the amenity of neighbouring residential occupiers, in particular nos. 30 – 34 Church Lane, which are located immediately to the north of the site. The dwelling will sit

side on to these cottages, and will not have any principal windows facing towards their respective rear elevations. The interface distance between the rear elevations of the neighbouring cottages and the side elevation of the proposed dwelling exceeds the minimum requirement of 14 metres, as set out in the Local Authority's Space about Dwellings Standards, and consequently neighbouring residential occupiers will not be adversely affected by the proposed development.

5.23 In terms of amenity standards for future occupiers of the dwelling, an area of private amenity space is to be provided to the rear of the dwelling, and this will far exceed the recommended minimum provision set out within the Local Authority's informal Space about Dwelling standards. The proposed dwelling has also been designed to ensure that it complies with the minimum floorspace standards set out within the DCLG Technical Housing Standards. Consequently, future occupants of the dwelling will be afforded an appropriate level of residential amenity, and as such the development accords with the relevant provisions of policy DC1 of the Core Strategy in this regard.

Highway Safety & Parking

5.24 The application site is to be served by an existing vehicular access that has historically been used to serve the public house (along with its other main entrance to the west). This access affords reasonable visibility on egress and consequently will not derive any material adverse harm to highway safety within the locality. The application also proposes the provision of at least three off-street parking spaces (two within the proposed detached garage), along with associated manouvering space, and consequently future occupiers will be able to exit the site in a forward gear. The proposed development is therefore considered to be acceptable from a highway safety perspective.

6 Conclusion

6.1 It is concluded that the submitted proposal represents a sustainable form of development having regard to the following conclusions:

- *The Local Authority is unable to demonstrate a five year deliverable supply of housing;*

- *The NPPF is clear that there should be a presumption in favour of applications for new housing and that where policies for the control of housing are out-of-date (as is the case here) that planning permission should be granted unless adverse impacts of doing so would significantly and demonstrably outweigh the benefits;*

- *The proposed development will generate a number of significant benefits associated with the economic, social and environmental dimensions of sustainable development;*

- *The proposal will not derive any material adverse harm to the setting of nearby Listed Buildings, or to the character and appearance of the Conservation Area;*

- *The scale, massing, design and layout of the development will deliver a high quality design that is firmly in keeping with the character and appearance of the area and wider Moorlands vernacular;*

- *The development will not give rise to significant and demonstrable harm to neighbouring residential amenity or the amenity of future occupiers of the dwelling;*

- *The proposed development will not give rise to severe residual highway safety impacts;*

6.2 The proposed development is therefore considered to accord with the provisions of policies SS2, SS3, SS6b, SD1, DC1 and DC2 of the Staffordshire Moorlands Core Strategy, policies SS2, SS9, and H1 of the emerging Staffordshire Moorlands Local Plan, and guidance contained within the National Planning Policy Framework, adopted Design SPD and New Dwellings and Extensions to Dwellings SPG.

6.3 The Local Authority is therefore respectfully request to grant full planning permission for the proposed development.