# PLANNING STATEMENT

## 1. INTRODUCTION

1.1. This Statement supports an application for outline planning permission with all matters reserved for the proposed development of up to 9 dwellings on land adjacent Marsh Villa, Macclesfield Road, Rushton Spencer.

1.2. The purpose of this Statement is to consider the development proposals against relevant policies contained within the development plan as well as taking into account other material planning considerations relevant to the determination of this application, including national planning policy and guidance.

## 2. THE SITE AND SURROUNDINGS

2.1. The Site comprises 0.43 ha of land north-east of the A523 Macclesfield Road at the edge of the Staffordshire village of Rushton Spencer (the "Site"). It comprises the property known as Marsh Villa, its curtilage and adjoining field.

2.2. It is surrounded by development on all sides, including Jim Hallam Land Rovers to the north west, houses on marsh Mews to the south east along with Rushton Garage and other dwellings on the southern side of Macclesfield Road. The Caldon Canal frames the Sites northern boundary.

2.3. The Site lies approximately 6.5 km north-west of Leek and 8.5 km south-east of Macclesfield. The nearest train station is approximately 7 km west of the Site, in Congleton. Rushton Spencer has a primary school and a public house, but it lacks any other local facilities and services including a local shop or a post office.

## 3. THE PROPOSED DEVELOPMENT

3.1. The application is supported by an indicative layout showing 9 dwellings comprising the following mix of housing:

- 4 x 2 bed dwellings;
- 3 x 3 bed dwellings; and
- 2 x 4 bed dwelling

3.2. The final appearance and layout of the Site would be considered at the reserved matters stage; however, the indicative layout shows one way in which the site could be developed. This option includes semi-detached properties to reflect the appearance of existing dwellings off Marsh Mews to the east, with larger detached properties to the west which would could be designed to appear as more traditional cottage style dwellings, similar in appearance to Marsh Villa.

3.3. Access to the development is shown indicatively in two locations. The access to the west utilises an existing access point currently serving Marsh Villa and the adjoining field. The eastern most access would introduce a new access to serve four dwellings adjacent to Marsh Mews.

3.4. Where possible existing hedgerows could be retained to provide an attractive setting for the development, and ensure that the impact on biodiversity is limited.

**Drainage Strategy**

3.5. With regards to foul water drainage, it is understood there are no public foul sewers in Rushton Spencer and hence properties bordering the Site treat foul flows by use of package treatment. Package treatment plants will need to be employed for the development.

3.6. In terms of stormwater it is envisaged that this will be provided through the use of trapezoidal swales which run along the boundaries of the Site and discharge via a flow control to the site watercourse, or the provision of smaller amounts of attenuation storage by the use of underground crate systems at locations across the Site (e.g. under driveways and parking areas or access roads). It is anticipated that final drainage details would need to be subject of a suitably worded planning condition.

## 4. PLANNING POLICY CONTEXT

**Development Plan**

4.1. The development plan relevant to Rushton Spencer includes saved policies of the 1998 Staffordshire Moorlands Local Plan and the policies of the adopted Core Strategy ("CS", adopted in 2014). The Policies Map from the 1998 Staffordshire Moorlands Local Plan remains in force for development management purposes until superseded by the New Local Plan for 2016-2031.

4.2. The CS was found sound on the proviso that it should be comprehensively reviewed 'early' to take account of development requirements beyond 2016. The Staffordshire Moorlands Local Plan for 2016-2031 ("LP 2016-31"), which will replace the CS, was submitted for examination in June 2018. Examination hearings took place in October 2018 and the Council published Modifications for consultation in September/October 2019. Further hearing sessions are due to take place on the 4th and 5th February 2020.

4.3. The adopted CS proposes the provision of 6,000 homes between 2006 and 2026, with 72% if housing development concentrated on the market towns of Leek (30%), Biddulph (20%) and Cheadle (22%) and the remaining 28% (1,680 homes) to be delivered in rural areas (Policy SS3). Of the 1,680 homes to be delivered in rural areas, sites for 928 homes were yet to be identified at the time of adoption. The Council proposed to identify sites on an ongoing basis through annual updates to its Strategic Housing Market Assessment. Up to 30% of the homes in rural areas were expected to be delivered via windfall development (Policy SS4).

4.4. The 1998 Policies Map shows the Site immediately adjacent to but outside the settlement boundary for Rushton Spencer, but not in the Green Belt.

4.5. Policy SS6b of the adopted CS identifies Rushton Spencer as a small village. According to the policy, small villages are to provide only for "appropriate development which enhances community vitality or meets a local social or economic need of the settlement or its hinterland". Development to meet local needs specifically includes "housing development which meets a local need, including affordable housing" and "rural exceptions housing in appropriate locations on the edge of settlements".

4.6. Policy SS6b applies to the countryside and the Green Belt outside development and infill boundaries of settlements. These areas are to "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 requires the Council and its partners to "restrict … new build housing development in the countryside to that which is essential to local needs, including affordable housing", whilst "allowing rural exceptions housing".

4.7. Policy R2 applies to rural housing (unallocated sites outside the settlement and infill boundaries of towns and villages). In these areas, it permits only: "affordable housing which cannot be meet elsewhere"; "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"; replacement dwellings; appropriate extensions to existing dwellings; and the conversion of non-residential rural buildings for residential use.

**Emerging Local Plan**

4.8. The Staffordshire Moorlands Local Plan was submitted for examination on the 28th June 2018. The Inspector, Mr Mark Dakeyne, held hearings in October 2018 and then further hearings in February 2020.

4.9. The latest set of Main Modifications to the emerging LP 2016-31 were published by the Council in September/October 2019. These were discussed during the latest hearings.

4.10. The Inspector published a letter of advice following the hearings on the 27th February. This letter set out further recommendations and modifications required to the plan. Subject to a schedule of the further changes being provided the Inspector intends to proceed with the publication of his final report.

4.11. The below relates to the LP 2016-31 as currently drafted including the Council's Main Modifications.

4.12. The LP 2016-31 proposes the delivery of 6,080 homes in the District between 2014-33 at a rate of 320/year. Once completions and commitments are accounted for, the District's net requirement is for 3,749 homes to be found from sites allocated in emerging Policy H2 (2,847 homes) and a windfall allowance for small sites. The focus on development in the market towns is increased, with a combined 75% of homes to be delivered in Leek, Biddulph and Cheadle and only 25% (a requirement of 1,495) in the rural area.

4.13. According to emerging Policy SS4, a potential provision of 698 homes (net) is expected in the rural area: of which 330 will be delivered at new allocations in larger villages and 330 are expected to come forward under a small sites allowance of 30 infill homes per year. Emerging Policy SS4 also outlines a specific requirement for between four and eight homes to be delivered within the Rushton Neighbourhood Plan Area by 2031.

4.14. Rushton Spencer is again identified as a 'smaller village' in emerging Policy SS9. Smaller villages are expected to "provide only for appropriate development which enhances community vitality or meets a social or economic need of the settlement and its hinterland". Development to meet community, social or economic needs includes "limited new housing development, including small infill schemes in accordance with [emerging] Policy H1" and "rural exceptions housing in appropriate locations (in accordance with Policy H1)." According to emerging Policy SS2, smaller villages in rural areas are "not defined by a development boundary". It is therefore not clear whether development at the Site would be considered to be development within a smaller village or in the open countryside following the adoption of the LP 2016-31.

4.15. Emerging Policy H1 (New Housing Development) will provide support for "limited infill residential development of an appropriate scale and character" on unallocated sites that are "well related to the existing pattern of development of a smaller village and will not create or extend ribbon development or lead to a sporadic pattern of development". In the other rural areas in the open countryside, residential development will be restricted to: affordable housing which cannot be delivered elsewhere; dwellings meeting essential needs that cannot be met elsewhere; replacement dwellings; conversions of rural buildings; redevelopment of brownfield land; and subdivision of existing homes.

4.16. All housing development will be required to be at an appropriate density, accord with local character and provide flexible accommodation capable of future adaptation. New developments of 10 or more homes will be required to deliver a mix of housing informed by local needs and those of 15 or more dwellings will be requested to make an appropriate contribution towards self-build/custom build housing (emerging Policy H1). On sites of 10 or more homes affordable housing provision of 33% will be expected (emerging Policy H3).

**Neighbourhood Plan**

4.17. Rushton parish is in the early stages of producing a neighbourhood plan. The Neighbourhood Area was designated on 14th February 2017. A Pre-Submission (Regulation 14) has yet to be carried out, and timescales for production remain unclear. The Neigbourhood Plan does not carry any weight at this time.

## 5. PLANNING HISTORY

5.1. The six semi-detached homes (for local need) on the north-east side of Macclesfield Road (north of the south-east corner of the Site) were approved on 17 February 2011 under a planning application with reference SMD/2009/0720.

5.2. An earlier application for full permission to build 17 affordable homes on the south-eastern half of the Site and the land that has subsequently been developed for six semi-detached homes was refused in September 2008 (SMD/2008/0684). In that instance, the Council considered that the proposal was poorly designed and out of keeping with the character of the area in its layout, density and property type and orientation. The application also offered insufficient parking, drainage information and information about the specific local need that would be provided for. Notably, a cul-de-sac layout was considered out of keeping with the local development grain.

5.3. There have been a number of material changes in circumstance since these applications were considered, not least changes in national policy and the preparation of a new local plan which is at an advanced stage of the examination process. Therefore it is appropriate for any new application to be considered on its merits having regard to relevant policy and material considerations at the time.

## 6. PLANNING ASSESSMENT

6.1. In accordance with Section 38(6) of the Planning and Compulsory Purchase Act 2004, applications for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Material considerations include national planning policy and guidance, particularly the NPPF.

6.2. The development plan for the area currently comprises the saved policies of the 1998 Staffordshire Moorlands Local Plan and the policies of the adopted Core Strategy ("CS", adopted in 2014).

6.3. The Site is technically outside the settlement boundary for Rushton Spencer established by the adopted Local Plan (1998) however the concept of development boundaries is proposed to be removed in the Submission Version for the Local Plan and a new infill policy intended to guide development in villages such as Rushton Spencer.

6.4. Adopted planning policy for the area would restrict new build housing at the Site to homes demonstrably meeting an essential local need or rural exceptions sites. However, the Council has struggled for some time to demonstrate a five-year supply of deliverable housing sites. At the time of the latest monitoring report on 31 March 2018, the Council could only demonstrate a 1.8-year supply of housing land. Given the Council's significant shortfall in housing sites it is considered that policies within the development plan for the supply of housing are not up to date. Consequently, the provisions of Paragraph 11(d) of the NPPF and the 'tilted balance' would apply, noting in particular that Site is not subject to the policies of the Framework identified at footnote 6. Paragraph 11(d) states that where the development plan is absent, silent or relevant policies are out of date permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole; or specific policies in this Framework indicate development should be restricted. We do not believe that the residential development of this Site will result in any adverse impacts, with regards to matters such

as ecology, landscape, flood risk or transport, which would significantly and demonstrably outweigh the benefits of the proposal when assessed against the policies in the Framework taken as a whole. The proposal represents sustainable development that will contribute towards meeting needs and permission should be granted in accordance with the presumption in favour of sustainable development.

6.5. We acknowledge that the Council's emerging Local Plan for 2016-2033 is currently undergoing examination with the Inspectors final report due in the next few weeks or months. Following adoption, the Council should be able to demonstrate a five-year supply of housing sites given the proportion of the identified housing requirement that is due to be catered for by new allocations. However, in its current form, the emerging Local Plan would remove the defined settlement boundaries for smaller villages and allow for "limited infill residential development of an appropriate scale and character" provided it is "well related to the existing pattern of development of a smaller village and will not create or extend ribbon development or lead to a sporadic pattern of development" (draft Policy H1). We believe that a development of up to 9 houses on this infill Site constitutes an appropriate scale of development in this location, and would relate well with the established settlement pattern. It will therefore conform with the requirements of part 4) of draft Policy H1 and go some way to meeting the minimum (net) housing requirement set by Policy SS1. On this basis, even if the Council is able to demonstrate a 5-year housing land supply the emerging local plan policy would support the principle of housing development at this site in any event.

6.6. Notably the Site was assessed as part of the Council's SHLAA under reference number RS007. The Council's own assessment noted that established perimeter and roadside hedging screened the site from many viewpoints and identifying few constraints that would prevent development. The SHLAA assessment goes on to state that the Site has "very good potential" and would be available and achievable within 5 years. The emerging Local Plan does not propose to allocate land for housing in Rushton Spencer, but clearly this site is one that has scored well in the Council's own assessment of potential housing supply.

## 7. CONCLUSION

7.1. The application is made in Outline with all matters reserved. It proposes a small-scale development of up to 9 dwellings. Detailed design issues are therefore matters reserved for a future application.

7.2. The indicative layout submitted with this application demonstrates that the Site is capable of being developed for up to 9 dwellings whilst being sensitive to the site's constraints, neighbouring properties and village location.

7.3. The development of this site will offer significant social benefits by delivering a mix of housing to meet the needs of the area, and will help support the vitality of the village and local services. It will also have a positive economic impact by attracting new investment into the area, creating jobs especially during the construction phase.

7.4. The supporting technical reports have demonstrated that development can take place without unacceptable impacts to ecology, hedgerows and trees. The Site is not within the Green Belt nor is it in a protected landscape. The Site is well screened and development is capable of being accommodated without unacceptable visual impacts.

7.5. This Statement has demonstrated national and local policy and represents a suitable development proposal for the site that addresses all the relevant and material considerations. In this context, the proposal satisfies Section 38(6) of the Planning and Compulsory Purchase Act 2004 and it is considered that planning permission should be granted.