

PLANNING STATEMENT

**FLYING HORSE INN
LEEK**

APRIL 2021

Site Address:

Flying Horse Inn, 130 Ashbourne Road, Leek, Staffordshire, ST13 5BJ

Applicant:

Mr. J. Taft

Proposal:

Demolition of public house and erection of 5no. dwellings

Planning Statement:

Date Issued: 7th April 2021

Job Reference: RDP/2021/036

Report Prepared By:

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1 Introduction

- 1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Mr. J. Taft to prepare a planning application proposing the demolition of the Flying Horse Inn at 130 Ashbourne Road, Leek, and its replacement with five dwellinghouses.
- 1.2 The Flying Horse Inn was previously owned by Admiral Taverns and was placed on the market by them in January 2020. The property was subsequently acquired by the applicant in December 2020. The application proposes the demolition of the public house in its entirety, with the erection of three dwellinghouses at the front of the site facing onto the Ashbourne Road (Plots 1 – 3), and two detached dwellings to the rear of the site fronting onto Prospect Road (Plots 4 & 5). A vehicular access is also proposed off Pickwood Avenue serving a shared parking area of six spaces to serve plots 1 – 3 inclusive.
- 1.3 Plot 1 will encompass a detached two storey dwellinghouse whose accommodation will comprise of a kitchen, open plan lounge / dining area and w.c. at ground floor, with three bedrooms (one ensuite) and family bathroom at first floor. The dwelling will front towards the Ashbourne Road, set behind a small amenity area enclosed by a dry stone wall. An area of private amenity space will extend to the rear, with two off-street parking spaces provided within the shared courtyard. The dwelling will have a gross floor area of 94 square metres.
- 1.4 Plot 2 will encompass a semi-detached, two storey dwellinghouse whose accommodation will comprise of a kitchen, open plan lounge / dining area and w.c. at ground floor, with three bedrooms (one ensuite) and family bathroom at first floor. The dwelling will front towards the Ashbourne Road, set behind a small amenity area enclosed by a dry stone wall. An area of private amenity

space will extend to the rear, with two off-street parking spaces provided within the shared courtyard. The dwelling will have a gross floor area of 94 square metres.

- 1.5 Plot 3 will encompass a semi-detached dwellinghouse which is to be set back from the front elevation of Plot 2 to which it will be attached. Its accommodation will comprise of a kitchen / diner, lounge, and w.c at ground floor, with three bedrooms (one ensuite) and family bathroom at first floor. The dwelling will front towards the Ashbourne Road, set behind a small amenity area and enclosed by a dry stone wall, which will also wrap around the northern side elevation of the property fronting towards Pickwood Road. An area of private amenity space will extend to the rear, with two off-street parking spaces provided within the shared courtyard. The dwelling will have a gross floor area of 94 square metres.
- 1.6 Plot 4 will comprise a detached two storey dwellinghouse and is to be located towards the rear of the site with its front elevation facing towards Prospect Road. Its accommodation will comprise of a kitchen / diner, living room and w.c. at ground floor with three bedrooms (one ensuite) and bathroom at first floor. An area of private amenity space will extend to its rear, with two off-street parking spaces provided alongside the property.
- 1.7 Plot 5 will also comprise a detached two storey dwellinghouse and will also be located to the rear of the site with its front elevation facing towards Prospect Road. Its accommodation will comprise of a kitchen / diner, living room and w.c. at ground floor with three bedrooms (one ensuite) and bathroom at first floor. An area of private amenity space will extend to its rear, with two off-street parking spaces provided alongside the property.

2 Site & Surroundings

- 2.1 The application site encompasses a broadly rectangular shaped plot that extends to 0.12 hectares in area. The site is currently occupied by the Flying Horse Inn, which constitutes a twin gabled, two storey building with two storey rear outrigger, and single storey side and rear extensions. The main part of the building is finished in render, with a pitched Staffordshire Blue tiled roof atop. The rear two storey outrigger and single storey rear extension are constructed from red facing brickwork. The building abuts up to the northeastern boundary of the site. To the rear of the building lies a large area of tarmac hardstanding used as the pub car park. Vehicular access to the car park is taken off Prospect Road in the westernmost corner of the site.
- 2.2 The site is enclosed on three sides by public highway, with the Ashbourne Road enclosing the NE site boundary, Pickwood Avenue enclosing the NW site boundary, and Prospect Road enclosing the SW site boundary. A single storey commercial building and residential development lie beyond the SE site boundary. A wide grass verge lies beyond the NW site boundary, within which a number of mature trees are located.
- 2.3 Residential development lies to the northwest of the site on the opposite side of Pickwood Avenue, with residential properties also lying to the south along Prospect Road and to the east and southeast of the site along the Ashbourne Road. Leek Moorlands Hospital lies to the north on the opposite side of the Ashbourne Road.
- 2.4 The site as whole lies within the defined settlement boundary of Leek, and benefits from good connectivity to the town centre and local day-to-day services. The site also benefits from close proximity to a bus route, with nearby bus stops providing connections to both Leek town centre and Ashbourne.

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 Local Plan 2020 of which the following policies are considered to be of relevance:

3.2 Policy SS1 of the Local Plan relates to 'Development Principles' and states 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 in terms of delivering (amongst others):

- a mix of types and tenures of quality, affordable homes, to meet the needs and aspirations of the existing and future communities;
- easy access to jobs, shops and transport services by all sections of the community;
- a healthy, safe, attractive, active, well-designed and well-maintained environment;
- development which maintains the locally distinctive character of the Staffordshire Moorlands, its individual towns and villages and their settings;

3.3 Policy SS3 of the Local Plan relates to 'Future Provision and Distribution of Development' and states that provision will be made for at least 6080

additional dwellings (net of demolitions) to be completed in Staffordshire Moorlands during the period 2014 to 2033 - an annual average of 320 homes per year. Sufficient deliverable land will be identified to provide at least 5 years of development at all times. It goes on to state that development will be located in accordance with the Spatial Strategy and will be distributed between the towns and rural area, with 30% of the total housing requirement (1824 dwellings) to be accommodated within Leek.. In identifying land for new development or in considering planning applications, development shall also be compatible with the settlement hierarchy in terms of the development approaches set out in the Area Strategies.

3.4 Policy SS5 of the Local Plan relates to the 'Leek Area Strategy' and states that the Council and its partners will seek to consolidate the role of Leek as the principal service centre and a market town and support its regeneration. This will be achieved through a number of actions, including (amongst others):

- Increasing the range of available and affordable house types, including for first time buyers and older people.
- Allocating a range of suitable, deliverable housing sites sufficient to meet the requirements of the area.
- Supporting the development of new housing on sustainable sites within the Development Boundary.

3.5 Policy H1 of the Local Plan relates to 'New Housing Development' and states that development should provide for a mix of housing sizes, types and tenure including a proportion of affordable housing as set out in Policy H3, and where appropriate housing for special groups, to meet the needs and aspirations of the current and future population having regard to the Area Strategies. All

development will be assessed according to the extent to which it provides for high quality, sustainable housing and to which it meets identified housing needs, having regard to the location of the development, the characteristics of the site and the economics of provision. In addition:

- a) Housing for special groups, particularly for older people and others as identified in the SHMA or successor document should be of a scale and in a location which is appropriate to its needs.
- b) Housing proposals of 10 dwellings (or 0.5ha) or more will be required to provide a mix of housing in terms of size, type and tenure on the site unless viability or other circumstances exist. The final mix will be negotiated with the developer based on housing needs as informed by the SHMA or successor document and other relevant factors such as available supply and market demand.
- c) All housing development should be at the most appropriate density compatible with the site and its location, and with the character of the surrounding area. Higher densities will generally be appropriate in locations which are more accessible by public transport and which have good access to services.
- d) All new dwellings should aim to provide flexible accommodation which is capable of future adaptation by seeking to achieve adequate internal space for the intended number of occupants in accordance with the Nationally Described Space standard and delivered to meet accessibility standards set out in the Optional Requirement M4(2) of Part M of the Building Regulations. This will be determined on a site-by-site basis subject to considerations such as viability and design.

- e) All new dwellings must be of sufficient size to provide satisfactory levels of amenity for future occupiers of the dwellings whilst respecting the privacy and amenity of occupiers of existing dwellings.

3.6 Policy H1 goes on to state that housing development on sites not allocated for such purposes in Policy H2 will be supported within the development boundaries of the towns and larger villages on unidentified (windfall) sites subject to compliance with the Spatial Strategy and wider Local Plan policies. 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.

3.7 Policy DC1 of the Local Plan relates to 'Design Considerations' and states that all development shall 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 Guide SPD. In particular, new development should (amongst other requirements):

- 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, height, density, layout, siting, landscaping, character and appearance;
- protect the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution;

- provide for safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use;
- new developments to be well integrated for car, pedestrian and cycle use as well as other sustainable transport links;

3.8 Policy T1 of the Local Plan relates to 'Development and Sustainable Transport' and states that the Council will promote and support development which reduces reliance on the private car for travel journeys, reduces the need to travel generally and accommodates residual development traffic in line with the Integrated Transport Strategy. This will be achieved by:

1. Ensuring that all new development is located where the highway network can satisfactorily accommodate traffic generated by the development or can be improved as part of the development.
2. Ensuring that major development is located in areas that are accessible by sustainable travel modes or can be made accessible as part of the proposal
3. Considering appropriate parking provision on a case by case basis with recourse to the parking guidance set out in Appendix 2.
4. Where appropriate all new development shall facilitate walking and cycling within neighbourhoods and town centres, and link with or extend identified walking or cycling routes. In addition, applicants should also consider how their schemes can enhance the existing path network in line with the Staffordshire County Council Rights of Way Improvement Plan and also give consideration to the protection of non-definitive public footpath routes in addition to definitive routes.

3.9 Policy C1 of the Local Plan relates to 'Creating Sustainable Communities' and states that the Council will resist proposals involving the loss of a community facility unless:

- a) an alternative facility of the same type and quality that meets the needs of the community is available in the locality or can be provided in an accessible location in the same locality; or
- b) a viability appraisal including a marketing exercise by a qualified professional demonstrates that there are no options for continued or shared use as any type of community facility which are financially viable, and it can be demonstrated that loss of the facility would not disadvantage local residents.

3.10 Policy NE1 of the Local Plan relates to 'Biodiversity and Geological Resources' and states that the Council not permit any development proposal which would directly or indirectly result in significant harm to geological and biodiversity conservation interests, unless it can be demonstrated that:

- a) there is no appropriate alternative site available; and
- b) all statutory and regulatory requirements relating to any such proposal have been satisfied; and
- c) appropriate conservation and mitigation measures are provided; or if it is demonstrated that this is not possible
- d) the need for, and benefit of, the development is demonstrated to clearly outweigh the need to safeguard the intrinsic nature conservation value of the site and compensatory measures are implemented.

3.11 Policy NE1 goes on to state that new development will be expecting to deliver a net gain in biodiversity proportionate to the size and scale of the development.

3.12 Policy NE2 of the Local Plan relates to 'Trees, Woodland and Hedgerows' and states that the Council will protect existing trees, woodlands and hedgerows, in particular, ancient woodland, veteran trees and ancient or species-rich hedgerows from loss or deterioration. This will be achieved by:

- Requiring that existing woodlands, healthy trees and hedgerows are retained and integrated within a proposed development unless the need for, and benefits of, the development clearly outweigh their loss
- Requiring new developments to provide tree cover that secures a good level of sustainability through tree retention, planting and soft landscaping, including where possible the on site replacement of any trees that are removed with sufficient tree planting to replace or increase the canopy cover on-site as appropriate. Landscaping schemes will also be required to mitigate against negative landscape impact and complement the design of new development and make provision for future maintenance. Where it is not possible to secure this new or replacement tree planting within the site, the Council will work with applicants to ascertain if a suitable site(s) can be found off-site for replacement planting in the locality
- Resisting development that would directly or indirectly damage existing ancient woodland, veteran trees and ancient or species-rich hedgerows.

4 Other Material Considerations

National Planning Policy Framework (July 2019)

- 4.1 The National Planning Policy Framework (NPPF) seeks to secure the delivery of sustainable development and sets out guidance, *inter-alia*, in respect of significantly boosting the supply of housing, securing high quality design, safeguarding highway safety and securing a net gain to biodiversity. The content of this document has been taken into consideration in the preparation of this application.

SMDC Design Guide SPD

- 4.2 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 this application.

Staffordshire Moorlands New Dwellings and Extensions to Dwellings SPG

- 1.8 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 has been taken into consideration in the preparation of the application.

5 Planning Assessment

Principle of Development

- 5.1 The application site is located within the defined settlement boundary of Leek, as set out within the recently adopted Staffordshire Moorlands Local Plan. Within such areas new residential development is acceptable in principle, in accordance with the provisions of policies SS3, SS5 and H1 of the Local Plan.
- 5.2 The site lies within easy walking and cycling distance of the town centre (900m) and also benefits from close proximity to public transport connections which offer regular services to both Leek town centre and Ashbourne. Future occupiers of the dwellings will therefore have a choice of means of transportation to access day-to-day services and facilities. The proposed development is therefore in accordance with policy T1 of the Local Plan in this regard.
- 5.3 The submitted proposal is acknowledged to involve the loss of a public house, which constitutes a 'community facility'. Policy C1 of the Local Plan confirms that the Council will resist the loss of a community facility unless an alternative facility of the same type and quality that meets the needs of the community is available in the locality, or a viability appraisal including a marketing assessment has demonstrated that there are no options for continued use as any type of community facility which are financially viable.
- 5.4 In this particular case the application site is noted to lie within easy walking distance of the town centre (900m), which is well within the 2km recognised threshold for walking. The town centre has a number of public houses on offer, and which provide similar facilities to those that were previously on offer at the Flying Horse Inn. The Earl Grey Inn lies even closer – some 605 metres away, and the walking route between the two benefits from pedestrian

footways and streetlighting and is therefore conducive to walking. There is also scope to access to town centre via public transport or on a bicycle. As a consequence, local residents will not be unduly disadvantaged by the loss of the Flying Horse Inn as a public house and will have easy access to alternative facilities in the locality.

5.5 It is also highlighted that the Flying Horse Inn has been actively marketed as a going concern on behalf of the previous owners, Admiral Taverns. Correspondence from the marketing agent involved in disposing of the premises is enclosed as Appendix A and confirms that the property had an initial asking price of £325,000 which was subsequently reduced twice down to £275,000. The report from the marketing agent confirms that a total of 7,356 sets of details were sent to interested parties, and that the site was continuously marketed between January 2020 and December 2020 via a number of websites. A copy of the Sales Particulars is enclosed as Appendix B.

5.6 Most pertinently, it is confirmed that there were only two offers made, and in both cases the interest was in acquiring the site for re-development and not for reuse as a public house or other community facility. The marketing exercise carried out lends further support to the submitted proposal and leads me to conclude that the proposed development does not derive any conflict with policy C1 of the Local Plan.

Design & Layout

5.7 The existing public house building is located at the site frontage with the Ashbourne Road, and constitutes a two storey building. The submitted proposal seeks to respond positively to its context by siting plots 1 – 3 in the general position of the existing public house building, with each unit set to be behind a modest amenity area and enclosed by a dry stone wall. Such means

of enclosure is not uncommon within the surrounding area and will consequently serve to reinforce local distinctiveness. The proposed siting of Plots 4 and 5 also serves to reinforce the linear development pattern that predominates along Prospect Road, with the dwellings being set back from the carriageway behind frontage landscaping in a manner which respects other residential properties along this road.

- 5.8 The two storey form of the proposed dwellings also serves to reinforce and respect the prevailing scale of developments in the local area, with the proposed palette of materials (red facing brickworks and grey roof tiles) also in keeping with the character and appearance of buildings that surround the site. The design and appearance of the proposed dwellings furthermore take their cues from other residential properties in the surrounding area and are considered to accord with the objectives and guidance set out within the adopted Design Guide SPD.
- 5.9 The application proposes the creation of a new vehicular access onto Pickwood Avenue to provide access to a shared parking courtyard to serve plots 1 – 3. This part of the site is already laid to hardstanding, and the application takes the opportunity to improve the character and appearance of the area by introducing new planting to help screen the parked cars when viewed from Pickwood Avenue. The majority of the trees along the site frontage with Pickwood Avenue are to be removed as part of the proposed development as discussed in more detail below.
- 5.10 Having regard to the above considerations it is submitted that the scale, massing, design and layout of the proposed development is acceptable, and will assimilate well with its predominantly residential surroundings, without causing any adverse impact to the character and appearance of the

surrounding area. The proposed development is therefore in accordance with policies SS1 and DC1 of the Local Plan and the Design Guide SPD.

Residential Amenity

- 5.11 The layout of the proposed development has been designed to ensure that there is no conflict with the Local Authority's adopted interface distances. A distance of 26+ metres is achieved between the rear facing principal windows of plots 1 – 3 and those of plots 4 and 5, which is in excess of the minimum requirement of 22m. A distance of circa 20 metres is also achieved between the side elevations of the proposed dwellings and the neighbouring properties to the NW on the opposite side of Pickwood Avenue, which is in excess of the minimum requirement of 14 metres. There are no breaches of the Local Authority's 45 degree standard. The amenity of neighbouring occupiers will therefore be safeguarded by the proposed development.
- 5.12 In terms of the amenity of future occupiers of the dwellings is concerned, each of the proposed dwellings will benefit from their own areas of private amenity space to the rear of the properties. The front elevations will also be separated from passing pedestrians by the frontage dry stone walls and small amenity areas. Each of the dwellings will also have a gross floor area that exceeds the minimum requirement as set out within the DCLG Technical Housing Standards. As a consequence, future occupiers of the proposed dwellings will be provided with a satisfactory level of residential amenity. The proposed development is therefore in accordance with the relevant provisions of DC1 of the Local Plan and guidance set out within the Design Guide SPD and New Dwellings and Extensions to Dwellings SPG.

Highway Safety

- 5.13 The application proposes that plots 1 – 3 will be served by a new vehicular access off Pickwood Avenue, that will provide access to a shared parking courtyard. The new vehicular access will afford good visibility on egress onto Pickwood Avenue and will be wide enough for two vehicles to pass one another. Consequently, no adverse harm to highway safety will ensue.
- 5.14 In terms of parking provision, Plots 1 – 3 will each be provided with two dedicated parking spaces within the parking courtyard – such provision being in accordance with the Local Authority’s adopted car parking standards. Plots 4 and 5 will have their own in-plot parking for two vehicles, which is also in accordance with the adopted car parking standards. The proposed development is therefore wholly in accordance with the requirements of policy T1 of the Local Plan.

Ecology Impacts

- 5.15 Owing to the proposed demolition of the existing buildings on the site, the applicant has commissioned a bat survey to be carried out to assess whether the buildings have any potential for the presence of bats. The bat survey notes that the eaves of the building are comprised primarily of cement and mortar, with some uPVC soffits on the front elevation, resulting in a good seal throughout and no timber boards present. It goes on to comment that all render, brickwork, mortar/cement, uPVC panels and eaves were found to be in very good condition, well-fitted and offering no suitable gaps for roosting bats or nesting birds to utilise.
- 5.16 In addition, it was noted that the tiles at the gable ends are sealed with mortar, which was wholly intact throughout, and that the roof and ridge tiles were all in good condition, with no damaged, cracked or missing tiles. The tiles were also found to be well-seated, and consequently offered no obvious points of

access for bats. No evidence of bat activity was found anywhere on the site during the inspection.

- 5.17 As a result of these considerations, the bat survey concludes that no bat activity surveys are required and that the building has negligible potential for bats. Although not recommended within the bat survey, the applicant is agreeable to installing a bat box into the gable end of one of the dwellings, which in doing so will provide a net gain to biodiversity, in accordance with the requirements of policy NE1 of the Local Plan.

Tree Impacts

- 5.18 The application is accompanied by a tree survey prepared by Allarboriculture which has assessed the quality of the existing trees along the NW site boundary which are all proposed for removal. The survey concludes that all of the trees are Category C in nature (low quality) and consequently their proposed removal will not give rise to the loss of any important or high quality trees on the site. The applicant is nevertheless agreeable to planting replacement trees along the NW site frontage, as well as elsewhere within the site, and in doing so the development will accord with the requirements of policy NE2 of the Local Plan.

6 Conclusion

6.1 The submitted proposal is considered to constitute a sustainable form of development having regard to the following conclusions:

- *The application site lies within the settlement boundary of Leek, and lies within easy walking and cycling distance of local services and facilities and benefits from regular public transport connections nearby*
- *Local residents will not be disadvantaged by the loss of the existing community facility, as there are numerous other public houses available within the local area which are accessible on foot, by bicycle and by public transport*
- *The scale, massing, design and layout of the proposed dwellings are in keeping with the character and appearance of the surrounding area and will not give rise to harm to residential amenity*
- *The proposal is acceptable from a highway safety perspective and will provide sufficient off-street parking to meet adopted standards*
- *The proposal will mitigate for the loss of existing trees on the site and will not give rise to harm to any protected species.*

6.2 The proposed development is therefore in accordance with policies SS1, SS3, SS5, DC1, T1, NE1 and NE2 of the Staffordshire Moorlands Local Plan and guidance contained within the National Planning Policy Framework, Design Guide SPD and New Dwellings and Extensions to Dwellings SPG.