SAMMONS Architectural LIMITED

Chartered Institute of Architectural Technologists

10 Cawdry Buildings
Fountain Street
Leek, Staffordshire, ST13 6JP
Tel / fax 01538 386002
e-mail info@sammonsltd.co.uk

PLANNING, DESIGN & ACCESS STATEMENT

PROPOSAL : OUTLINE APPLICATION WITH DETAILS OF ACCESS AND LAYOUT (ALL OTHER MATTERS RESERVED) FOR THE ERECTION OF FOUR DETACHED DWELLINGS AND IMPROVEMENTS TO EXISTING ACCESS (RE-SUBMISSION)

ADDRESS : LAND AT WINTERFIELD LANE, HULME, STAFFORDSHIRE MOORLANDS

APPLICANT : MR F FILCHER

DATE : MAY 2020 JOB No. : 2018-2384

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1.0 INTRODUCTION

1.1 This is a second attempt application which seeks outline consent for means of access and layout (all other matters reserved) for the erection of 4 detached dwellings and improving an existing vehicular access on land at Winterfield Lane, Hulme, Staffordshire Moorlands on behalf of Mr F Filcher.

1.2 The application is accompanied by drawings showing the existing industrial buildings and uses on the site and indicating the proposed layout of dwellings on the site and the improvements to the access which should be read in conjunction with this statement. In addition to these technical reports relating to bat activity, great crested newts and a preliminary ecological appraisal have also been submitted in support of the application.

1.3 The previous application SMD/2019/0562 was withdrawn following officer concerns that not all of the site contained within the red edge development area constituted brown field land and given the site's location within the North Staffordshire Green Belt such development would be inappropriate and therefore fundamentally unacceptable. Issues were also raised regarding the means of access to the site.

1.4 This resubmission seeks to address the issues raised by the Council that led to the previous application being withdrawn. The red edged site area has been reduced in order that it extends to the site area previously granted consent in 1997 (SM97-0197) for a vehicle repair workshop.

1.5 This statement analyses the site, the proposal and the policy context within which it is made. Thereafter it provides justification for approval of the proposed development judged against the previous decisions. It concludes that the proposed development would be in accordance with adopted Development Plan policies and the NPPF as it represents an appropriate form of development within a Green Belt location without harm or detriment to the character and appearance of the surrounding area. Furthermore, it is not considered that the proposed development would be prejudicial to residential amenity, detrimental to highway safety or harm any established ecological interests.

2.0 SITE DESCRIPTION

2.1 The application site comprises an industrial site with associated buildings which extends to approximately 0.17ha. It is used as a vehicle repair yard and is used by three separate tenants. It lies outside any settlement boundary and is in the Green Belt. The village of Hulme is about 1km to the north, and Werrington a further kilometre to the north. Whilst Hulme is a small village with limited services, Werrington accommodates multiple local services including education, shops, community and religious buildings, and is recognised as a “larger village” in the Staffordshire Moorlands Local Plan.

2.2 The application site has hedges to most boundaries. The submitted drawings show a building along one of the boundaries that is proposed to be demolished. In its place it is proposed to plant a boundary hedgerow. The application site contains a number of buildings and containers of various types of construction. All of these are in use for the vehicular repair use of the site.

3.0 PROPOSAL

3.1 This is an outline application with details of access and layout which seeks consent for the erection of four detached dwellings. All other matters are reserved.

3.2 The application proposes improvements to the existing vehicular access onto Winterfield Lane. This would end in a cul-de-sac serving four detached dwellings. The dwellings proposed represent two storey buildings and an indicative house type has been provided.

4.0 HISTORY

4.1 This application relates to part of a site that proposed the erection of 40 affordable homes (SMD/2014/0230) which was refused planning permission on the 18.08.2014 for the following reasons:-

1. The National Planning Policy Framework (NPPF) advocates a presumption in favour of sustainable development (para 14). For decision-taking this means approving development proposals that accord with the development plan without delay and where the development plan is absent, silent or relevant policies are out-of-date, granting permission unless 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 and where specific policies in this Framework indicate development should be restricted, including land designated as Green Belt. The Government attaches great importance to Green Belts. The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and the essential characteristics of Green Belts are their openness and permanence. The former builders yard and adjoining dwelling is on the periphery of the district within the open countryside, which is designated as Green Belt. A key function of this part of the Green Belt is to maintain the separation of Staffordshire Moorlands from Stoke on Trent. The proposal for the redevelopment of this site for residential purposes is considered to constitute inappropriate development in the Green Belt which would be detrimental to its character and openness whilst conflicting with the purposes of including land within it. The Council does not consider the case put forward by the applicant to constitute very special circumstances sufficient to outweigh the harm by reason of inappropriateness and any other harm to the Green Belt. Accordingly, the proposal is contrary to Policies SS6c and R2 of the Adopted Core Strategy Development Plan Document and the National Planning Policy Framework, including but not limited to Chapter 9 ‘Protecting Green Belt Land’.

2. The National Planning Policy Framework (NPPF) states that in rural areas, Local Planning Authorities should plan housing development to reflect local needs, particularly affordable housing. This is carried forward by Policies SS6c and R2 of the Adopted Core Strategy which seek to limit new housing in the countryside to, amongst other things, affordable housing or that essential to meet an identified local need. The former builders yard and adjoining dwelling is over 1km away from the 'smaller village' of Hulme and over 2km from the 'larger village' of Werrington within the open countryside, which is designated as Green Belt. Fundamentally, the site would not be considered preferable to any of the ‘B Class’ housing sites within the Green Belt identified within the Council’s Strategic Housing Land Availability Assessment (SHLAA) for either of those villages. Consequently, the provision of 40 affordable housing units is considered insufficient to outweigh conflict with both national and local policy restricting new housing in the countryside and promoting sustainable development. Accordingly, the proposal is contrary to Policies H1, H2, R2 and SS6c of the Adopted Core Strategy Development Plan Document and the National

Planning Policy Framework, including but not limited to Chapter 6 'Delivering a wide choice of high quality homes'.

3. The proposal would result in the loss of an existing employment site, at a time when the Council is trying to provide required additional employment land and evidence suggests there may be a shortfall in the supply of available employment sites in the District and given previous trends of employment land loss in the District this loss therefore would be harmful to the economic well-being of the area. The Framework places great emphasis on encouraging economic growth and the creation of employment and more generally meeting objectively assessed needs for employment land and the development proposed would be harmful to this aim, particularly the need to ensure that adequate land remains available for such growth and employment. The applicant has not produced any up-to-date and robust evidence to demonstrate that the site has been adequately marketed to secure an alternative employment use or that alternative 'mixed-use' developments have been considered in the absence of any demand for the site. Accordingly, the proposal conflicts with the advice contained within the NPPF and Policy E2 of the Adopted Core Strategy Development Plan Document, which seek to protect such sites from re-development for other purposes and there are no material considerations that outweigh the above policies.

4. Policy C1 of the Adopted Core Strategy Development Plan Document states that development proposals must make provision for financial contributions and/or land to secure community facilities by means of a planning obligation. For this particular proposal, the Council's Supplementary Planning Guidance (SPG), 'Developer Contributions' requires contributions towards local open space provision. The application does not include any legal mechanism to secure such financial contributions. Accordingly, the proposal is contrary to the above policies and guidance and also the wider objectives of the National Planning Policy Framework.

5. The proposal would lead to an unacceptable loss of existing trees, which would be detrimental to the visual amenity / character of the site and its surroundings. It would result therefore in the proposed development having a greater adverse visual impact through the loss of screening and in some places, a limited opportunity to establish new screening. As a consequence, the proposal by reason of its intrusive layout and anticipated significant tree loss would introduce an urbanising element into this edge of settlement and highly prominent location adjacent to the A520 Leek Road. Consequently, this visually intrusive form of development would have a detrimental impact upon the openness / visual amenities of the Green Belt and Landscape Character Area within which it is sited. The supporting information is not considered sufficient, either individually or cumulatively, to outweigh the harm to the character and appearance of the area. Accordingly, the proposal is contrary to Policies DC1 and DC3 of the Adopted Core Strategy Development Plan Document and the National Planning Policy Framework including, but not limited to Chapter 7 'Requiring Good Design', Chapter 9 'Protecting Green Belt Land' and Chapter 11 'Conserving and Enhancing the Natural Environment'.

6. The proposal would be contrary to the interests of highway safety by reason of a proposed access with inadequate visibility from Winterfield Lane within an unsustainable location. Accordingly, the proposal is contrary to Policy T1 of the Adopted Core Strategy Development Plan Document and the National Planning Policy Framework including, but not limited to Chapter 4 'Promoting sustainable transport'.

4.2 An appeal against the decision was dismissed on the 07.09. 2015 following a hearing. The Inspector's decision letter stated that the main planning issues raised by the proposal were:-

i) whether the proposal would be inappropriate development in the Green Belt, having regard to the National Planning Policy Framework (the Framework), any relevant development plan policies, and the effect on the openness of the Green Belt,
ii) the effect on the character and appearance of the area,
iii) whether the loss of employment land would be appropriate having regard to development plan policies,
iv) the effect on highway safety,
v) if inappropriate, whether the harm by reason of inappropriateness and any other harm, would be clearly outweighed by other considerations including the provision of affordable housing, so as to amount to the very special circumstances required to justify the proposal.

4.3 Discounting the issues that related to Affordable Housing matters, the Inspector's decision letter concluded that:-

"14. With regard to the second exception criterion of the Framework referred to above**, the proposal would involve the complete redevelopment of the site**. However, the development would fail to satisfy this criterion for two reasons. First, **the appeal site is not all previously developed land**, particularly the relatively substantial garden area associated with the dwelling. Second, **the proposal would involve a substantial increase in built development**. The indicative scheme would have a total ground floor area of 2830sq.m. At the Hearing, the appellant agreed that this would be substantially in excess of the footprint of the existing buildings on the site including the bungalow and its outbuildings.
15. Furthermore, **the proposed buildings would have far greater mass**, being all two storey, compared to the majority of single storey structures currently on the site. The increased mass and scale of the proposal would have a significantly greater harmful impact on openness which the Framework states is one of the essential characteristics of Green Belts that should be preserved. I attach substantial weight to the harm arising from the reduction in openness that would be occasioned by the proposal. The development would, thereby, fail to satisfy the exception criterion set out in the sixth bullet point of paragraph 89 of the Framework."

4.4 For these reasons the Inspector considered that the proposal represented inappropriate development. In terms of the impact of the proposal on the character of the area he considered that:- "17. The **site is generally well screened** by hedgerows and trees along Winterfield Lane and the builder's compound is set back behind the existing bungalow and its gardens which front onto Leek Road. Nevertheless, **given the dilapidated state of many of the commercial buildings and the general state of dereliction, the builder's compound has a negative impact on the character and appearance of the surrounding countryside**.

4.5 18. The indicative proposal would be likely to involve the felling of some trees and **would position rows of terraced houses in a highly visible location close to the main road**. The illustrative **layout has a relatively dense urban grain** and provides little opportunity for on-site landscaping or areas of open space. **The proposal would be seen as an intrusive urban development** in the open countryside and would be particularly prominent during winter months when any screening provided by retained deciduous trees and hedgerows would be diminished. The illumination from street lights, lit windows from forty dwellings and associated car headlights would further highlight the incongruous urban development in a rural setting, detached from any nearby settlement." He concluded that "the character and appearance of the area and the visual amenity of the Green Belt would be significantly harmed".

4.6 In terms of the loss of employment land, he concluded that:-
"**I agree with the appellant that in their current state the commercial building would be unlikely to find alternative uses.** However, only a limited marketing exercise has been carried

out and I have no robust evidence before me to demonstrate that the site as a whole would not be attractive to alternative employment uses."

4.7 In terms of highway safety he noted that **the highway authority had raised no objections** to the proposal.

4.8 In terms of housing supply he noted that **the Council was not achieving the NPPF target** of a five year supply.

5.0 POLICY

5.1 Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

5.2 The newly adopted NPPF is a material consideration and as such carries particular weight where development is not addressed by planning policies in the existing Development Plan, which in this area comprises of the adopted Core Strategy (2014).

5.3 Whilst the recently published NPPF does not change the statutory status of the Development Plan as the starting point for decision making it does provide guidance to LPA's and is a material consideration in determining planning applications. The NPPF confirms that at the heart of the guidance is a presumption in favour of sustainable development (para 11) and that for decision making this means approving development proposals that accord with the Development Plan without delay unless material considerations indicate otherwise. It goes on to seek to significantly boost the supply of new housing throughout the country and sets out requirements for Local Authorities to maintain a five year deliverable supply of housing at all times. It also sets out guidance inter alia in respect of making effective use of previously developed land, securing high quality design and assessing impacts on highway safety. The content of this document has been taken into account in the preparation of this application and the most relevant sections of the NPPF are considered to be:-

- 1 Introduction
- 2 Achieving sustainable development
- 4 Decision making
- 5 Delivering a sufficient supply of homes
- 6 Building a strong competitive economy
- 9 Promoting sustainable transport
- 11 Making effective use of land
- 12 Achieving well designed places
- 13 Protecting Green Belt land
- 15 Conserving and enhancing the natural environment

5.4 The most relevant policies of the adopted Core Strategy are considered to be SS1 (Development Principles); SS2 (Future provision of Development); SS3 (Distribution of Development); SS4 (Managing the Release of Housing Land); SS6 (Development in Rural Areas); SS6b (Smaller Villages Area Strategy); H1 (New Housing); R2 (Rural Housing); DC1 (Design

Considerations) and DC3 (Landscape and Settlement Setting). For the sake of brevity these policies are not quoted in full but they are referred to where appropriate in the following section.

5.5 Also of particular relevance to this application is the Staffordshire Moorlands Housing Land Supply Statement (March 2018) which 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.

6.0 ASSESSMENT

6.1 As set out above this is an outline application for the erection of four detached dwellings. The key issues are considered to be:

- The Principle of development in particular whether the proposed development constitutes an appropriate form of Green Belt development;
- The effect on the visual amenity of the Green Belt and open countryside;
- Means of Access;
- Layout;
- Biodiversity; and
- Any other material considerations.

Principle of development

6.2 The principle of residential development on this site has been referred to in the previous application and appeal. Whilst the NPPF has been revised since these decisions, in Green Belt terms the policy considerations are much the same.

6.3 There are significant differences between this proposal and the previous application:-

i) The proposal is for a small number of market housing rather than a large number of affordable homes.

ii) The site is a brownfield site. It therefore falls into the category of “previously developed land”.

6.4 Green Belt policy resists “inappropriate development”. Generally it resists new buildings unless the proposal represent an exception. One of these exceptions is:-

> “g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development….”.

6.5 The current use of the application site hails from a 1997 planning permission (SM97/0197) for change of use to vehicle workshop. The application site therefore represents “previously development land”. The previous application included additional land that was not considered to fall within this category. This obstacle to the granting of consent has been removed by reducing the application site boundary to extend solely to the area of land which formed part of that consent. No objections to the principle of redeveloping the area contained within the planning unit approved by the aforementioned 1997 permission for residential purposes were raised as part of the consideration of the recently withdrawn application.

6.6 The scale of the proposed development is much smaller that the appeal proposal. It is considered that the mass of the proposed development would not have a greater impact on the openness of the Green Belt. In support of this statement, the existing buildings on the site have a footprint of 495sq.m. whereas the footprint of the proposed four dwellings is 356sq.m. It is accepted that the existing buildings are single storey and the proposal represents two storey dwellings, but the overall impact when the lower footprint is taken into account is considered is to result in a "greater impact" on openness.

6.7 The principle of development is therefore considered to be acceptable and in accordance with current planning policies.

The effect on the visual amenity of the Green Belt and the open countryside

6.8 The Inspector in the previous appeal acknowledged that the site "has a negative impact on the character and appearance of the surrounding countryside". Whilst the inspector considered that the erection of 40 houses represented a very dense, urban change to the appearance of the site, a well-spaced, informal layout of four dwellings is considered to represent an improvement, especially given the negative level impact currently experienced. Additional screening by hedge and tree planting will add to the pleasant and attractive appearance of the site.

Layout

6.9 CS Policy H1 "New Housing Development" states "all development will be assessed according to the extent to which it provides for high quality, sustainable housing ...and the strategy for the area having regard to the location of the development, the characteristics of the site...All housing should be the most appropriate density compatible with the site and its location, with the character of the surrounding area." The specific design policies of the CS also seek to promote local distinctiveness and positively contribute to the area as is similarly reflected in the NPPF which confirms that the Government attaches great importance to the design of the built environment. It furthermore states that good design is a key aspect of sustainable development; is indivisible from good planning; and should contribute positively to making places better for people. Developments should function well and establish a strong sense of place creating attractive and comfortable places to live, work and visit. Proposals should also optimise the potential of the site to accommodate development and respond to local character and history including local materials and the use of good architecture and appropriate landscaping. Developments should also create safe and accessible environments where crime and disorder and the fear of crime do not undermine quality of life or community cohesion.

6.10 The submitted layout plan shows the provision of three dwellings on the south side of the private drive with the fourth positioned at right angles to the north set around a short cul de sac arrangement. Parking and turning would be provided to the front of plots 1 and 2 and to the side of plots 3 and 4. Each dwelling would be served with a modest front garden and larger private amenity space at the rear. The proposed layout of the development is considered to be relatively informal and responds positively to the rural character of the countryside. The generous spacing between the plots would retain the verdant and open feel. The means of access into the site has been retained but incorporates improvements. The road is to be 4.2m in width and have 6.0m radius kerbs at intersection with the existing highway. A visibility splay of 2.4m x 215m can be achieved to the north with the trimming back of foliage along the site frontage to Winterfield Lane. A 2.4m x 45, sight line to the south will be provided with the realignment of the existing hedgerow.

6.11 Whilst this is an outline application leaving matters of design for later approval it is considered that the site is clearly capable of accommodating attractive housing that will blend with

the character of the area in which it is located. An indicative house type has been submitted as part of the application. This shows the proposed dwellings as being traditional two storey buildings with a simple rectangular footprint and a small single storey lean to at the rear. The proposed dwellings would provide an open plan kitchen / family room with separate lounge at ground floor with three bedrooms and family bathroom above. Materials are also reserved for later approval but are likely to be of local brick and tile.

6.12 Overall the proposed site plan adequately demonstrates that the application site can accommodate the proposed development and that it can be assimilated into the area without any visual harm to the site or the wider surrounding area. In this respect the proposal accords with CS policies H1 and DC1 and the guidance contained in the NPPF more generally.

Highways

6.13 Paragraph 108 of the NPPF states that development should provide a strong and suitable access for all users with paragraph 109 stating that development should only be prevented or refused on transport grounds where there would be an unacceptable impact on highway safety or the residual cumulative impacts of development are severe. This guidance is reflected in CS Policy T1 of the Council's adopted Core Strategy "Development and Sustainable Transport".

6.14 Vehicular access to the site has been retained in its existing position. Whilst no objections were raised by the Highway Authority in considering the previous appeal application this was conditional on improvements being undertaken. The current application seeks to upgrade the existing access arrangement by improving visibility sight lines to both the north and the south. Furthermore, it should be noted that the traffic generation associated with the proposed 4 x 3 bedroom dwellings would be considerably less than that generated by the authorised use of the site as a vehicle workshop especially given that it is currently occupied by three separate tenants each with their own traffic movements. In conclusion therefore it is not considered that the proposed use would adversely affect highway safety and would therefore be compliant with CS Policy T1 or guidance contained in the NPPF.

Biodiversity

6.15 The conservation and enhancement of the natural environment is a core principal of the NPPF where planning policies should promote the preservation, restoration and re-creation of priority habitats and ecological networks. In determining planning applications permission should be refused if significant harm resulting from development cannot be avoided, adequately mitigated or as a last resort compensated for. The ethos of this is provided for in CS Policy NE1.

6.16 The application has been accompanied by a preliminary ecological assessment and detailed reports on bats and GC newts. These conclude that there are no anticipated constraints relating to badgers, riparian mammals and reptiles. Subject to compliance with the recommended mitigation measures, which can be secured via a way of an appropriately worded condition, the proposed development is not considered to have any adverse impacts on biodiversity and therefore accords with Policy NE1 of the adopted Core Strategy and guidance contained within the NPPF (paragraph 174).

Drains

6.17 A public sewer crosses the site. The development is therefore capable of being drained in a satisfactory way.

Other Material Considerations

6.18 The presumption in favour of sustainable development continues to be relevant to this proposal on account of the fact that the proposal represents an appropriate form of Green Belt resulting in an improvement to the visual amenity of the site.

6.19 The Council's continued inability to demonstrate a five-year deliverable supply of housing adds significant support to the application. The recently revised NPPF maintains a requirement for Local Authorities to demonstrate a five-year supply of deliverable housing sites at all times but SMDC's latest Housing Land Supply Statement shows a continuing chronic shortage of housing supply which is in decline. In accordance with paragraph 11 of the NPPF permission should therefore only be refused in any adverse impacts would arise to significantly and demonstrably outweigh the benefits of the development. In addition it should be noted that the proposal will continue to derive a number of notable benefits including the delivery of dwellings to help meet the Local Authority's chronic shortfall in housing

7.0 CONCLUSION

7.1 For the reasons given above it is considered that residential development on the application site would provide clear social and economic benefits in relation to housing within an accessible and sustainable location in a housing supply context of significant under provision. This application should therefore be considered in the context of the presumption in favour of sustainable development as confirmed by the National Planning Policy Framework.

8.0 DESIGN & ACCESS STATEMENT

USE
The application proposes the use of the application site for residential purposes.

AMOUNT
The application proposes the erection of four dwellings. This amount of development is considered to comply with Green Belt policy and is in keeping with the nature and character of existing development in this rural area.

LAYOUT

The layout of the development will be as shown on the submitted site layout plan. The proposed dwellings which would have a simple footprint would be positioned around the proposed new access road. The new vehicular access would include satisfactory turning facilities.

SCALE
The application proposes the erection of two storey dwellings, which reflects the scale of nearby farmhouses and dwellings.

LANDSCAPING
Landscaping is a reserved matter.

APPEARANCE

Appearance in terms of design is a reserved matter.

ACCESS

The proposed development would be served by an improved vehicular access directly off Winterfield Lane.