

**TOWN AND COUNTRY PLANNING ACT 1990(AS AMENDED)**

**PLANNING STATEMENT**

**OUTLINE PLANNING APPLICATION FOR DEVELOPMENT OF UP TO 70 DWELLINGS, PUBLIC  
OPEN SPACE AND ECOLOGICAL AREA**

**SITE: LAND AT CHEADLE ROAD, UPPER TEAN, STAFFORDSHIRE**

**APPLICANT: RENEW LAND DEVELOPMENTS LIMITED**

**DATE: SEPTEMBER 2013**

**Knights LLP  
The Brampton  
Newcastle-under-Lyme  
Staffordshire ST5 0QW**



## **1. INTRODUCTION**

- 1.1 This planning statement has been prepared by Knights in support of an outline planning application by Renew Land Developments Ltd for residential development on land at Cheadle Road, Upper Tean, Staffordshire. This application seeks outline consent (including details of access) for the erection of up to 70 dwellings, public open space and ecological area. Details of layout, scale, appearance and landscaping are reserved for subsequent approval in the event that outline planning permission is granted.
- 1.2 Notwithstanding that the details of layout, appearance, scale and landscaping would be finalised at reserved matters stage, a Design and Access Statement and range of detailed technical reports accompany this outline application. An indicative site layout and Landscape Strategy have also been prepared to show how up to 70 dwellings could be accommodated on the site, which have been informed by all other technical reports provided. The range of drawings and technical reports submitted with the planning application demonstrate how the proposed development of up to 70 dwellings could be accommodated on the site without having any significant adverse impacts on the environment or adjoining properties/community.
- 1.3 In accordance with good practice, the submission of this planning application follows detailed pre-application discussions with Wayne Johnson at the local planning authority (the LPA), regarding both the principle and detail of the proposed development. The preparation of this application has also been informed by consultation with the local community, including two community engagement events held in May and June 2013 and a presentation to Checkley Parish Council in July 2013.
- 1.4 The application site is situated in the open countryside at the north edge of the village of Upper Tean. The site immediately adjoins the existing settlement boundary and also lies within a special landscape area, but is otherwise unallocated. The site is in a sustainable location, close to the village centre and on an existing bus route (Cheadle Road), and represents an opportunity to provide a logical extension to the northern edge of the settlement.
- 1.5 It is a requirement of the National Planning Policy Framework (the Framework) that all LPAs have an identified five year supply of housing land with an additional buffer of 5% to ensure choice and competition in the market for land or 20% where there is a record of persistent under delivery. The LPA (Staffordshire Moorlands District Council) accepts that they are currently unable to demonstrate a five year supply of housing land; in a document the LPA produced in March 2013 the LPA confirmed that the current five year supply equates to 3.16 years (with no buffer). However if a 5% buffer is applied the LPA have only a 3.01 year supply and if a 20% buffer is applicable then the LPA have only a 2.63 year supply.

- 1.6 As set out later in this statement, we assert that the housing land supply is lower still (2.3 years with a 20% buffer). In any event, there is an acknowledged shortfall in housing land supply, even without adding in any required buffer within the district. The failure of an LPA to demonstrate a five year housing land supply triggers paragraph 49 of the Framework whereby the LPA are directed to consider housing applications in the context of the presumption in favour of sustainable development; this is at the forefront of the government's planning for growth agenda. Paragraph 49 states that: *"relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites"*.
- 1.7 Paragraph 14 of the Framework confirms that for decision taking where the development plan is absent, silent or relevant policies are out-of-date planning permission should be granted 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"*.
- 1.8 It is asserted that the proposal comprises sustainable development, satisfies all required technical standards and offers the benefits of, amongst other things, providing suitable and deliverable housing land (at a time when the LPA is well short of a five year supply), areas of public open space and a wetland ecological area that is proposed to be used by local schools and groups for active outdoor learning. There would not be any adverse impacts of residential development of the site in the manner, location and extent proposed that would outweigh the benefits of the proposal and so it should be considered favourably by the LPA in accordance with paragraphs 14 and 49 of the Framework.
- 1.9 This planning statement and the accompanying application documentation listed below demonstrate that the proposal complies with the development plan and all other material considerations, including the Framework, and that therefore in accordance with S38(6) of the Act, there is a presumption in favour of the grant of planning permission. This statement should be read in conjunction with the full range of application documents, comprising:
- The application drawings by Barrie Newcombe Associates as follows;
    - 1866-101 Site Location Plan
    - 1886-106 Indicative Site Layout
  - Design and Access Statement by Barrie Newcombe Associates;
  - Urban Design Appraisal by BPUD;
  - Landscape and Visual Appraisal and Landscape Strategy (drawing no. UPP1208/LS001/A) by PGLA;
  - Transport Statement by SCP, including access proposals (drawing no. SCP/12252/F01/B);

- Arboricultural Statement by Cheshire Woodlands, including Tree Constraints Plan (drawing no. CW/6685-P-TC-2);
- Flood Risk Assessment by Amec;
- Foul Drainage Report by ARJ Associates, including Drainage Feasibility Plan (drawing no. 2035/03/E);
- Phase I Geo-Environmental Site Assessment by REC;
- Ecological Scoping, Bat Survey, HSI and BREEAM Assessment Report by Solum Environmental;
- Statement of Community Engagement by Knights; and
- Draft Heads of Terms for a Section 106 Planning Obligation by Knights.

## 2. SITE AND SURROUNDINGS

- 2.1 The site comprises approximately 3.51 hectares of vacant/unused greenfield land located on the A522, Cheadle Road, Upper Tean.



**Aerial Image of the Application Site (approximate boundary)**

- 2.2 The site is located to the north of Upper Tean (approximately 0.8km from the village centre) and approximately 3.2km south of Cheadle town centre. The site is washed over by open countryside and a special landscape area; however it is surrounded by existing residential development to the south and east and bound by Breach Lane to the north

(with a public house and a number of residential properties located on the opposite side of Breach Lane).

- 2.3 The site is located on the bank of the River Tean (which runs inside the west site boundary) and the western half of the site is located within flood zone 3. As confirmed in the flood risk assessment: %The upper (eastern) part of the site is mainly open grassland leading to an area of woodland aligned north-south through the centre of the site. The western part of the site is characterized by a mixture of dense undergrowth, wetland vegetation and tress leading to the river bank+.
- 2.4 This site is located on the A522; there are two bus stops immediately in front of the site, these offer regular services to Stoke on Trent (Hanley), Leek, Uttoxeter and Longton (services 32, 7A and 236).



**View of the Application Site (from the northern edge of the site)**

- 2.5 The site is also within walking distance of the local primary school (0.8km) St Thomasq Primary School; local public houses, a co-operative food store, post office and hot food take aways.
- 2.6 The site and surrounding area are described in more detail in the various supporting documents that accompany this planning application, including the Design and Access Statement, Urban Design Appraisal, Landscape and Visual Appraisal, and Transport Statement.

### **3. THE PROPOSAL**

- 3.1 The submitted Design and Access Statement prepared by Barrie Newcombe Associates sets out the proposal in detail, however by way of summary this application seeks outline consent for the development of up to 70 dwellings, public open space and ecological area on the application site. Details of access are provided (see the Transport Statement by SCP, including the access proposals - drawing no. SCP/12252/F01/B), but all other matters are reserved for subsequent approval.
- 3.2 It is proposed to access the site directly from Cheadle Road, approximately one third of the way along the site's Cheadle Road frontage (i.e. the site's eastern boundary). The final layout, appearance, scale and landscaping would be finalised at reserved matters stage, but an indicative site layout and Design and Access Statement have been provided with the application to show and explain how the applicant's project team envisage the site being developed and which have been informed by the findings of the other supporting documentation, and in particular the Urban Design Appraisal and Landscape and Visual Appraisal. A Landscape Strategy has also been provided to demonstrate the landscape approach envisaged and considered to be appropriate at the site.
- 3.3 Mindful of the Environment Agency's flood map and findings of the Flood Risk Assessment, residential development is only possible on the eastern half of the application site (hence the proposed upper limit of 70 homes). The indicative site layout features an internal road that would provide vehicular access to 4no. clusters of development on the eastern half of the site, with the properties fronting Cheadle Road being served by shared accesses to the individual driveways. Pedestrian accesses would also be created throughout the site to ensure permeability. The proposed dwellings would front onto the road providing natural surveillance.
- 3.4 The west of the site would provide areas of public open space area and a wetland ecological area. The open space would be accessible by the public as well as residents of the proposed dwellings. In addition the ecological area is proposed to be used by local schools and groups for active outdoor learning.

### **4. PLANNING HISTORY**

- 4.1 There is no planning history for the site on the LPA's online planning resource/records.

## 5. THE DEVELOPMENT PLAN & OTHER MATERIAL CONSIDERATIONS

- 5.1 According to the Local Plan Proposals Map the site is located immediately to the north and west of the village development boundary and within a special landscape area and open countryside.
- 5.2 Section 38(6) of the Planning and Compulsory Purchase Act 2004 contains the only guidance in planning law as to how the balance of decision making is to be tackled, which states the following:

*“If regard is to be had to the development plan for the purpose of any determination to be made under the planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise.”*

- 5.3 The operative Development Plan comprises saved policies contained within the Staffordshire Moorlands Local Plan (adopted 1998). The other *“material considerations”* to which Section 38(6) refers include national planning policy, emerging local policies and guidance and the site specifics.

### THE DEVELOPMENT PLAN

#### Staffordshire Moorlands Local Plan (September 1998)

- 5.4 According to the Staffordshire Moorlands Local Plan Proposals Map the site lies to the north of the Village Development Boundary and within a Special Landscape Area and open countryside.
- 5.5 Policy B13 (Design) confirms that within the plan area, development proposals will be expected to meet the following requirements:
- (a) Demonstrate a good quality of design which takes account of the scale, character, siting, alignment, mass, design, colour and materials of their surroundings.*
  - (b) Provide design and landscaping of the spaces between and around buildings throughout the whole site which takes account of and enhances the scale and character of their surroundings. Existing site features such as trees and walls should be maintained where they contribute to the character and appearance of the site and its surroundings. Where hard landscaping is appropriate, natural*



*materials should be used where possible, particularly in the special landscape area, in conservation areas and within the setting of listed buildings. Where soft landscaping is appropriate, it should follow ecological principles and incorporate plant species which are indigenous to the locality.*

- (c) Provide satisfactory standards of amenity for existing and proposed users of buildings through the space between buildings, their design, interrelationship, window sizes and positions.*
- (d) Mitigate adverse environmental effects, including noise, as far as possible through the location of noise sensitive developments away from existing sources of significant noise and through the location of noisy developments where noise is less important as a consideration or where its impact can be minimised through design or conditions.*
- (e) Make adequate provision for people with restricted mobility through the design of site layouts, the relationship between buildings and parking areas and the provision of access to shops and other public services and facilities.*
- (f) Make provision for safety and security by maximising opportunities for natural surveillance through the relationship between adjoining land uses and through the layout and design of buildings and spaces.*

5.6 Policy N8 (Special Landscape Area) states that in the special landscape area permission will not be given for development which would materially detract from the high quality of the landscape because of its siting, scale, design and materials, and associated traffic generation. In areas where the special landscape overlaps the green belt there will be a presumption against most development in accordance with policy N2.

5.7 Policy N9 (Special Landscape Area) confirms that within the special landscape area the local planning authority will promote and require especially high standards of design for development.

5.8 Policy H7 (Residential Development in Open Countryside) states that planning permission will not be granted for residential development in the open countryside, other than where such development:

- a) Is essential to the operation of farming or forestry and must be located in the countryside rather than in a nearby town or Village.
- b) Involves the conversion of existing rural buildings in accordance with policy B21;

Any proposed development must be of a scale and character appropriate to the local environment.

- 5.9 Policy H16 (Affordable Housing . Towns and Larger Villages) confirms that in settlements of less than 3,000 people on housing sites of 25 or more dwellings or greater than 1 ha, and in settlements of more than 3,000 people on housing sites of 40 or more dwellings or greater than 1.5 ha. The District Council will seek to negotiate the provision of affordable housing to meet proven local need. The Council will need to be satisfied that there are secure arrangements to ensure that the benefits of affordable housing will be enjoyed by subsequent occupiers as well as the initial occupiers.
- 5.10 Appendix 3 of the Local Plan sets out the council's standards with regards Space about Dwellings, with the objective of the guidance to provide privacy for existing and proposed residents and the protection of their amenities to enable reasonable enjoyment of their residence and garden with degree of freedom from unwanted social contact. Appendix 3 also sets out the standards with regards the size of proposed private gardens in relation to the size of the proposed dwellings.
- 5.11 With regards to transport and impact on the highways network, Policy T14 confirms that planning permission will not be granted for development which would lead to additional cars or commercial vehicles entering unsuitable areas.
- 5.12 Policy T16 confirms that development proposals will be expected to incorporate adequate roads, car parking facilities in accordance with the District Councils current standards and other facilities for vehicles, cyclists and pedestrians.

## **OTHER MATERIAL CONSIDERATIONS**

### Emerging Development Plan

- 5.13 The Revised Submission Core Strategy was submitted to the Secretary of State for examination in September 2012. The examination commenced in March 2013 and the Inspector has published his Interim Conclusions.
- 5.14 The Inspector has found that the Housing Requirements set out in the RSCS are unsound and that the Housing Land Supply is unsound. The Inspector also concluded that the Core Policies are generally unsound as they do not incorporate the presumption favour of sustainable development as required by the Framework.
- 5.15 Since the publication of the Inspector's Interim Conclusions the LPA have produced a Main Modifications Document in response to the Inspector's conclusions. The Inspector will now review the modifications and the consultation responses prior to the preparation of his final report.

5.16 The emerging policies relevant to this application are detailed below (including the modifications discussed above):

5.17 **Policy SS2 – Future Provision of Development:** states that provision will be made for 6000 (increased from 5,500) 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.

Period	Average Annual Development	Rate Net Dwelling Completions
2006 . 2011	220	1100
2011 . 2016	220	1100
2016 . 2021	360	1800
2021 - 2026	400	2000

5.18 **Policy SS3 Distribution of Development:** states that development will be located in accordance with the Spatial Strategy and will be distributed between the towns and rural areas as set out below. 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 policies SS5 and SS6.

	Housing	Employment
Leek	30%	30%
Biddulph	20%	20%
Cheadle	22%	20%
Rural Areas	28%	30%

- 5.19 **Policy SS6 - Rural Areas:** The rural areas comprise of the following development categories: larger villages; smaller villages; other rural areas. In total these will provide for around 1680 new dwellings and 7.2 hectares of employment land between 2006 and 2026 in accordance with the Area Strategies set out in policies SS6a . SS6c. 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.
- 5.20 **Policy SS6a – Larger Villages Area Strategy:** Upper Tean is identified as a larger village, these settlements shall retain and enhance their role as rural service centres, providing for the bulk of the local housing needs of the rural areas and also for limited employment needs of a scale and type appropriate to each settlement having regard to local needs (including those of its local market), infrastructure capacity and character. This policy states that the Council and its partners will achieve this through the following actions (inter alia):
- Meet local housing needs by:
    - Increasing the range of available and affordable house types, especially for first time buyers and families;
    - Allocating a range of deliverable housing sites primarily within the built-up area in locations across the village with good accessibility to services and facilities. Where development is required to be met on land outside the built-up area this will be only of a small scale and on sites which relate well to the built-up area, can be assimilated into the landscape and have good access;
    - Allowing for rural exceptions housing in appropriate locations on the edge of settlements (in accordance with policy H2). This will be additional to the housing provision for the rural areas.
- 5.21 **Policy H1 - New Housing Development:** states that new housing development should provide for a mix of housing sizes, types and tenure including a proportion of affordable housing as set out in policy H2, 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 in SS5 and SS6. All development will be assessed according to the extent to which it provides for 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.
- 5.22 **Policy H2 - Affordable and Local Needs Housing:** The provision of affordable housing will be delivered through the following measures (inter alia):

1. In the towns, residential developments of 15 dwellings (0.5 hectares) or more shall provide a target of 33% affordable housing on-site from all sources. The actual level of provision will be determined through negotiation taking into account development viability and other contributions
2. Elsewhere, residential developments of 5 dwellings (0.16 hectares) or more shall provide a target of 33% affordable housing on-site from all sources, unless there are exceptional circumstances which dictate otherwise. Exceptionally this may be provided through a commuted sum payment in lieu. The actual level of provision will be determined through negotiation taking into account development viability and other contributions. The above targets and thresholds will be reviewed for the period after 2016.

## **NATIONAL PLANNING POLICY FRAMEWORK**

- 5.23 At the heart of the Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan-making and decision-taking.
- 5.24 For decision-taking this means (paragraph 14):
- 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; or
    - Specific policies in this Framework indicate development should be restricted.
- 5.25 Policies in Local Plans should follow the approach of the presumption in favour of sustainable development so that it is clear that development which is sustainable can be approved without delay.
- 5.26 The Framework seeks to deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities. In order to achieve this local planning authorities should:
- Plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but

not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);

- Identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- Where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.

5.27 The Framework aims to significantly boost the supply of housing, to do this local planning authorities should:

- Use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;
- Identify and update annually a supply of specific deliverable sites sufficient to provide five years worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;
- Identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15;
- For market and affordable housing, illustrate the expected rate of housing delivery through a housing trajectory for the plan period and set out a housing implementation strategy for the full range of housing describing how they will maintain delivery of a five-year supply of housing land to meet their housing target; and
- Set out their own approach to housing density to reflect local circumstances.

- 5.28 Paragraph 49 confirms that housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.
- 5.29 Paragraph 56 confirms that the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people.
- 5.30 Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
- 5.31 Planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.

#### Design Principles: New Dwellings and Extensions to Dwellings SPG

- 5.32 The council's adopted SPG builds on guidance set out in Policy B13 and at Appendix 3 of the Local Plan. The SPG confirms that all proposed dwellings will be assessed in the context of their surroundings so that the development is both appropriate and respects the scale, proportions and character of the area. Whilst most of the guidance set out in the SPD relates to detailed design (whereas this application is for outline of which appearance is a reserved matter), the overriding principles have been adhered to in the formulation of the site's overall layout.

#### Space About Dwellings SPD

- 5.33 This SPD reiterates guidance set out in Policy B13 and Appendix 3 of the Local Plan. It provides details of distances required between front elevations of dwellings containing principles windows; rear elevations; required sizes for rear gardens.
- 5.34 The guidance states that for dwellings of three or more bedrooms the mean length required is at least 11m and area required is at least 65sqm excluding the area of the garage space or occupied by another building. For dwellings with one or two bedrooms, the mean length required is at least 14m and area required is at least 85sqm (excluding the area of the garage space or occupied by any other outbuilding).

- 5.35 The guidance also provides details relating to daylight, stating that: New buildings that are to be sited close to (or at right angles to) the principal windows of existing properties must be designed so that there is no obstruction to daylight beyond: a. the horizontal angle of 45° measured on plan view from the mid point of the nearest principal window of an adjacent property; and b. the vertical angle of 45° measured on elevation from the mid point of the nearest principal window of an adjacent property.

Public Open Space SPD

- 5.36 This SPD outlines the Council's requirements for open space provision within new developments. These requirements are based on the following standards:

Playing Pitches	1.6ha/1,000 population
Children's Play Areas	0.6ha/1,000 population
Major Open Space	0.4ha/1,000 population
Incidental Open Space	0.6ha/1,000 population

- 5.37 New residential developments for 20 dwellings or more will be expected to make provision for public open space within the development itself in accordance with Policy R1.

## **6. ASSESSMENT**

- 6.1 This application is for outline planning permission for up to 70 dwellings, public open space and ecological area, with all matters other than access reserved for subsequent approval. Taking account of relevant development policies and other material considerations (including the Framework), the characteristics of the site and pre-application discussions with the LPA it is considered that the key issues in determining this outline planning application are:

1. Whether residential development of the site is acceptable in principle;
2. Design considerations, including the suitability of the site for residential development and its impact on the landscape; and
3. Whether the proposed access is suitable.
4. The impact of residential development on other matters of acknowledged importance, including:
  - Highway Safety;
  - Ecology;
  - Trees;
  - Flood Risk; and
  - Ground Conditions.



- 6.2 Notwithstanding that the details of layout, appearance, scale and landscaping would be finalised at reserved matters stage in the event that outline permission is granted, a Design and Access Statement and range of detailed technical reports accompany this outline application. An indicative site layout and Landscape Strategy have also been prepared to show how up to 70 dwellings could be accommodated on the site, which have been informed by all other technical reports provided. The range of drawings and technical reports submitted with the planning application demonstrate how the proposed development of up to 70 dwellings could be accommodated on the site without having any significant adverse impacts on the environment or adjoining properties/community.

### **1. Principle of Residential Development**

- 6.3 The site is located within the open countryside and an Area of Special Landscape; however it immediately abuts the village boundary of Upper Tean as designated within the Staffordshire Moorlands Local Plan, with existing housing located alongside the east and south boundaries of the site.
- 6.4 Upper Tean comprises a large village which accommodates a number of local shops and services, including a post office, co-operative store, primary schools and public houses. The site functionally forms part of the village as properties continue along the opposite side of Cheadle Road.
- 6.5 The extant local plan saved policies do not support development outside of the development boundaries, unless it would address a specific local need. As such in terms of extant local plan policy on the location of new housing, the site would not be considered in accordance with the development plan. However the Framework states at paragraph 49 that:

*“Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.”*

- 6.6 As set out in more detail below, the LPA cannot demonstrate a five year supply of housing land and have in fact significantly under delivered over the past six years of the plan period and as such have confirmed that they are a 20% authority. In light of this, local plan policies concerning housing are considered to be out of date, therefore paragraph 14 of the Framework is triggered which states the following:

*“At the heart of the National Planning Policy Framework is a **presumption in favour of sustainable development**, which should be seen as a golden thread running through both plan-making and decision-taking...”*

*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; or*
  - *Specific policies in this Framework indicate development should be restricted.”* (our emphasis)

6.7 The second bullet point noted above refers to a footnote which provides examples of the specific policies that restrict development, these include policies relating to sites protected under the Birds and Habitats Directives and/or designated as Sites of Special Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast or within a National Park (or the Broads Authority); designated heritage assets; and locations at risk of flooding or coastal erosion. The application site does not fall within any of these specific policies.

6.8 Paragraph 34 of the Framework seeks to locate new development that would generate significant movement where the need to travel will be minimised and the use of sustainable transport modes can be maximised. This is discussed further from paragraph 6.23 of this statement, however the site is located functionally within the village of Upper Tean which accommodates a number of local shops and services, in addition there are bus stops located directly in front of the site which provide access to Stoke on Trent (Hanley), Leek, Uttoxeter and Longton (services 32, 7A and 236). Paragraph 37 of the Framework further confirms that there should be a balance of land uses in order to minimise journey lengths for the purposes of employment, shopping, leisure and other activities.

6.9 The emerging Core Strategy defines Upper Tean as a large village and confirms that these settlements shall retain and enhance their role as rural service centres, providing for the bulk of the local housing needs of the rural areas and also for limited employment needs of a scale and type appropriate to each settlement having regard to local needs (including those of its local market), infrastructure capacity and character. Policy SS6a states that the LPA will allocate:

*“a range of deliverable housing sites primarily within the built-up area in locations across the village with good accessibility to services and facilities. Where development is required to be met on land outside the built-up area this will be only of a small scale and on sites which relate well to the built-up area, can be assimilated into the landscape and have good access”.*

- 6.10 It is asserted that mindful of the LPA's lack of five year housing land supply, it is necessary to seek deliverable housing land outside the built-up area in light of the current shortfall. As demonstrated within this statement, the site is well related to the built-up area and as noted in the LPA's own SHLAA assessment of the site, it would comprise a logical northern development of settlement, and it is accessible by public transport and within walking distance of a number local shops and services, including primary schools. An assessment of the impact of the proposed development on the landscape and other matters of acknowledged importance follows later in this section.
- 6.11 Emerging Core Strategy Policy H1 states that all housing development will be assessed according to the extent to which it provides for 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. It is considered that this edge of village site comprises a sustainable location which would assist to address the LPA's shortfall in housing land, whilst providing a mix of housing, including up to 23 affordable homes (33%). It is asserted that the proposed development would comprise a logical extension to the village and it has been designed to take full account of the context and character of the surrounding area.
- 6.12 In light of the LPA's lack of five year housing land supply it is asserted that this application should be considered in the context of the presumption in favour of sustainable development, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits. The impact of the proposed development on matters of acknowledged importance will be looked at later in this section. However in the first instance therefore it is necessary to assess the LPA's current position in terms of five year housing land supply:

#### Five Year Housing Land Supply

- 6.13 Staffordshire Moorlands District Council accept that they are currently unable to demonstrate a five year supply of housing land, in a document the LPA produced in March 2013 the LPA confirmed that the current 5 year supply equates to 3.16 years (with no buffer). However if a 5% buffer is applied the LPA have only a 3.01 year supply and if a 20% buffer is applicable then the LPA have only a 2.63 year supply.
- 6.14 It is understood that the LPA adopt the Liverpool approach to calculating five year housing land supply, but it is considered that this approach is not compatible with the Framework as it seeks to spread the shortfall in housing over the plan period as opposed to addressing this in the immediate term and significantly boosting housing land supply.

6.15 Knights agree that the LPA cannot demonstrate a five year housing land supply, however it is considered that the approach used by the LPA (the Liverpool approach) is not the most appropriate and the Sedgefield approach should be adopted mindful of the Framework and the fact that the LPA have under delivered in the past.

6.16 In our opinion the LPA has under delivered in each monitoring year since 2006, as set out below:

Year	Actual Completions	Actual Requirement	Over/Under Delivery
2006 - 2007	260	300	40
2007 - 2008	261	300	39
2008 - 2009	236	300	64
2009 - 2010	185	300	115
2010 - 2011	110	300	190
2011 - 2012	71	300	229
<b>Total</b>	<b>1123</b>	<b>1800</b>	<b>677</b>

**Table 1**

6.17 As such, there has been a persistent under-delivery of housing in the Staffordshire Moorlands, and in accordance with paragraph 47-49 of the Framework, a 20% buffer to the 5YHLS should be applied.

6.18 As such, our assessment of the five year housing land position in Staffordshire Moorlands is summarised in Table 2 below. It should be noted that our assessment utilises the %Sedgefield+ approach to calculating the five year housing land supply which has been demonstrated in other appeal cases to be the most Framework compliant in terms of %boost(ing) *significantly* the supply of housing and bringing forward the delivery of housing from later on in the plan period. The %Sedgefield+ approach seeks to make up any previous shortfalls in delivery over the next five years, rather than averaging delivery out over the remainder of the plan period.

RSS and Main Modifications Revised Core 6000  
 Strategy Requirement  
 RSS and Main Modifications Revised Core 300  
 Strategy Requirement Per annum  
 Deliverable Supply Identified by LPA 1195

Five Year Requirement - 2012/13 - 2017/2018	1500	(300 x 5)
Shortfall from previous 5 years	677	
New five year requirement	2177	(1500 + 677)
Annual requirement	435	(2177/5)
Annual 20% buffer	87	(20% of 435)
Annual requirement with buffer	522	(435 + 87)
<b>Five year supply + 20%</b>	<b>2.3</b>	<b>(1195/522)</b>

**Table 2**

- 6.19 In light of the above assessment it is considered that **the LPA can only demonstrate a 2.3 year supply of deliverable housing land with a 20% buffer.**
- 6.20 In addition to the lack of five year housing land supply and the significant under delivery over the past six years, the LPA have also shown a poor track record of securing affordable housing units. The LPA has delivered only 318 affordable units over the period 2000-2012.
- 6.21 In summary, the LPA has failed to deliver a five year supply of housing land, and it acknowledges that it currently has only a 2.63 supply of housing land (2.3 years supply when using the Sedgefield approach). The LPA is under pressure to deliver housing land and has a duty under the Framework to do so; as such the LPA should be granting planning permissions accordingly.
- 6.22 In light of the LPA's lack of five year supply paragraphs 49 and 14 of the Framework are triggered which confirm that local policies regarding housing should be considered out of date and the presumption in favour of sustainable development should prevail. It is therefore necessary to assess whether the proposed development comprises sustainable development:

## Sustainable Development

- 6.23 The proposal would provide a sustainable form of development. Inter alia, sustainability would be derived from a high quality design (the final details of which would be dealt with at reserved matters stage) that would respect the built and natural environment, well connected to public transport facilities and local services.
- 6.24 Paragraph 7 of the Framework sets out the three dimensions of sustainable development: economic, social and environmental. These dimensions give rise to the need for the planning system to perform a number of roles. It is considered that the proposed development would comprise sustainable development and would fulfill these roles as follows:
- **An economic role** . as noted at paragraph 28 of the Framework, LPAs should draft policies that *support economic growth in rural areas in order to create jobs and prosperity by taking a sportive approach to sustainable new development*. It is widely recognised that spending on construction and infrastructure significantly benefits the UK economy. A report by the Confederation of British Industry (CBI) and research company L.E.K highlighted that construction is the best sector for stimulating the economy and that for every £1 spent on construction an additional £1.84 is stimulated elsewhere within the economy (Construction in the UK Economy: The Benefits of Investment, 2009). The proposal to deliver up to 70 dwellings would have positive economic effects on the local economy, not only through direct job creation but also through the supply of goods and services to the construction activity on site. The creation of 70 dwellings would also deliver additional potential spending power within the local retail sector, related to expenditure on food, drink, householder goods, and services. The additional spending within the local economy would also support existing local full time employment positions within the local retail sector. Section 143 of Part 6 of the Localism Act states that local finance considerations, such as contributions from the Crown/CIL as a result of the proposed development are material considerations when considering development proposals. Furthermore the delivery of dwellings would result in New Homes Bonus contributions to the area, along with further contributions through a section 106 agreement. Such contributions could be used locally to fund the provision of additional services, infrastructure, highway and other village improvements which would benefit the wider community. In conclusion, the proposals are likely to bring some economic benefits to the area, which are a material consideration in favour of the scheme.
  - **A social role** . the proposal would provide additional local spending power, and it is likely that the dwelling sizes proposed would attract families to the area. This would provide local support to existing local services including local primary

schools, post office, shops and public houses. As such, this would add to the sustainability of the existing community by supporting existing local services. In addition the proposal includes the provision of up to 23 affordable dwellings (33% of all units); it is considered that the proposed mix of types of dwellings and tenures would assist in creating a mixed and sustainable community. In addition an area of public open space and a wetland ecological area would be created as part of this proposal, which would be for use by the public and local schools (local schools have been contacted about this proposal by the project ecologists, Solum Environmental, and confirmed their interest in using this area). In conclusion, the proposals are likely to bring some social benefits to the area, which are a material consideration in favour of the scheme.

- **An environmental role** . great care has been taken to ensure that the proposed development of up to 70 dwellings on the site can take place in a manner that would respect environmental considerations and without causing material harm to the environment, and to identify and address opportunities to utilize and improve the environment. As mentioned above, the proposal includes the creation of a wetland ecological area which could be used by local schools and groups for active learning. In addition areas of public open space would be provided for access by all (as shown on the indicative site layout and Landscape Strategy). In addition the guidance within Building for Life 12 has been used to steer the design of proposed development (as set out in more detail in the Urban Design Appraisal), it is considered that the broad parameters set out in the outline application make a considered and collective effort to delivery of the criteria set out in the Building for Life 12 tests. Account should also be taken of landscape considerations, set out in more detail in the visual impact on landscape section.

- 6.25 The site, although washed over by open countryside, is bounded by housing development to the east and south. It is located within walking distance of the local services including a post office and primary school. As such, it is sequentially well placed; within walking distance of local bus stops which provide access to shops and services.

## **2. Design and Landscape Considerations**

- 6.26 This application seeks outline consent including details of access; all other matters would be dealt with at a reserved matters stage in the event that outline planning permission is granted. However an indicative layout has been provided in order to illustrate how the site could be developed taking into account the assessments/advice from the various members of the project team including in relation to urban design, landscape, highways, flood risk and ecological considerations. It is considered that this indicative layout is a

fair and balanced reflection of what the site could accommodate in an appropriate manner taking account of the constraints and opportunities of the site.

- 6.27 The submitted Urban Design Appraisal sets out the principles behind the proposed design and its evolution during the preparation of this application. A number of site constraints and opportunities were identified including: Landscape, Views, Topography, Ecology, extant power cables and Flood Risk. These are discussed separately below.
- 6.28 There were a number of key drivers behind the proposed design as follows:
1. *Retaining Landscape and Boundaries:* The landscape boundaries and mature trees on the site should be retained wherever possible.
  2. *Work with the topography:* The site slopes from east to west but this would allow for the new housing to be set into the hillside reducing both its visual and landscape impact.
  3. *Linking Breach Lane and Cheadle Road:* Ensure that the design would link effectively to the bus stops, footpath network on Cheadle Road and offers safe, off-road routes from houses on Breach Lane, through the site to the bus stops and village.
  4. *Deliver a high quality ecological area:* The area adjacent to the river within the flood plain could offer a haven for wildlife and the project ecologist has investigated ways to enhance and manage this area for the community and the wildlife.
  5. *Deliver appropriate densities and layout:* The scheme would offer a mix of types and tenures but should focus on lower densities, ensuring effective landscape planting and garden space to complement the locality.

- 6.29 At this outline stage full details of the design of the proposed dwellings is difficult to establish, however this is a landscape led scheme and the character of the development is designed to reflect its edge of settlement location showing a transition from built form to open countryside. This includes retaining and enhancing many of the existing on site landscape features. The types of dwellings proposed and the proposed density is representative of the surrounding area. The indicative layout shows a series of clear urban blocks and clear streets and spaces. This layout ensures that the routes are framed by housing which in turn frame the views out to the countryside.

#### Landscape Impact

- 6.30 A landscape and visual impact assessment has been submitted to accompany this planning application; this assesses the landscape character and the potential impact of the proposed development on the landscape.
- 6.31 The LVIA confirms that the Local Character Area comprises Settled Plateau Farmland Slopes, the proposed development would alter and change the greenfield characteristic



within the boundaries of the site by the introduction of built development, however, it would not contribute to the loss of these key characteristics in the immediate and wider setting. The LVIA goes on to assert that the development could potentially improve the green infrastructure and wildlife network by enhancing the hedgerows and introducing tree planting to replace the overall ongoing age structure of the existing trees. Overall the landscape character would remain unchanged through the majority of the character area.

- 6.32 The submitted LVIA assesses the visual impact of the proposed development from a number of viewpoints, including local vantage points, public footpaths and main roads. The assessment concludes that the visual impact of the proposed development would range from moderate change to no change at all. This is due to the extant natural screening to the site boundaries, which result in filtered views of the site. Furthermore, the proposed development would seek to enhance the level of screening at the site boundaries to further reduce any potential impact.
- 6.33 The LVIA concludes that the proposed development would be partially visible within the landscape but with the suggested landscape treatment, combined with the sympathetic materials of the development; it would integrate well into the existing settlement edge and cause no significant impact on the landscape or the Special Landscape Area designation.

### **3. Impact on other matters of acknowledged importance**

#### **Highway Safety**

- 6.34 A Transport Statement is submitted as part of this application, this sets out that the erection of up to 70 dwellings on the site would add less than 1 additional vehicle per minute to Cheadle Road at the proposed site access during peak hours. When the traffic is assigned to the network it is anticipated that the proposals would add only around 1 additional vehicle every 3 minutes to Cheadle Road on average during the highway peak hours. This level of increase in flow is considered to have an insignificant impact upon the pre-existing conditions along Cheadle Road and the TS concludes that the traffic can be accommodated onto the local highway network in a safe manner.
- 6.35 The TS states that the capacity of the proposed site access has been assessed for the design year of 2020 and would be anticipated to operate with significant spare capacity with minimal delays. The proposed site access onto Cheadle Road is designed to achieve visibility based upon the requirements of the highways officer; the proposed visibility splays are in accordance with the assessed wet weather speeds of all vehicles travelling along Cheadle Road towards the site access.
- 6.36 The TS also details a series of highway improvements that would be provided as part of the proposed development, including in direct response to comments raised by local residents who attended the two community engagements that were organised to engage

with local people about the proposals and inform the preparation of the planning application (see Statement of Community Engagement for more information). These include improvements to bus facilities, traffic calming measures and pedestrian crossing facilities along Cheadle Road; see the Transport Statement and Proposed Access & Highway Works (drawing no. SCP/12252/F01/B for more details). The proposed highway improvements could be secured by condition in the event that outline planning permission is granted.

### Ecology

- 6.37 An Extended Phase 1 Habitat survey and bat emergence / activity survey is submitted as part of this application. This survey concluded that the site comprises moderate ecological value: although there was no evidence of bats roosting on site there is evidence of bats using the site for foraging, in addition there were signs of badger use across the site however no badger setts were located in the site. There was no evidence of otters or water voles currently present on the site and there are no water bodies suitable for great crested newts on the site. The adjacent pond, to the south of the site, is stocked with fish and therefore provides below average habitat for great crested newts. There are no other ponds within 200m of the site. The site is bordered by roads and a fast flowing river, which would provide barriers to recruitment of great crested newts. The western portion of the site, which lies immediately adjacent to the river, currently has value as riparian and flood-plain habitat and substantial potential for development of biodiversity value.
- 6.38 It is proposed therefore to retain the area to the west of the site as an ecological/wildlife area which would be conserved and could incorporate an outside classroom/active learning space for local schools. Local schools have been contacted about this proposal by the project ecologists, Solum Environmental, and confirmed their interest in using this area and so this element of the proposal is considered to comprise a genuine benefit both to the environment and the local community.

### Trees

- 6.39 An arboricultural statement has been prepared as part of this outline application, this statement evaluates the effects of the illustrative development upon existing trees on and adjacent to the site.
- 6.40 This statement concludes that implementing the development proposal would require the removal of several trees located mainly to the centre of the site, the loss of which would have only a modest impact on the wider amenity.

- 6.41 A Tree Constraints Plan has been prepared to illustrate those trees/hedges to be removed and those to be retained. Where possible trees and hedges are proposed to be retained and appropriate tree and root protection is proposed during the course of construction in accordance with best practice.
- 6.42 The statement confirms that management of retained tree cover and extensive planting of new trees, shrubs and hedges as part of a proposed scheme of landscape enhancement works across the site, would mitigate vegetation lost to the development, enhance the landscape setting of the site, strengthen the site boundaries and provide considerable long-term amenity benefits.

#### Flood Risk & Drainage

- 6.43 A flood risk assessment has been prepared as part of this planning application, part of the site falls within flood zone 2 and flood zone 3 as defined by the Environment Agency's Flood Map.
- 6.44 The proposed built development would be sited within flood zone 1 only; no dwellings are proposed in flood zones 2 or 3. The flood risk assessment confirms that surface water run-off from the site would be attenuated to greenfield run-off rates.
- 6.45 The Flood Risk Assessment concludes that the proposed built development and emergency access routes are not at risk of flooding under the 1% or 0.1% AEP fluvial events, nor is the development and the surrounding area at risk of surface water runoff flooding from the 1% AEP plus climate change pluvial event. It also concludes that groundwater flooding can be managed and incorporated into the drainage system ensuring there is little or no risk to the development.
- 6.46 An outline drainage strategy has been prepared by ARJ Associates this demonstrates how the surface water runoff could be managed on site. In summary, the plan shows that the surface water runoff from the east, developed part of the site would drain into an oversized surface water pipe network which would provide the attenuation to discharge at greenfield rates to an open ditch in the centre of the site. The discharge outfall would be located outside of Flood Zone 3. The open ditch would connect into the northern most part of the old Mill Race, which would then drain into the proposed SUDS wetland area in the northwest part of the site. This would provide water quality benefits before discharging into the River Tean.
- 6.47 The foul drainage report prepared by ARJ confirms that, following consultation with Severn Trent Water (STW), it has been demonstrated that foul drainage from the proposed development is feasible and foul flows could discharge to the public sewerage system. STW have offered 3 options for connection from the proposed development to the public sewerage system. The foul drainage strategy in this report demonstrates how

foul drainage from the proposed development can be drained to the existing public sewers in Cheadle Road without the necessity of upgrading of existing public sewer network.

#### Ground Conditions

- 6.48 The submitted ground investigations report refers to historical maps that identify buildings located in the northwest, a former race in the in centre and textile drying ground in the south. As the nature of any Made Ground is unknown the potential for localised organic and inorganic impact cannot be entirely discounted. However, the demolition of the buildings is considered likely to result in only localised impact and given the field evidence from the site inspection suggests the mill race has silted up rather than been backfilled and that the former drying fields are densely vegetated, with no sign of die-back or vegetation stress. Therefore the likelihood of significant on-site impact is considered **low**.
- 6.49 The ground investigations survey concludes that a detailed Phase II intrusive Geo-Environmental ground investigation should be undertaken in order to confirm the findings of the initial conceptual site model, to determine foundation design and to assess the underlying clay for its susceptibility to heave / swell.

### **7.00 CONCLUSION**

- 7.01 This planning statement has been prepared to accompany an application by Renew Land Developments Ltd for outline consent for up to 70 dwellings, public open space and ecological area on land at Cheadle Road, Upper Tean. The application includes details of access, with matters of layout, scale, appearance and landscaping reserved for subsequent approval.
- 7.02 Notwithstanding that the details of layout, appearance, scale and landscaping would be finalised at reserved matters stage, a Design and Access Statement and range of detailed technical reports accompany this outline application. An indicative site layout and Landscape Strategy have also been prepared to show how up to 70 dwellings could be accommodated on the site, which have been informed by all other technical reports provided. The range of drawings and technical reports submitted with the planning application demonstrate how the proposed development of up to 70 dwellings could be accommodated on the site without having any significant adverse impacts on the environment or adjoining properties/community.

- 7.03 This application has been formulated taking into account the content of the development plan and other material considerations, in addition to engagement with the LPA, local residents and Checkley Parish Council. One of the principal determining factors behind the promotion of this planning application is the fact that the LPA does not currently have a five year housing land supply.
- 7.04 The application site is situated in the open countryside at the north edge of the village of Upper Tean. The site immediately adjoins the existing settlement boundary and also lies within a special landscape area, but is otherwise unallocated. The site is in a sustainable location, close to the village centre and on an existing bus route (Cheadle Road). Given that the application site lies immediately adjacent to the village development boundary of Upper Tean, is surrounded by existing residential development to the south and east and bounded by Breach Lane to the north, it is considered that the proposed residential development is a logical extension to the northern edge of the settlement. Furthermore the site is a deliverable and available residential site.
- 7.05 It is asserted that the proposal comprises sustainable development in that:
- The LPA has a very significant shortfall in its five year housing land supply;
  - The proposed site location and proposed development is sustainable in the economic, social and environmental dimensions;
  - In light of the above, the planning application should be considered in the context of a presumption in favour of sustainable development set out in the Framework (paragraph 49) and planning 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 (paragraph 14); and
  - On balance the proposal has no significant or demonstrable impacts that would outweigh the benefits of allowing this sustainable development, including the valuable contribution it would make to address the Council's material housing supply shortfall.
- 7.06 It has been demonstrated in this statement and the other supporting documentation that accompanies this outline planning application that the principle of the residential development is acceptable, that the proposed access arrangements are acceptable, and that . although the final details of layout, scale, appearance and landscaping would be dealt with at reserved matters stage in the event that outline planning permission is granted - the site can accommodate residential development on the scale proposed in a

manner that would have an acceptable impact in all other respects. As a result it is asserted that planning permission should be granted.