DWELLING OFF SMITHY LANE, MOBBERLEY, CHEADLE, STOKE-ON-TRENT, ST10 1TN

Brief Planning justification to support outline planning application

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1.0 The proposal

The application seeks outline planning permission for a single dwelling. All matters are reserved for later approval.

An indicative plan is submitted which shows a detached house with parking space for at least 3 cars along with a garage.

No siting plan approval is sought and a dwelling could be sited to the front or rear of the plot to the applicants preference and Council requirements. The indicative plan does however readily show that the plot is of sufficient size and dimensions to accommodate a detached house. The existing brick buildings are shown outlined and which have a similar footprint to the indicative house.

2.0 Site features

The site is sandwiched between 2 existing dwellings to the south of Cheadle. The site is served by Smithy Lane which connects directly onto the Main Road.

The site contains an existing large brick built garage. Records show that this was used in the past as a depot for a commercial haulage operator who used the site to park and maintain 2 HGV's

To the rear southern side of the site lies woodland whist to the north lies open pasture. Close to where Smithy Lane adjoins the main road there is a public footpath which links Cheadle and Tean.

The number 30 and 32 bus run between Cheadle and tTan and there is bus stop outside of the former Crown PH and opposite to it. These bus stops are a 2 minute walk from the site.

3.0 Planning policy matters

National planning policy

The National Planning Policy Framework (NPPF) was released in February 2019. It affirms the governments commitment to sustainable development and to significantly boosting housing supply.

Paragraphs 7 and 8 read as follows:

> *The purpose of the planning system is to contribute to the achievement of sustainable development. At a very high level, the objective of sustainable development can be summarised as meeting the needs of the present without compromising the ability of future generations to meet their own needs4.*
>
> *Achieving sustainable development means that the planning system has three overarching objectives, which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives):*
>
> *a) an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
>
> *b) a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of present and future generations; and by fostering a well-designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well-being; and*
>
> *c) an environmental objective–to contribute to protecting and enhancing our natural, built and historic environment; including making effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

And paragraph 10 makes it clear in bold type that there is a **presumption in favour of sustainable development.**

Paragraph 11 says in respect of decision making:

11. Plans and decisions should apply a presumption in favour of sustainable development.

For decision-taking this means:

> c) approving development proposals that accord with an up-to-date development plan without delay; or
>
> d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date7, granting permission unless:
>
> > 1 the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed6; or
> >
> > 2 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.

Section 5 deals with the delivery of a sufficient supply of homes. Paragraph 68 confirms that small sites can make an important contribution to meeting housing needs and that great weight should be given to approving windfall sites.

The NPPF also supports and promotes the re-use of previously developed land and buildings.

Local planning policy and housing supply.

5 Year Housing Supply

STAFFORDSHIRE MOORLANDS HOUSING DELIVERY SCHEDULE HOUSING SUPPLY – 31st Mar 2018

This council report confirms that the council only have a 1.8 year housing supply. This is not an unusually low supply rate and the council have at least a 20 year legacy of under supplying housing land.

Staffordshire Moorlands Local Plan (1998)

This policy is now many years old and local and national planning policy has changed significantly since the plan was adopted. Only limited weight should be given to policies contained within it and especially so in light of the council's persistent and significant under supply of housing land.

Adopted Staffordshire Moorlands Core Strategy DPD (26th March 2014)

The following Core Strategy policies are relevant to the application:-

SS1 Development Principles

This confirms that the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands. Mixed housing type and tenure is supported along with making the best use of previously developed land and buildings.

SS1a Presumption in Favour of Sustainable Development

The policy states that ''*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."

SS2 Future Provision of Development

This simply states that 6000 additional dwellings (net of demolitions) to be completed in Staffordshire Moorlands (excluding the Peak District National Park) during the period 2006 to 2026. This will be phased at the average development rates to achieve the net additional dwelling completions set out below. Sufficient deliverable land will be identified to provide at least 5 years of development at all times.

SS3 - Distribution of Development

This sets out the am of providing 22% of housing within Cheadle and 28% in the rural area.

SS6 - Rural Areas

This clarifies the types of rural settlement and affirms The Site Allocations DPD will define the urban areas of larger villages by a Development Boundary and will allocate sites for development sufficient to ensure that the requirements set out above can be met. In the smaller villages an Infill Boundary will be defined within which limited infill development will be permitted.

SD1 Sustainable Use of Resources

The policy is important and says the following:

The Council will require all development to make sustainable use of resources, and adept to climate change. This will be achieved by:

1. Giving 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.*

Development on non-allocated greenfield land will only be considered acceptable where the proposal:

- *relates to the provision of needed development which cannot be accommodated on a deliverable previously developed site or other allocated site in the locality and is in a sustainable location, or;*

- *relates to the conversion or reuse of a rural building in accordance with policy R2, or;*

- *would secure the future conservation of a heritage asset through appropriate enabling development in accordance with policy DC2, or;*

- *is for a rural exceptions affordable housing scheme in accordance with policy H2.*

2. Supporting or promoting proposals that remediate brownfield sites affected by contamination, where this is consistent with other policies and also ensuring that any legacy from former land uses (such as coalmining) is appropriately addressed so that no future liability for future maintenance or public safety arises.

3. Requiring that development is located and designed to minimise energy needs and to take advantage of maximised orientation to achieve energy savings in line with Policy SD3.

4. Ensuring all major-scale planning applications (10 or more residential units or 1,000+ square metres floor area) are accompanied by a Sustainability/Energy Statement. This should address the energy efficiency, water conservation, sourcing of construction materials, and site orientation aspects of the scheme, and where possible the feasibility of integrating micro-renewables. The degree of detail expected will depend on the scale/complexity of the proposal.

5. The Council will expect that all developers investigate the potential for re-using construction or construction waste materials, especially those sourced locally (which can include those minerals available on site, as appropriate) and integrates where possible on-site waste management facilities.

6. The Council will promote water conservation standards in approved schemes which exceed those set out in the Buildings Regulations (for example as expressed in the Code for Sustainable Homes and the BREEAM offices scale).

H1 New Housing Development

This reiterates the need for housing too provide for a mix of type and tenure and the council will promote 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.

DC3 Landscape and Settlement Setting

This policy reads as follows:

'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;

3. Supporting opportunities to positively manage the landscape and use sustainable building techniques and materials which are sympathetic to the landscape;

4. Identifying through the Site Allocations DPD and protecting from inappropriate development, areas of visual open space where the intention will be to retain the land's open and undeveloped appearance. Where appropriate the Council will seek public access agreements with the land owners and seek proposals for the enhancement or improvement of these areas as part of the green infrastructure network in accordance with policy C3. In exceptional cases, limited development of areas of visual open space may be acceptable where this will bring about overriding improvements to the open space itself;

5. Recognising and conserving the special quality of the landscape in the Peak District National Park, and ensuring that development does not adversely affect the wider setting of the National Park."

T1 Development and Sustainable Transport

This seeks to promote development in locations that are accessible by sustainable travel modes or can be made accessible as part of the proposal.

4.0 Main planning issues

Principle of development

The site lies beyond the southern town boundary of Cheadle as defined in its old local plan. It is however a site that is in a sustainable location. It is an infill between 2 existing cottages and has a long standing use as a garage site for a commercial vehicle operator. In the absence of an up to date plan and in the light of the council's persistent and significant under supply of housing it is contested that this application is indeed compliant with local and national planning policy.

The site is not within the Green Belt.

Opposite to the site is the Mobberley Farm site which the council are promoting as a major housing site in the emerging draft local plan which remains at inquiry stage.

Local precedence

It is noted that to the south of the site a planning appeal in respect of an outline application site (The Crown PH) was considered at appeal (APP/B3438/W/15/3134980). The appeal was dismissed because of concerns about landscape impact albeit the principle of development for housing was accepted. The inspector reasoned:

7 I appreciate that the public house is almost derelict and unattractive in its present state. However, a development of the scale proposed would take up much more of the site than the existing building. It would appear as a more extensive and noticeable group of buildings when seen from the main road and from the land around. In this rural setting, with relatively few local facilities and some distance from a settlement of any size, it would appear as an isolated housing development which would be incongruous and harmful to the character of the area.

8 The scheme would therefore conflict with Policies SS6c and DC3 of the adopted Staffordshire Moorlands Core Strategy which seek to conserve the countryside, protect the quality and character of the rural area and resist development which would be harmful to the character of the landscape. It would also be contrary to Policy R2, since it falls outside the categories of housing that the policy allows in the rural area.

9 It is national planning policy to boost the supply of housing, and it is not disputed that the District has less than 5 years' supply of housing land; in such circumstances, development plan policies for the provision of housing may be considered out of date. But in this case the harm that would be caused to the countryside from a development of this size would significantly outweigh the benefits of the provision of additional housing.

An amended layout plan was later approved by the council. At no stage did the council or the inspector consider the site to be not a sustainable location. The site is about 300 metres further away from Cheadle than this application site.

In considering the later planning application officers gave determining weight to its under-supply of housing; In reporting the application to planning committee officers advised:

6.14 In circumstances where a 5 year supply is absent, para 49 of the NPPF states that policies for the supply of housing can not be regarded up to date. SS6C and DC3 are such polices. However in this particular case the harm that would be caused to the countryside and the character and appearance of the surrounding area, from a development of this size on this prominent site would significantly and demonstrably outweigh the benefits of the provision of additional housing when assessed against the policies in this Framework taken as a whole. The proposal does not deliver sustainable development and a recommendation of refusal is made

The application was later approved at planning committee following the applicant revising the scheme. In the later report officers stated:

> *4 PLANNING BALANCE & CONCLUSION*
>
> *4.1 As described above the reduction by one unit has resulted in an improved scheme which does present an opportunity through careful siting, design and landscaping at the reserved matters stage to protect the character and appearance of the surrounding area. The revised scheme is thus considered to be policy compliant. This has resulted in a change in recommendation to one of conditional approval.*

In the case of the application site. It contains an existing building upon it which has been used in the past as the base for a commercial haulage operator. In addition to this the site has 2 existing cottages either side of it and a major housing site is planned very near to the site.

Need for houses

The council has a significant and persistent under supply of housing land and no up to date policy yet in place to address that deficiency. This shortfall weighs heavily in favour of the application

Sustainable development issues

The site is within a sustainable location. It lies to the southern edge of Cheadle which is one of the main towns in the district and centre for growth and service provision.

The site has a footpath close to it which links Cheadle to Tean and beyond while within a 2 minute walk of the site are 2 bus stops serving the numbers 30 and 32 bus and thereby link the site to Hanley and Uttoxeter in addition to Cheadle and Tean,

The site is considered to be in a sustainable location.

The development involves removing a former commercial garage and associated buildings and structures. As such the development is a re-use of. A former commercial site and this is sustainable re-use of such land.

Landscape impact

The site is an infill plot and has housing to either side. It will result in the removal of an unsightly commercial garage and associated structures and the site lies in the foreground of a mature woodland along with its neighbouring houses. For all of the reasons it is contested that the development will not cause any adverse harm to the landscape subject to sensitive design and use of appropriate materials.

5.0 Conclusion

The council have a persistent and significant under supply of housing land. The site is in a sustainable location and makes use of land formerly used as a commercial garage/depot. For these reasons it is considered that the proposal is compliant with local and national planning policy and a conditional planning permission can be granted.

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