



Planning policy statement

Outline planning application at Capri, Denstone Road, Alton, Staffordshire Moorlands.

Prepared by: Gez Willard M.R.T.P.I Chartered Town and Country Planner
Date prepared 26th January 2015

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1.0 Introduction

1.1 This application seeks outline planning permission for residential development. This statement is prepared to support the planning application and to explain that it is considered the application proposal accords with main policies and principles set out the council's adopted core strategy. It is considered that the application will serve to meet housing need within the District and be wholly compliant with the National Planning Policy Framework (NPPF).

2.0 The planning application

2.1 The application is supported by a Design and Access Statement and site location plan together with an indicative block plan. The submission shows a layout with 13 dwellings. The main aspects of this proposal are the following:

- *The site has a large detached dwelling with outbuildings already on site.
- *The forward-most part of the site is brownfield in nature whilst the rear is an undeveloped paddock which is greenfield.
- *Access to the site will be via Denstone Road, subject to any relevant and necessary highway works or alterations.
- *The site has no known significant ecological or landscape features on or adjacent to it.
- *The whole of the site is not yet within the village boundary as defined within the Local Plan (see appendix).
- *The LPA accept that Alton is a large village and that additional residential development in this area will be needed during the Core Strategy period.
- *The council have a chronic need for housing land and do not have a 5 year (plus buffer) housing supply.

3.0 Main material planning policy considerations

3.1 The National Planning Policy Framework and national planning policy

3.2 In March 2011 the incoming government acted quickly, at least in planning policy terms, to try to halt the recession and promote growth. It listened to the development industry and introduced a clear and certain 'planning for growth' agenda

3.3 In March 2011 minister Greg Clark issued a statement on "Planning for Growth". It states that the expectation is where development and growth are proposed it should normally be allowed unless sustainable development principles were compromised.

3.4 This positive statement of intent was followed a year later by the release of the National Planning Policy Framework (NPPF) in March of 2012. This clarified and gave weight to the presumption in favour of sustainable development. It also echoed the need for a positive planning environment.

At paragraph 14 it urged councils to approve development 'quickly' that accorded with the development plan. It reads:

"14. 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 plan-making this means that:

- local planning authorities should positively seek opportunities to meet the development needs of their area;*
- Local Plans should meet objectively assessed needs, with sufficient flexibility to adapt to rapid change, unless:*

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- *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.*

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.”*

3.5 Paragraph 49 makes it clear that councils must provide for a 5 year housing supply and the NPPF continues by confirming up to 6 years (a 20% buffer) supply should be demonstrated where there is persistent housing shortage. **It states:**

"49. 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."

3.6 The council does not have a 5 year housing supply (see appendices) and at best has a 2.3 year supply. Where the development lies outside the settlement boundary, and providing it is well related to the settlement the council should now be supporting such proposals. The evidence in this report shows clearly that within this District officers and inspectors are indeed doing just this.

3.7 The Core Strategy (CS)

3.8 A Core Strategy was adopted in March 2014. Paragraph 4.4 sets out the vision for the main towns of leek, Cheadle and Biddulph and the rural areas. In respect of the later it notes:

'4.4 (para 4) The Rural Areas will have viable, attractive villages and smaller settlements which will continue to foster appropriate, sensitive growth and vitality to support rural living and work. The larger villages will be the rural centres for services, facilities and jobs acting to sustain the rural areas. Smaller village communities will also continue to thrive with a range of affordable housing opportunities to meet local needs and improved access to community services. There will be a more vibrant and diverse rural economy which will provide a range of local job opportunities and support a thriving agricultural sector. Well managed, sustainable tourism will be a major driver in regenerating the rural areas and enhancing their character and quality. Major redundant sites in the countryside will have been redeveloped for new uses, improving the environment and diversifying the rural economy. In the countryside, the richness of the District's landscape, heritage and its biodiversity will continue to be valued, maintained and protected in a way which sensitively accommodates the needs of farmers, rural businesses, visitors and residents. Landscape character and quality will be conserved and enhanced and biodiversity fostered with appropriate new landscaping encouraged. Public access to the countryside will be extended with new walking, cycling and horse riding routes developed.

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3.9 Policy SA1 seeks to ensure that development is directed into those settlements that have the capacity and scope for growth. It states:

'SA1: Creating distinctive, sustainable, self-supporting settlements

7.3 The creation of settlements which are distinctive, sustainable and self-supporting is a key theme of the Strategy. This means ensuring that development and investment is directed to those settlements which have the capacity and scope for growth as well as supporting, in a sustainable way, those other settlements whose needs must continue to be met. '

3.10 In respect of new housing in rural areas the CS reiterates the need for housing albeit at a slightly lower rate than the past average. It affirms that new development will be on a mix of greenfield and brownfield sites. The policy says:

'7.28 The rate of housing development in the Rural Areas will be decreased from a past average of 85 dwellings/annum to 77 dwellings/annum reflecting the emphasis of the strategy to focus the bulk of new development in the towns and the need for strategic restraint in those areas nearest to the North Staffordshire conurbation but maintaining sufficient growth to support existing communities in the rural areas. New development will be on a range of brownfield and greenfield sites targeted to support existing services and facilities primarily in and on the edge of the larger villages and varying in scale depending on the size and capacity of each settlement.'

3.11 On page 74 policy SS4 deals with the managed release of housing land. It confirms the preference for the release of urban brownfield sites as a preference but does not rule out the development of greenfield sites or those on the urban edge.

3.12 On page 75 it confirms that in rural parts of the district some 28% of new housing or some 928 (net) units will be required. The same policy confirms that a 20 % housing buffer will be needed on top of the 5 year supply.

3.13 Page 77 sets out the description of larger villages which are to accommodate the bulk of new development in the rural areas. It states:

“Larger Villages – these are the most sustainable settlements in the rural areas which generally have a good local social infrastructure, some local employment opportunities and good accessibility to the towns and larger centres. These villages also have an important role in terms of serving and supporting their immediate surrounding rural areas and smaller villages. The spatial strategy focuses the bulk of the rural development in these settlements and seeks to ensure that they are sustained and promoted as service centres. These settlements will be defined by a Development Boundary within which development of an appropriate scale and nature will be allowed. It is recognised that there is a significant range amongst these villages in terms of their size and facilities and it is proposed therefore that the scale of development in each area should be relative to their current size and infrastructure capacity. ”

3.14 Policy SS6 on page 92 sets out the control of residential and employment development in the rural area. It reads thus:

‘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 below.

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.”

3.15 Policy SS6a sets out the larger villages strategy.

The following are identified as larger villages:

Alton

Biddulph Moor

Blythe Bridge & Forsbrook Brown Edge

Cheddleton

Endon

Ipstones

Kingsley

Upper Tean

Waterhouses

Werrington & Cellarhead Wetley Rocks

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 having regard to local needs (including those of its local market), infrastructure capacity and character. The Council and its partners will achieve this through the following actions:

1. *Retain and enhance their role as rural service centres by:*

**enabling appropriate development which supports and increases the range and quality of services and facilities available to the rural areas;*

**protecting services and facilities which are essential to sustain rural living;*

**improving connections by public transport to surrounding smaller villages and market towns*

2. *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.*

3. *Meet limited employment needs by:*

**enabling small-scale new employment development;*

**improving and intensifying the use of existing employment areas and, where appropriate, expanding them.*

4. *Ensure that new development reflects and enhances each village's special character and heritage by:*

** giving priority to the reuse and regeneration of existing redundant, underused or surplus sites and premises for new development;*

** restricting the scale of new development;*

- * *supporting the use of Parish Plans and Village Design Statements to guide future development;*
- * *protecting and enhancing the setting of individual settlements.*

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4.0 Emerging planning policy

4.1 Site allocations plan

4.2 The council have commenced work on a Site Allocations Plan. The applicant has made submissions the council's the policy team in connection within emerging plan and the SHLAA. At the time of writing this report the council have not released even a draft plan and no weight ought accordingly be given to any as yet to be announced emergent plan.

5.0 Other material planning considerations

5.1 Appeal and application history within Alton

5.2 An application at Hurstons Lane in Alton for residential development was refused by the LPA. The appeal against the decision was lodged and in May 2013 the inspector accepted the principle of development but dismissed the appeal on design grounds alone. The site lay beyond the defined village boundary but the inspector clearly accepted the development in principle. The inspector opined:

'4. Based on the date of the Staffordshire Moorlands Local Plan 1998 (SMLP), due weight should only be given to its policies according to the degree of consistency with the National Planning Policy Framework (Framework), in accordance with paragraph 215 of the Framework. Furthermore, the Council has accepted that it cannot demonstrate that it has a 5 year housing land supply. As such, paragraph 49 of the Framework requires the relevant policies for the supply of housing to not be considered up-to-date. I have not given any significant weight to the policies that the Council has referred to in its emerging Core Strategy Development Plan Document Revised Submission Document, as no details have been provided regarding the outcome of the Examination of this Document. Therefore, I have determined the appeal on the basis of the advice given in paragraph 14 of the Framework.

5. In terms of paragraph 14 of the Framework, the proposed development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, or specific policies in the Framework indicate the development should be restricted. '

5.3 Following this decision a further planning application was submitted to and approved by the council on 29th September 2014. This is clear evidence of the council accepting the need for additional housing within the village of Alton even where it lies beyond the defined settlement boundary.

5.4 Application precedence with Staffordshire Moorlands

5.5 Two applications are cited within this report that evidence the manner in which the LPA officers are presently advising members in respect of determining housing applications. The first of these sites is in Cheadle which is a main town within the District and the second is Upper Tean which, like Alton, is a large Village. These applications have both been considered by the LPA within the last 12 months.

5.6 The key sections of these 2 reports are attached below starting with the site in Cheadle:

SMD/2014/0227 PROPOSED RESIDENTIAL DEVELOPMENT OF UP TO 190 DWELLINGS ALONG WITH NEW ACCESS AND ASSOCIATED WORKS, LAND SOUTH OF THORLEY DRIVE, CHEADLE

5.7 This application was reported to the planning committee of the council on 22nd January 2015. Officers recommended approval but the application was not determined by the planning committee. In respect of the matter of principle the report stated:

“Planning Policy: The application site is included in the Strategic Housing Land Availability Assessment (SHLAA). The SHLAA identifies over 2,000 potential housing sites which have all been assessed and classified in terms of availability, suitability and achievability. The application site is currently classified as a B, i.e. a site that could be developable for housing.

The anticipated housing provision for Cheadle is set out in Fig 13 of the adopted Core Strategy. Of the total requirement of 1320 dwellings for Cheadle, 154 completions (since 2006) and 86 current commitments can be regarded to be deliverable. The new allocations within the urban area (400) and north of Cheadle - Area 1 (240) plus other small urban extensions (250) and additional growth allowance (160) will be identified through the Site Allocations Development Plan Document process and combined with an early review of the Core Strategy to form a Local Plan which will run to 2031. Public consultation on site options is anticipated later this year.

The Council is required to demonstrate a five-year supply of deliverable housing sites. The Council calculates its 5 year land supply on a district basis. At 30 September 2013 it was 2.3 years which includes a 20% buffer. This means that according to paragraphs 14 and 49 of the Framework, Core Strategy housing policies cannot be considered up- to-date and there should be a general presumption in favour of sustainable development unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole' or specific policies in the Framework indicate that development should be restricted.

The Core Strategy allows for 'small urban extensions' in Policy SS5c, but the scale of development proposed is more than would be expected for a small urban extension. As there is a lack of a 5 year land supply, the Policy Officer confirms that the presumption has to be in favour of sustainable development regardless of scale. The following issues need to be considered in the light of Paragraph 14:

- There is a significant need for new housing, including affordable housing in Cheadle. Core Strategy Policy SS5c seeks to expand the housing market in Cheadle, increasing the range of available and affordable house types and higher market housing, especially for first time buyers and families. Core Strategy Policy H2 sets out the requirements for affordable housing and how this should be secured. The Councils Strategic Housing Market Assessment (HMA) provides the background evidence for this.*

- *Landscape and settlement setting. Part of the site is identified as land that is important to the setting of the settlement in the Council's Landscape and Settlement Character Assessment. The applicant has submitted a landscape assessment.*
- *Impact on the surrounding road network and Cheadle town centre. Staffordshire County Council have produced a Staffordshire Moorlands District Integrated Transport Strategy 2013-2031 which includes a section for Cheadle. The Core Strategy also identifies that further work is required to investigate and identify other potential solutions to improve traffic flows through the town by means of a Transportation Study which will be undertaken as part of the review of the Core Strategy.*
- *The Council's latest Annual Monitoring Report (Dec 2013) indicates that there is a shortfall of an open space in Cheadle and additional provision will be required in line with Policy C2. A play area should be incorporated within the scheme, not indicated at present, although there appears to be a significant amount of open space particularly around the edge, primarily due to provide a landscaping buffer. Although Thorley Drive playing fields are located directly adjacent to the west of the site there is a deficit of outdoor sports facilities and additional provision or contributions should be sought. Details regarding the management of open space within the site need to be resolved.*
- *Contributions will also be required towards education provision and town centre enhancement.*
- *Adopted Core Strategy Policy SD1 – states that development is located and designed to minimise energy needs.*

Housing sites in Cheadle have not yet been identified and consequently there is not a 5 year supply of deliverable housing sites. Although the site is located outside the development boundary, it is not located in Green Belt and in terms of the Framework there are no policies that indicate that development should be restricted. As stated in paragraph 14, adverse impacts will have to significantly and demonstrably outweigh

the benefits, when assessed against the policies in the Framework for permission to be refused.

5.8 The next site is within Upper Tean.

SMD/2013/1007 OUTLINE PLANNING APPLICATION FOR DEVELOPMENT
OF UP TO 70 NO. DWELLINGS, PUBLIC OPEN SPACE AND ECOLOGICAL AREA
AT LAND AT CHEADLE ROAD, UPPER TEAN FOR RENEW LAND
DEVELOPMENTS LTD

5.9 Officers recommended approval of the application but it was refused by the planning committee in the face of a clear recommendation for approval . In respect of the matter of principle the report stated:

“ 1. This site lies outside the Upper Tean development boundary and in the special landscape area. Much of the site is identified in the landscape and settlement character appraisal (LSCA) as being important setting to the settlement, with significant public footpaths running through and alongside the site. The LSCA also identifies significant views across the site and the valley to the hillside from an Area of Visual Open Space on the opposite side of Cheadle Road. The LSCA also describes the River Tean floodplain (on the western edge of the site) as acting as a natural edge to the west of the village.

2. The western half of the site falls within flood zone 3 where more vulnerable development such as dwellings should not be permitted (with an exceptions test being required for zone 3a). All development proposals in this zone should be accompanied by a flood risk assessment. In this zone, developers and local authorities should seek opportunities to reduce the overall level of flood risk in the area through the layout and form of the development and the appropriate application of sustainable drainage systems and relocating existing development to land in zones with a lower probability of flooding. However, The Environment Agency has raised no objections to the principle of this development.

3. Currently, there is less than a 5 year land supply (2.3 years as at end of September 2013 using the Sedgfield methodology and a 20% buffer) against the recently adopted Core Strategy figure. The NPPF states that where the local

planning authority cannot justify a five year land supply, relevant policies for the supply of housing should not be considered up to date. Therefore permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF or specific policies in the NPPF indicate development should be restricted.

4. The Site Allocations DPD is still at an early stage, no public consultation on options have been undertaken to date, however the Core Strategy Policy SS6a expects some development for housing in the larger villages. The majority of this particular site (UT012) is identified in the SHLAA as having potential for future residential development. It describes the site as being a 'logical northern development of settlement but would have a significant impact on character of this part of village whilst floodplain and landscape constraints would limit extent of possible development.' However, the northern part of this site is not identified in the SHLAA. Although Upper Tean is identified in the Core Strategy as a larger village, there has been significant development completed and committed already in the village since 2006 and therefore the need for additional development is less than many of the other larger villages. There are also a number of brownfield sites within the settlement boundary which could accommodate further growth to meet local needs. At least 33% of any approved housing would need to be in the form of affordable housing.

5. The development initially raised concerns with regards to impact on the ecology and some of the trees that are present. The area of concern was regarding the access road in the centre of the site, as it initially required the removal of a group of trees and entered into an area of ecological value. This was the subject of a specific site meeting on Monday 7th April with the applicant and the Council's Ecologist. The outcome of this discussion was that a revised plan will be submitted to mark a clear line beyond which there shall be no development and this should then be used by us to form the basis of a condition to that effect. Revised plans have now been received by the Council and the road position has been pulled back eastwards to get clear of as much of the wetland as possible. Although these drawings are indicative, Officers considered it relevant to ensure that the development could occur without any adverse ecological issues being created.

6. In favour of development is the fact that Upper Tean is identified in the adopted Core Strategy Development Plan Document as a larger village where some housing development would be required, and the site has been assessed in the SHLAA as having development potential. It relates well to the settlement boundary and is in a

sustainable location that is not in the green belt. The site is also well defined by the existing road network and the river. There is also the opportunity to develop areas of informal open space and wildlife areas alongside the river through a bio-diversity enhancement programme. Notwithstanding that there is only limited need for further development in Upper Tean and the potential brownfield sites which could accommodate this need, the fact that there is not a 5 year land supply means that there is a presumption in favour of allowing this scheme unless there are significant adverse impacts. In this instance the impact on the landscape is the greatest concern. The LSCA identifies the areas as being important to the setting of the village, there are prominent public footpaths running through or alongside the site and there are significant woodland areas on the western half of the site.

7. In this instance it is considered that the sustainable location of the site, coupled with a lack of a 5 year housing supply significant and material considerations in the assessment of this planning application. Whilst there will be an impact on the visual amenities in the area, the indicative layout has demonstrated that a development can be accommodated, which incorporates all of the important ecological features and will integrate positively within the landscape. The proposal will not raise any other issues in terms of highway safety, residential amenity or drainage etc. As a consequence the proposal is recommended for approval. “

5.10 Housing supply -latest figures

5.11 Attached within the appendices are the latest housing figures posted by the Council on their web site. It is dated up to 31st March 2014 and indicated then that the council had (factoring in a 20 % buffer) a 2.17 year housing supply. The council indicate in the reports cited that they consider that in September 2013 they had a 2.3 year housing supply.

5.12 Whichever figure is set here is a clear need for additional housing within the district to meet need and address the housing shortfall.

6.0 Conclusion

6.1 All of the above evidence leads to following main points can be drawn.

- The Council has a chronic need for new housing and cannot provide for the necessary 5 year supply plus 20% which the NPPF requires.
- The Council's own Core Strategy identifies Alton as large Village which is considerable sustainable and that large villages must accommodate the bulk of new housing within the rural areas.
- The site is not within the settlement boundary set out in the old Local Plan. However it is in large part brownfield and is physically well connected with the village.
- The site is considered to be a sustainable one within the context of the village of alton.
- There is clear record both of appeals for housing within the village of Alton but outside the village envelope being held to be compliant with the NPPF and acceptable in principle.
- The NPPF states that if the local planning authority cannot demonstrate a five year land supply relevant policies for the supply of housing should be considered as being not up to date. Permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF or specific policies in the NPPF which indicate development should be restricted. In this case the benefits of supply housing in large "sustainable" village weigh heavily in favour of the application and this is only set against any prematurity concerns from what remains an embryonic Site Allocations Plan. The proposal is policy compliant.
- There is a clear, compelling and certain record of LPA officers supporting housing development (Eg....Upper Tean and Thorley Drive in Cheadle are sited here) on sites outside town and large village boundaries because the LPA has a chronic need for housing sites.

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- The site has a suitable and safe means of access.
- The site is free from any known technical, ecological or legal constraint preventing development and it is within single ownership. All of these things together make it very suitable for the delivery of development.
- The council have made no meaningful progress towards the production of a Site Allocations Plan and this plan making uncertainty leaves a vacuum that can only be filled by timely and well considered planning applications such as this one.

Taking these points into account it is strongly contested that this development is compliant with local and national planning policy and meets chronic housing needs in a sustainable large village location. Accordingly a planning permission should be issued for this development.

7.0 Appendices

Extract from Local plan



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Planning appeal at Hurstons lane

Appeal Decision

Site visit made on 20 May 2013 by Martin Whitehead LLB BSc(Hons) CEng MICE
an Inspector appointed by the Secretary of State for Communities and Local
Government Decision date: 30 May 2013

Appeal Ref: **APP/B3438/A/12/2188855 Hurstons Lane, Alton, Staffordshire
ST10 4AP**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr G Willard against the decision of Staffordshire Moorlands District Council.
- The application Ref 12/00240/FUL, dated 27 February 2012, was refused by notice dated 26 June 2012.
- The development proposed is the erection of 3 family houses.

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The floor plans and elevations of the proposed dwellings shown on Drawing No 8085 02 A are different to those shown on Drawing No 8085 03, both of which are referred to on the Decision Notice. The details shown on the latter plan more accurately reflect the layout of the buildings on Site Layout Plan Drawing No 8085 01 B, but the references given to the plots do not match the orientation of the buildings on those plots on the Site Layout Plan. Consequently, I have determined the appeal on the basis of the layout and orientation of the proposed buildings shown on the Site Layout Plan, but using the floor plans and elevations of the buildings shown on Drawing No 8085 03.

Main Issues

3. The main issues are the effect of the proposal on the character and appearance of the surrounding countryside, including whether it would preserve or enhance the character or appearance of Alton Conservation Area; and its effect on the living conditions for future occupiers of the proposed dwellings and those of the occupiers of neighbouring dwellings, with particular regard to matters of privacy and outlook.

Reasons

Policies and Guidance

4. Based on the date of the Staffordshire Moorlands Local Plan 1998 (SMLP), due weight should only be given to its policies according to the degree of consistency with the National Planning Policy Framework (Framework), in accordance with paragraph 215 of the Framework. Furthermore, the Council has accepted that it cannot demonstrate that it has a 5 year housing land supply. As such, paragraph 49 of the Framework requires the relevant policies for the supply of housing to not be considered up-to-date. I have not given any significant weight to the policies that the Council has referred to in its emerging Core Strategy Development Plan Document Revised Submission Document, as no details have been provided regarding the outcome of the Examination of this Document. Therefore, I have determined the appeal on the basis of the advice given in paragraph 14 of the Framework.

5. In terms of paragraph 14 of the Framework, the proposed development should be permitted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework, or specific policies in the Framework indicate the development should be restricted.

Character and Appearance

6. The appeal site consists of a triangular shaped area of mainly grassed land that is bounded by Hurstons Lane to the south east, a private road called 'The Hurstons' to the north west, and a detached house, named 'The Sycamores', to the south west. The site boundary includes a sparse and relatively low cut hedgerow. There is a prominent mature sycamore tree about halfway along the south east side of the site. This tree has been identified in the appellant's Tree Survey and Assessment¹ as being of moderate quality with moderate priority for retention. However, due to its prominence, it combines with the other mature trees along Hurstons Lane to make an important contribution to the semi-rural character and appearance of that area.

7. The site is located at the edge of the built-up settlement of Alton and within an area defined in the SMLP as a Special Landscape Area. Although it is also shown outside the defined settlement boundary, it is within the boundary of Alton Conservation Area (CA). As such, the proposal should preserve or enhance the character or appearance of the CA.

8. At my site visit, I observed that there are no buildings near to the appeal site that make a positive contribution to the CA, and I accept that the site itself has not been identified as having any specific merit. Furthermore, the pattern of development in the area does not provide any defined building lines, with the semi-detached houses fronting The Hurstons sited at an angle to those fronting Hurstons Lane, which have varied set backs from the road.

9. The site currently has a rural appearance with a gated access and hedge and tree lined boundary. On the opposite side of Hurstons Lane is a cemetery and agricultural land. Views of the proposed houses from this adjacent countryside would be set against the backdrop of the existing buildings within Alton. However, the proposed extensive paved area would be clearly visible from Hurstons Lane. It would cut through the whole of the site and would be widened to provide parking at the front of the dwellings. As such, it would seriously erode the rural character of the site.

10. The relative orientation of the buildings would present a stark side elevation to Hurstons Lane, which would be viewed from the countryside. With very few windows and no doors facing that road, the dwellings would fail to relate to the road frontage in the same way as the existing dwellings in the area. This would be harmful to the street scene.

1 Tree Survey and Assessment by 'Land Lizard LLP', dated March 2012.

11. The Tree Assessment concludes that the sycamore tree, identified as TE1 on the survey, would be impacted through root loss which could be either avoided by minor adjustment to the access and Plot 3 or minimised by careful detailed design. Accompanying Drawing No LL66.01 shows that the building on Plot 3 would encroach onto the calculated root protection zone. I am concerned that insufficient details have been provided to demonstrate how the proposed building on Plot 3 could be constructed to ensure that it would not seriously harm the tree. Therefore, I have not been shown that the potential loss of this important tree would be prevented by the imposition of a planning condition.

12. Taking account of the above, I find on this first main issue that the proposal would have an adverse effect on the character and appearance of the surrounding area and would fail to preserve the character and appearance of Alton Conservation Area. As such, it would not accord with paragraph 64 of the Framework, as it would be a poor design that would not improve the character and quality of the area or the way that it functions, and paragraph 131 of the Framework, as it would fail to sustain or enhance the significance of the CA.

Living Conditions

13. The appeal site is at a higher ground level than the adjacent dwellings on The Hurstons and Hurstons Lane. The rear of the dwelling on Plot 2 would be within 8 metres of the side of the dwelling at The Sycamores. At my site visit, I observed that there is a low boundary fence between the site and this property. As such, there would be overlooking between the rear first floor windows of the proposed dwelling and the ground floor windows of the kitchen/dining room and first floor window at The Sycamores.

14. I am not satisfied that sufficient boundary treatment would be able to be provided without harming the outlook from the proposed and existing dwellings to ensure that an acceptable level of privacy would be provided for the proposed dwelling and retained for the existing dwelling. Furthermore, the proposed dwelling would not comply with the recommended separation distance given in SMLP paragraph A3.4 (4) of Appendix 3: Space About Dwellings to ensure that satisfactory levels of privacy would be provided for existing and proposed residents and their amenities would be protected.

15. I am satisfied that the dwellings would be far enough away, and would not be large enough, to appear overbearing from the houses in The Hurstons. Also, they would not result in any unacceptable loss of privacy to the occupants of these houses, as any overlooking windows would be obscure glazed. However, the loss of privacy and outlook due to the house on Plot 2 would result in unacceptable living conditions for future occupiers of that proposed dwelling and would harm the living conditions of the occupiers of the neighbouring dwelling. As such, the proposal would fail to accord with one of the core planning principles given in paragraph 17 of the Framework, as it would not provide a good standard of amenity for all existing and future occupants of buildings.

Other Matters

16. With regard to the benefits of the proposed development, it would contribute 3 additional family sized dwellings to the identified housing shortfall. The dwellings would be in a sustainable location near to the facilities and employment offered in Alton and the nearby area. In this respect, I have compared the appeal proposal with that described by the Council in its report regarding a planning application for new development at Little Eaves Farm.

I also find that other matters, which I have referred to above, significantly and demonstrably outweigh the benefits of granting planning permission for the proposed development.

17. In terms of the other appeal decisions referred to by the appellant, including 2 on the current appeal site, I have been provided with limited details. However, they appear to me to involve significantly different circumstances from those of the current appeal, either regarding the location of the site, the design and scale of the development or its impact on the CA. Whilst I have noted the points made, no direct comparisons can be made and I have determined this appeal on its own individual planning merits in the light of prevailing policies and guidance.

Overall Conclusions

18. For the reasons given above, I find that residential development on the appeal site would be acceptable in principle, given its relatively sustainable location and the lack of a demonstrable 5 year supply of deliverable housing sites. However, the harm that I have found that the proposal would cause to the character and appearance of the surrounding area, including Alton Conservation Area, and the living conditions of future and neighbouring residents provide compelling reasons why planning permission should not be granted. It would also fail to represent sustainable development in accordance with the Framework. Therefore, having regard to all matters raised including the requirements of the Human Rights Act 1998 and to the Public Sector Equality Duty set out in the Equality Act 2010, I conclude that the appeal should fail.

Planning applications at Thorley Drive, Cheadle and Cheadle Road, Upper Tean

**SMD/2014/0227 PROPOSED RESIDENTIAL DEVELOPMENT OF UP TO
190 DWELLINGS ALONG WITH NEW ACCESS AND ASSOCIATED WORKS, LAND
SOUTH OF THORLEY DRIVE, CHEADLE KIER GROUP**

Parish: Cheadle

Case Officer: Mr N Harris Grid Reference: 401657.05

342821.09

THE APPLICATION:

This is an outline application for a residential development of up to 190 dwellings. The access to the site and the principle of residential development is to be determined at this stage. If approved, the scale, layout, appearance and landscaping of the development would come back to the Council under the approval of reserved matters. A new access is to be created off Ashbourne Road which will service the whole of the development site. Details of the new access road have been submitted with the application together with a Transport Assessment and a Travel Plan. An emergency access will be created off Thorley Drive

The Council formally screened the proposed development prior the submission of the application to consider whether an Environmental Impact Assessment (EIA) was necessary. The Council concluded that a formal EIA was not required to accompany the planning application. Instead the following documents accompany the plans and drawings of the proposal:

- Planning Statement.
- Design and Access Statement
- Ecological Assessment
- Landscape and Visual Impact Assessment,

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- Transport Assessment,
- Flood Risk Assessment,
- Utilities Statement.
- Ground Conditions Report
- Noise Statement
- Illustrative layout plan.

SITE LOCATION/DESCRIPTION

The application site lies to the west of Ashbourne Road and south of Thorley Drive and is situated on the eastern edge of the built up area of Cheadle. The site comprises mainly agricultural land currently used for grazing. The fields are separated by hedgerows and trees. A public footpath runs along the eastern boundary of the site.

PLANNING HISTORY

There is no recent planning application history to this site.

CONSULTATIONS

Cheadle Town Council: The Council has several objections to this proposal, including that the proposal is disproportionate to other applications and would have a detrimental effect on the infrastructure in Cheadle i.e. medical centres, schools and the sewerage system which is Victorian and will not cope. Highways will be affected as traffic congestion is already a serious problem within Cheadle. The public consultation referred to within this application is confirmed as one used by previous applicants, David Wilson. The current applicant's proposals are not the same as the previous applicants. There is a high risk of flooding; any extra water could affect the Checkley and surrounding areas.

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Local Highway Authority:

Initially recommend that the application should be refused. However, following further negotiations with the applicant's highway consultants the following additional information has been submitted.

- proposals for junction improvements to Tape Street/Ashbourne Road the costs to be borne by the applicant
- appropriate visibility splays to the new Ashbourne Road junction
- adequate and appropriate access and emergency access off Thorley Drive
- proposed speed reduction measures along the Ashbourne Road in a TRO to be funded by the applicant
- a travel plan/monitoring costs to be funded by the applicant

Based on these amended details they have raised no objections to the application subject to a S106 agreement and conditions.

Local Minerals Planning Authority: No objection: Mapping indicates that the site is not located within a mineral consultation area and there are no relevant mineral operations that would be constrained by the proposed development. Note that the area is situated within a proposed mineral safeguarding area for fireclays coincident with coal resources. Given the proximity of the application site to an existing residential area, it is considered unlikely that any coal/ fireclay resources could be extracted in an environmentally acceptable scheme. In terms of current saved policies, there appears to be no minerals safeguarding issue.

Staffordshire County Council Environmental Advice Team: No issues in terms of archaeology subject to a pre commencement condition for archaeological investigation. An appraisal of the impact of the development upon the landscape character should form part of the application. A long term maintenance strategy for

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the on site hedgerows should be provided to ensure their contribution to the local character. Public footpath No 3 Cheadle Parish runs just outside the eastern boundary of the application site.

Ecology Officer: No objection but a number of conditions should be attached if this outline planning application were to be approved, in order to ensure that appropriate ecological information informs the stage of 'approval of reserved matters'. These relate to:

- the need to secure additional detailed hedgerow survey information 7.2
- the need for a suitably detailed bat activity survey of the site
- the potential need to minimise light spillage from public and private lighting on site that may adversely affect bat habitat.
- the need to undertake a survey for the existence of water voles and greater crested newts.

An Extended Phase 1 Habitat Survey accompanied the application. This concluded that neither the site nor any adjacent land has any statutory or non-statutory nature conservation designation. Land drains connect one nature conservation site Cecilly Brook with the site but it is too distant to be affected by the development. The site is comprised of semi-improved grassland, an extensive network of hedgerows and a pond. The grassland is species-poor but some of the hedgerows could be classed as important under the Hedgerow Regulations. Hedgerows on the site may support foraging bats and nesting birds as well as other wildlife. The pond has been assessed as having average suitability to support newts although a recent survey found no evidence of their presence.

Trees and Woodland Officer

The Landscape and Visual Impact Assessment (LVIA) submitted with the application is considered appropriate for this proposed development. The proposed development would clearly bring about a fundamental change in landscape character. However the landscape character of the site itself and the views into, over and from the site are not of notably high sensitivity or quality. The visual impacts of the proposed development range from significant adverse effects from the existing residential properties, to moderate adverse impact on Ashbourne Road and more limited from the existing properties at Millers View and the surrounding countryside. The indicative master plan submitted with the application illustrates the provision of a substantial 'soft' buffer of open space between any new housing and the countryside and public footpath beyond.

The Trees and Woodland Officer raises no 'in principle' objection in relation to the proposed developments impact on trees and hedgerows. The application is accompanied by a comprehensive tree survey and arboricultural implications. Other than for arboricultural reasons, no trees are proposed to be removed and only limited sections of hedgerows are to be removed to accommodate vehicle and pedestrian access. The indicative layout has generally respected the root protection areas of the trees being retained. If the application is approved conditions should be imposed to

- minimise and control tree and hedgerow removal.
- ensure control over any removal of trees in connection with the protection of any bat roosting opportunities.
- ensure the erection of protective fencing for the retained trees during site construction.

Environmental Health: No objections, subject to the imposition of the following conditions:-

- timing of operations
- regulation of dust from construction
- completion of contamination site risk assessment and remediation requirements in the event that contamination is identified 7.3
- importation of soil/material
- detailed air quality assessment

Planning Policy: The application site is included in the Strategic Housing Land Availability Assessment (SHLAA). The SHLAA identifies over 2,000 potential housing sites which have all been assessed and classified in terms of availability, suitability and achievability. The application site is currently classified as a B, i.e. a site that could be developable for housing.

The anticipated housing provision for Cheadle is set out in Fig 13 of the adopted Core Strategy. Of the total requirement of 1320 dwellings for Cheadle, 154 completions (since 2006) and 86 current commitments can be regarded to be deliverable. The new allocations within the urban area (400) and north of Cheadle - Area 1 (240) plus other small urban extensions (250) and additional growth allowance (160) will be identified through the Site Allocations Development Plan Document process and combined with an early review of the Core Strategy to form a Local Plan which will run to 2031. Public consultation on site options is anticipated later this year.

The Council is required to demonstrate a five-year supply of deliverable housing sites. The Council calculates its 5 year land supply on a district basis. At 30 September 2013 it was 2.3 years which includes a 20% buffer. This means that according to paragraphs 14 and 49 of the Framework, Core Strategy housing policies cannot be considered up- to-date and there should be a general presumption in favour of sustainable development unless 'any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole' or specific policies in the Framework indicate that development should be restricted.

The Core Strategy allows for 'small urban extensions' in Policy SS5c, but the scale of development proposed is more than would be expected for a small urban extension. As there is a lack of a 5 year land supply, the Policy Officer confirms that the presumption has to be in favour of sustainable development regardless of scale. The following issues need to be considered in the light of Paragraph 14:

- There is a significant need for new housing, including affordable housing in Cheadle. Core Strategy Policy SS5c seeks to expand the housing market in Cheadle, increasing the range of available and affordable house types and higher market housing, especially for first time buyers and families. Core Strategy Policy H2 sets out the requirements for affordable housing and how this should be secured. The Councils Strategic Housing Market Assessment (HMA) provides the background evidence for this.

- Landscape and settlement setting. Part of the site is identified as land that is important to the setting of the settlement in the Council's Landscape and Settlement Character Assessment. The applicant has submitted a landscape assessment.

- Impact on the surrounding road network and Cheadle town centre. Staffordshire County Council have produced a Staffordshire Moorlands District Integrated Transport Strategy 2013-2031 which includes a section for Cheadle: The Core Strategy also identifies that further work is required to investigate and identify other potential solutions to improve traffic flows through the town by

7.4

means of a Transportation Study which will be undertaken as part of the review of the Core Strategy.

- The Councils latest Annual Monitoring Report (Dec 2013) indicates that there is a shortfall of an open space in Cheadle and additional provision will be required in line with Policy C2. A play area should be incorporated within the scheme, not indicated at present, although there appears to be a significant amount of open space particularly around the edge, primarily due to provide a landscaping buffer.

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Although Thorley Drive playing fields are located directly adjacent to the west of the site there is a deficit of outdoor sports facilities and additional provision or contributions should be sought. Details regarding the management of open space within the site need to be resolved.

- Contributions will also be required towards education provision and town centre enhancement.
- Adopted Core Strategy Policy SD1 – states that development is located and designed to minimise energy needs.

Housing sites in Cheadle have not yet been identified and consequently there is not a 5 year supply of deliverable housing sites. Although the site is located outside the development boundary, it is not located in Green Belt and in terms of the Framework there are no policies that indicate that development should be restricted. As stated in paragraph 14, adverse impacts will have to significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework for permission to be refused.

Severn Trent Water: No objection subject to condition on the need to have drainage plans for the disposal of surface water and foul sewage submitted to and approved by the local planning authority prior to the commencement of development and for these approved plans to be implemented.

Environment Agency : No objection, but the Council should seek the Lead Local Flood Authority's views on the adequacy of the submitted flood risk assessment. The site is located in Flood Zone 1 - an area with a low probability of flooding. The EA has supplied the Council and the developer with advice on surface water drainage, sustainable urban drainage systems (SUDS) etc. All necessary steps should be undertaken to ensure there are no negative impacts on the area's water vole population.

Staffordshire County Council Flood Risk Management: Following the submission of further information from the applicant no objections subject to conditions.

Staffordshire County Council Police: No objection to the principle of a residential development of up to 190 dwellings in this location. The single access/egress point off

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Ashbourne Road and the self contained nature of the development should help foster a strong sense of community. Whilst the layout submitted is indicative, as it stands it does offer excellent crime prevention attributes and possibilities. Should outline planning permission be granted the police would welcome the opportunity to engage with the applicant at the early stages of the design of the site.

The Coal Authority: The application site falls within the defined 'Development High Risk Area'. Therefore within the application site and the surrounding area there are coal mining features and hazards which need to be considered in relation to the determination of this application. No objection, subject to the imposition of a condition or conditions, prior to the commencement of development, to secure:

- submission of a scheme of intrusive site investigations for approval
- the undertaking of that scheme of intrusive site investigations
- submission of a report of findings from the above
- submission of a scheme of remedial works for approval
- implementation of this remedial works.

Housing Officer: 33% of the number of dwellings should be affordable. The indicative layout shows 181 dwellings on the application site and therefore 33% would equate to the provision of 63 affordable homes. Planning policy preference is for 70% (45) of these affordable homes to be rented and 30% (18) to be intermediate housing. This compares with the proposed 40 rented and 20 intermediate. The type, tenure, size and positioning of affordable housing would need to be agreed with the Housing Strategy services. Affordable housing contributions would need to be detailed within a Section 106 legal agreement.

Open Space: The Annual Monitoring Report (AMR) 2013 identifies a deficiency of play facilities, particularly for young people, and outdoor sports facilities in the Cheadle area. Due to the size of the development it is recommended that it should include a play area on site. This should be a combined LEAP/NEAP (Local and neighbourhood equipped play area) of about 1,000 sq metres (about a quarter of an acre) for ages 0

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to 11 years. This area should be centrally located in the development with dwellings facing onto it where possible. The developer should be requested to provide appropriate funding for the construction of the play area with monies secured for its maintenance. The responsible body for its maintenance is currently being discussed with the applicant.

A financial contribution to off site improvements for outdoor sports provision should be provided by the developer due to the local deficiency of this type of open space. Thorley Drive playing fields are the nearest facility. Tean Road recreation area is within acceptable walking distance of the proposed development. These forms of open space contributions would need to be detailed within a Section 106 legal agreement.

Staffordshire County Council Education: A development of 190 new dwellings could add to this school catchment area of Cheadle - 40 primary aged children, 28 secondary aged children and 6 sixth form aged children. Although the development would put additional pressure on secondary school places current pupil demographics indicate that secondary schools should be able to accommodate the likely demand from pupils generated by the development. Hence, no contribution towards secondary school places is requested for this development.

It has been identified that the level of growth proposed for Cheadle in the Local Plan will necessitate a new primary school to be delivered within one of the residential development sites. A fair, transparent and consistent approach must be taken across large developments proposed in this area. We therefore request a contribution from this development towards primary school provision. We have been advised that a new 210 place primary school (single form entry) would cost in the region of £4million (excluding the cost of acquisition of the land) and require 1.5 hectares of land. Based on 190 dwellings the proportional contribution towards a new primary school for a site of this size would be in the region of £760,000, plus the cost of acquisition of the necessary land.

This form of contribution to education would need to be detailed in a Section 106 legal agreement.

REPRESENTATIONS

Expiry of: 25 August 2014.

Press Notice: 13 June 2014

Site Notice: 28 July and 4 August 2014

Objection

51 letters in opposition have been received raising the following points:

- Apprehension regarding the increase of traffic, poor access road and risk of increased traffic accidents creating 'bottle-necks and rat-runs'. There is already a lack of public transport serving the town with no rail network and unsafe pedestrian and cycling provisions. (47)
- Concerns regarding the current lack in provision of health care facilities (doctors & dentists) and the increase of residents would impact on this. (16)
- Education spaces at local schools are already at full capacity. (16)
- Land drainage is already poor and the sewer system is antiquated. (23)
- Lack of employment opportunities in the local area – residents would have to commute for work increasing the carbon footprint. (7)
- The impact on wildlife, their habitats and loss of countryside currently used for agriculture. . (22)
- Worries regarding the new homes overlooking existing dwellings and the loss of privacy and will block light and the visual impact from loss of rural views. (12)
- Fear that tourism to the town would decrease and would not help with economic growth in the town. (2)

- Confusion as the land is believed to be greenbelt and an area of 'special landscape interest'. . (4)

- Anxiety of increased noise pollution caused by both the development taking place and the new houses. . (7)

- It is outside of the boundary of Cheadle. (2)

Support

58 letters in support have been received raising the following points:

- The development will encourage people to move to the area. (2)
- Will help boost the local economy and be good for businesses in the town. (5)
- There is a requirement for housing stock in Cheadle (10)
- Cheadle needs to grow and the development would bring 'new life' to the town (5)

- The proposed development is in an ideal location with local amenities in walking distance.(11)

- The development will create jobs (3)

- There is a demand for affordable housing in the town (7)

-

Of the 58 comments Staffordshire Moorlands received in support of the proposed development, many of these did not give reasons as to why, but expressed a general support of the application.

PLANNING POLICIES

The relevant adopted development plan in the determination of this planning application is made up of the following documents.

The Staffordshire Moorlands Core Strategy Development Plan Document (SMCS), adopted 26 March 2014.

The key development plan policies of the SMCS relevant to the determination of this application are as follows:-

SS1 - Development Principles

SS1a - Presumption in Favour of Sustainable Development SS2 - Future Provision of Development

SS3 - Distribution of Development

SS4 - Managing the Release of Development

SS5 - Towns

SS5c - Cheadle Area Strategy

SS6c - Other Rural Areas Strategy

SD1 - Sustainable Use of Resources

SD2 - Renewable/Low Carbon Energy

SD3 - Carbon-saving Measures in Development

SD4 - Pollution and Flood Risk

H1- New Housing Development

H2 - Affordable and Local Needs Housing.

DC1 - Design Considerations

DC2 - The Historic Environment

DC3 - Landscape and Settlement Setting

C1 - Creating Sustainable Communities

C2 - Sport, Recreation and Open Space

C3 - Green Infrastructure.

NE1 - Biodiversity and Geological Resources

T1 - Development and Sustainable Transport

T2 - Other Sustainable Transport Measures

The main relevant parts of the National Planning Policy Framework (NPPF) are Paragraphs 1 – 17

Section 1 - Building a strong, competitive economy Section 4 - Promoting sustainable transport

Section 6 - Delivering a wide choice of high quality homes

Section 7 - Requiring good design

Section 8 - Promoting healthy communities

Section 10 - Meeting the challenge of climate change, flooding and coastal change

Section 11 - Conserving and enhancing the natural environment

Section 12 - Conserving and enhancing the historic environment Paragraphs 186 - 219

The National Planning Practice Guidance is also relevant to the determination of this application.

OFFICER COMMENT

1. The Local Planning Authority is required to determine planning applications in accordance with the development plan, unless there are material circumstances which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations. The Council's Development Plan is formed of the Core Strategy Development Plan Document (adopted March 2014) and the Saved Local Plan Proposals Map / Settlement Boundaries (adopted 1998).
2. Core Strategy Policy SS1a establishes a 'Presumption in Favour of Sustainable Development' as contained within the National Planning Policy Framework (NPPF) where:
 - 1) planning applications that accord with policies within the Core Strategy they will be approved without delay; and,

2) where there are no relevant policies or they are out of date, the Council will grant planning permission unless material considerations indicate otherwise considering:

- Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or,
- Specific policies in that Framework indicate that development should be restricted.

3. Paragraph 47 of the NPPF requires the Council to identify a five-year supply of deliverable housing land sites, including a 5% buffer to allow for choice and competition in the market for land and this is increased to a 20% buffer where there is a persistent under-delivery in past years.

4. The advice contained in the NPPF, as supplemented by the National Planning Policy Guidance (NPPG), is also a material consideration in the determination of this application.

5. This site lies outside the development boundary in the Saved Local Plan Proposals Map.

6. Policy SS5a sets out the strategy for development within Cheadle. It seeks to expand the housing market in the town, increasing the range of available and affordable house types and higher market housing, especially for first time buyers and families. Sites for new housing it says will be identified through the Site Allocations DPD and that depending on the need for sites, the priority order will be sites within the urban area, extensions to the urban area to the north (known as Area 1) and small urban extensions. The Policy Officer confirms that the scale of development proposed (up to 190 dwellings) is more than would be expected for a small urban extension. Policy SD1 States that development on non-allocated green field land will be considered acceptable where the proposal relates to the provision of needed development which cannot be accommodated on a deliverable previously developed site or other allocated site in the locality and is in a sustainable location. Paragraph 49

of the NPPF confirms that applications for housing development must be considered in the context of the presumption in favour of sustainable development

7. The Policy Officer confirms that there is a significant need for new housing, including affordable housing in Cheadle. The housing provision figures set out in the Core Strategy (CS) (Fig 13) show that 890 dwellings need to be found on sites outside the urban area. This site is considered to be a sustainable location, situated as it is on the edge of the existing settlement. Furthermore the Council does not have a 5 year supply of deliverable housing land (it is currently just 2.18 years). Paragraph 49 of the NPPF confirms that in such circumstances, relevant policies for the supply of housing cannot be considered to be up to date. Indeed an Inspector took this view at a recent appeal for just a single dwelling house in Whiston

8. Given the lack of a 5 year supply and notwithstanding reservations as to whether this site can be regarded as a small urban extension in terms of Policy SS5a, and the preference to locate new dwellings on land within the urban area before allowing dwellings on green field sites such as this, the presumption has to be in favour of sustainable development regardless of scale and this weighs in favour of the application.

9. Thus whilst this site is located outside the development boundary, it is not located in the Green Belt and in terms of the NPPF there are no policies that indicate that development should be restricted. In light of the lack of a 5 year supply of deliverable housing sites, Paragraph 14 of the NPPF is engaged (reflected in Policy SS1a). It states that where relevant policies are out of date, as is the case here, planning permission must be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the NPPF as a whole. The impacts of this development are discussed and assessed in detail below and considered in the planning balance below.

Access/Highways

10. Whilst the application is in outline form approval of access off the Ashbourne Road is sought at this stage. This new access will serve the whole of the new development. A service/emergency access will be provided off Thorley Drive. The impact of an additional 190 new dwellings has been modelled by the applicants in their Transport Assessment. This has looked not only at the requirements in terms of highway safety

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and the Ashbourne Road and Thorley road junctions but also at the impact on junctions within the town.

11. The Highways Authority originally objected to the application. They stated at that time a preference for access to be taken off Thorley Drive and had concerns over the visibility splays that would be required for the proposed new junction on Ashbourne Road, traffic speeds along the Ashbourne Road and the impact the development would have specifically on the Tape Street/Ashbourne Road junction which they described as severe, without appropriate mitigation.

12. Further to this objection further analysis/work was undertaken by the applicants through their Highway Consultants and further discussions have taken place with the Highway Authority. The result of these is that the developer has agreed to fund the necessary improvements to the Ashbourne Road/ Tape Street junction (provision of additional lane) to increase capacity. Furthermore the position for the new access off Ashbourne Road has been agreed with visibility splays which meets the requirements specified in The Manual for Streets. The emergency/service access will be provided off Thorley Drive. In addition to this the removal of existing boundary vegetation and fencing at the north-western corner of the application site will increase the visibility afforded to drivers exiting Thorley Drive.

13. The Transport Assessment also presents proposals to extend the 30mph speed limit by approximately 70 m's to encompass the new site access junction accompanied by additional street lighting and traffic calming. These measures are proposed to optimise highway safety. The applicant has agreed to meet the costs associated with these works which would be secured through a s106 agreement. A Residential Travel Plan has also been submitted with the application which sets out measures to reduce the reliance on the car and promote sustainable forms of transport. The measures set out in the Travel Plan will also be funded by the developer for 5 years and form part of any S106 Agreement.

14. In light of the these amendments the Local Highway Authority have now removed their objection and raise no objection to the application subject to conditions and a Section 106 Agreement to secure the necessary contributions referred to above. In terms of the Ashbourne Road/Tape Street junction, the advice of the LHA is that the improvements proposed will reduce the impact at this junction to a satisfactory and

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acceptable level. Although many of the letters of representation refer to highway issues it must be remembered that in arriving at the additional 1,300 new dwellings for Cheadle in the Core Strategy, the impacts on the existing highway network were fully considered by the Inspector at the Examination into the Core Strategy.

15. It is for these reasons and subject to conditions and a Section 106 Agreement to secure the improvements to mitigate impact that no objection is raised to the application on highway grounds (Policies SO1, SS5c, T1 and T2 of the adopted Core Strategy and advice in the NPPF).

Landscape and Visual Impact

16. A Landscape and Visual Assessment is submitted with the application and has been carefully considered by Officers. The site falls within the landscape character type "ancient slope and valley farmlands" of The Council Landscape and Settlement Character Assessment of Staffordshire Moorlands. The proposed development would clearly bring about a fundamental change in landscape character. However the landscape character of the site itself and the views into, over and from the site are not of notably high sensitivity or quality. According to the Assessment submitted the visual impacts of the proposed development range from significant adverse effects from the existing residential properties, to moderate adverse impact on Ashbourne Road and more limited from the existing properties at Millers View and the surrounding countryside. The indicative master plan submitted with the application illustrates the provision of a substantial 'soft' buffer of open space between any new housing and the countryside and public footpath beyond. The provision of a maximum of 190 dwellings on a 10 hectare site is a very low density scheme which means that there is more than sufficient land within the application site to provide buffers along Thorley Drive and Ashbourne Road and to provide areas of open space within the site. The Trees and Woodlands Officer confirms that there are no objections on landscape and visual terms.

17. The detailed tree and hedgerow survey submitted as part of this process have demonstrated that the site has a sporadic distribution of mature and semi-mature trees which roughly follow field boundaries and water courses. Native hedgerows are major elements of the landscape with Holly being a prominent feature. The indicative master plan which accompanies the application demonstrates that the existing field

patterns, trees and hedgerows can be respected in any future design to ensure that they can be both protected and maintained.

18. In conclusion therefore although most of the trees and hedgerows would be maintained and additional planting used to replace any lost and that there are no significant ecological issues on the site, the transformation of a green field site to residential will inevitably bring about a change in the character and appearance of the countryside and this weighs against the application. The proposal could not be said to protect or enhance the local landscape and this there is conflict thus with Policy DC3 of the Core Strategy.

Impact on local residents

19. The residents on the south side of Thorley Drive are those that have the potential to be most affected by the proposed residential development as their rear gardens abut the application site. However, this is an outline application and the precise details of the new houses will be dealt with at the Reserved Matters stage. The illustrative masterplan demonstrates that there is no reason to suspect that a detailed layout produced at that stage would not meet the Council's Space about Dwellings Standards nor be contrary to Policy DC1 of the adopted CS.

Affordable Housing

20. One of the key components of any housing scheme is the potential to deliver much needed affordable housing to an area and is a social dimension for any new development. The application is for up to 190 dwellings and the applicant has offered to meet the 33% requirement which means that the site has the potential to deliver approximately 63 affordable units. A breakdown of how the 63 units will be split between the different needs in Cheadle has been provided by the Housing Strategy Officer and this provides for 18 Intermediate houses and 45 for rent made up of a mix of one bedroom bungalows up to 3-4 bedroom houses. The provision of the Affordable Housing would form part of any S106 Agreement and would be in accordance with Policies H1, H2, SSC5, SO1 and SS1 of the adopted CS.

Other Issues (flood risk, drainage etc)

21. A full Flood Risk Assessment was submitted as part of the application and has been considered by officers. The site has no history of flooding. Additional information on the drainage strategy for the site was prepared by the applicants. Subject to conditions, no issues on flooding or drainage are raised.

Indicative Master Plan

22. Although the application is outline with all matter reserved for future approval with the exception of the new access off Ashbourne Road, an indicative master plan has been submitted with the application. This clearly shows that the site can easily accommodate up to 190 new dwellings while leaving substantial areas for open space, play area and landscaping and for the retention of the majority of the trees and hedgerows.

Developer Contributions

Education

23. The provision of suitable education facilities is a key social dimension of new development and as such is identified in Policy SS5c – Cheadle Area Strategy where the requirement for a new primary school to serve the north/east of the town is identified. The County Council Education department have provided a financial figure which would fairly equate to the sites contribution towards that new school and this would form part of any S106 Agreement. This would be in accordance with Policy SS5c.

Open Space

24. Any new development must provide adequate open space both within the site and in the surrounding area if justified. The provision of play areas, sports pitches and recreation areas is a clear social benefit to both new and existing residents. The Annual Monitoring Report (AMR) 2013 identifies a deficiency of play facilities, particularly for young people, and outdoor sports facilities in the Cheadle area. Due to the size of the development it is recommended that it should include a play area on site. This should be a combined LEAP/NEAP (Local and neighbourhood equipped play area) of about 1,000 sq metres (about a quarter of an acre) for ages 0 to 11 years.

This area should be centrally located in the development with dwellings facing onto it where possible. The applicant is happy with this provision.

25. The developer has been requested to provide appropriate funding for the construction of the play area with monies secured for its maintenance and has indicated they are amenable to this. The responsible body for its maintenance is currently being discussed with the applicant. The applicant has also been requested to make a contribution for off site sport and play in the area and has indicated that he is happy to do so in any S106 Agreement.

26. The provision of adequate open space both on and off site is crucial part of any scheme and those measures proposed as part of this application are in accordance with Policies SS1, SS5c, DC1, SO7, C2 and C3 of the adopted CS.

The Planning Balance

27. The Framework says at Paragraph 14, for decision taking, this means approving development proposals that accord with the development plan without delay. where the development plan is absent, silent or relevant policies are out-of-date, as in this case it says that Local Planning Authorities should grant permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as whole or specific policies in the Framework indicate development should be restricted.

28. The application will introduce 190 new dwellings and this will have an economic and social benefit on the area. It will to sustain the town centre. It will contribute towards a new primary school identified in Policy SS5c. It will be beneficial in terms of retail in the town providing new shoppers to the area and the construction on site will generate both employment on site and in the local area. Most importantly the application will deliver up to 190 dwellings in an area where there is a significant need for new housing including up to 63 much needed affordable houses. This is a significant benefit. The scheme will also provide additional open space and play areas and contribute to sports and play in the town and fund traffic calming and highways improvements in the town. There are no technical constraints to the development of the site.

29. Against this the development of a green field site will inevitably have an impact on the character and appearance of the countryside as discussed above. Whilst it is acknowledge above that the development will have a highway impact, this can be mitigated to an acceptable level.

30. The conclusion reached therefore is that given the lack of a 5 year supply of deliverable housing land within the District coupled with the significant need for housing in Cheadle, in this particular case and applying the test of para 14 of the Framework as required, the impact on the character and appearance of the area is not considered to be so adverse as to significantly and demonstrable outweigh the benefit of housing provision. A recommendation of approval is thus made.

**SMD/2013/1007 OUTLINE PLANNING APPLICATION FOR
DEVELOPMENT OF UP TO 70 NO. DWELLINGS, PUBLIC OPEN SPACE AND
ECOLOGICAL AREA AT LAND AT CHEADLE ROAD, UPPER TEAN FOR RENEW
LAND DEVELOPMENTS LTD**

Parish: Checkley

Case Officer: Mr W Johnson Grid Reference: 400626 340363

THE APPLICATION

This is an outline application for the erection of up to 70 dwellings with only access as a consideration with all other matters reserved. Therefore, this application is to establish the principle of development and the access, Other matters such as: Appearance; Landscaping; Layout and Scale would be for consideration under a future Reserved Matters planning application.

SITE LOCATION/DESCRIPTION

The site is approximately 3.51 hectares in area and comprises of an undeveloped green field. The site lies outside of the settlement boundary for the village as defined in the adopted Local Plan in open countryside and in the Special Landscape Area. Land to the west of the site falls within flood zone 3 with extensive areas of woodland. Upper Tean is defined as a larger village in the Core Strategy.

PLANNING HISTORY

No relevant history

CONSULTATIONS

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Parish Council: Objects on the basis that the proposal will increase the likelihood of flooding in the area; increase in highway safety issues; there are brownfield sites in the Parish waiting to be developed and concerns on the ecological impact.

Local Highway Authority: No objections, subject to conditions relating to the construction and design of the roads and parking areas and travel plan with monitoring fee have been provided.

Planning Policy: In favour of development is the fact that Upper Tean is identified in the emerging Core Strategy as a larger village where some housing development would be required. It is also well related to the settlement boundary, in a sustainable location and not in the green belt. Significant weight should be attached to the adopted Core Strategy policies. Notwithstanding that there is only limited need for further development in Upper Tean and there are potential brownfield sites which could accommodate this need, the fact that there is not a 5 year land supply means that there is a presumption in favour of allowing this scheme unless there are significant adverse impacts.

Tree Officer: No objections, but initially raised concerns over the loss of some trees on the original proposal. However, the scheme has been amended and will now include the trees that were originally identified for removal.

Countryside / Ecology: No overriding objections to the proposal. There are strong benefits to having a public road edge for the western front to the development rather than gardens and whilst the development in this location steps down off the field into the wetland area there are no strong reasons to prevent this at this location especially given the overall balance of this development. A condition will be needed to require, as part of any reserved matters application, a comprehensive landscape development and ecological management plan to include the means by which on- going maintenance will be assured.

Housing: No objection, it is recognised that in this development would make a positive contribution to meeting the affordable housing needs. In this case 23 units would be required and should be broke down and delivered in the following way:

12 x 2 bed (4 person) houses, 3 of which should be in the form of 'intermediate / low cost home ownership'; 6 x 3 bed (5 person) houses, 3 of which should be in the form of 'intermediate / low cost home ownership'; 4 x 1 bed (2 person) bungalow.

Severn Trent Water: No objections, subject to a drainage condition being imposed.

Environmental Health: No objections, subject to conditions in relation to construction works, contamination and waste.

Environment Agency: No objections, subject to conditions in relation to flood risk, drainage and contamination.

Coal Authority: The application site does not fall with the defined Development High Risk Area and as a consequence there is no requirement under the risk-based approach for a Coal Mining Risk Assessment to be submitted. It will just be necessary to include the Coal Authority's Standing Advice within any Decision Notice issued.

Staffordshire Police: The indicative layout appears promising in terms of addressing crime prevention, but would draw the applicant's attention to the Secured by Design police initiative and would suggest that liaison with the Architectural Officers are undertaken before submitting a Reserved Matters application.

School Organisation Team: No contributions required as there is sufficient space to accommodate the likely demand from pupils generated by the development.

Conservation: No objections and does not believe that the development will harm the setting of the Listed Building (Anchor Inn).

Design Review Panel: Concerns are raised at the loss of this greenfield site as it is considered to provide long distance views and acts as a transitional point from the village to the countryside beyond. Although the site plan is indicative, the road layout appears excessive and a better mix of housing is required to ensure that the development retains it rural character

REPRESENTATIONS

Press Notice – Expired

Site Notice – Expired

Neighbour Notification – Expired

77 representations have been received in objections to this proposal and the comments received are summarised as follows:

- The development would result in the loss of a greenfield site, when there are empty properties and brownfield sites readily available in the locality.
- There will be a harmful impact on the ecology and wildlife
- There will be an unacceptable increase in traffic generated by the development in
- The site floods and the development will create more problems with flooding
- There is no need for additional housing in Tean
- Tean is being overdeveloped
- There will be pressure on community facilities (schools, doctors etc)
- There is insufficient public transport
- The proposal will adversely impact on the anchor Inn, which is a Listed Building

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POLICIES

Staffordshire Moorlands Local Plan

N8 SLA

H7 New Residential Development in Open Countryside

- . H15 Housing for Local Need in Rural Areas
- . H16 Affordable Housing
- . R1 Public Open Space
- . R2 Public Open Space

Revised Submission Core Strategy

SS1 Development Principles

SS6a Larger Villages Rural Area Strategy

- . SD1 Sustainable Use of Resources
- . SD2 Renewable and Low-Carbon Energy
- . SD3 Pollution and Flood Risk
- . H1 New Housing Development (type, tenure and density)
- . H2 Affordable and Local Needs Housing

DC1 Design Considerations

DC3 Landscape and Settlement Setting

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C2 Sport, Recreation and Open Space

T1 Development and Sustainable Transport

National Planning Policy

National Planning Policy Framework

OFFICER COMMENT

1. This site lies outside the Upper Tean development boundary and in the special landscape area. Much of the site is identified in the landscape and settlement character appraisal (LSCA) as being important setting to the settlement, with significant public footpaths running through and alongside the site. The LSCA also identifies significant views across the site and the valley to the hillside from an Area of Visual Open Space on the opposite side of Cheadle Road. The LSCA also describes the River Tean floodplain (on the western edge of the site) as acting as a natural edge to the west of the village.
2. The western half of the site falls within flood zone 3 where more vulnerable development such as dwellings should not be permitted (with an exceptions test being required for zone 3a). All development proposals in this zone should be accompanied by a flood risk assessment. In this zone, developers and local authorities should seek opportunities to reduce the overall level of flood risk in the area through the layout and form of the development and the appropriate application of sustainable drainage systems and relocating existing development to land in zones with a lower probability of flooding. However, The Environment Agency has raised no objections to the principle of this development.
3. Currently, there is less than a 5 year land supply (2.3 years as at end of September 2013 using the Sedgfield methodology and a 20% buffer) against the recently adopted Core Strategy figure. The NPPF states that where the local planning authority cannot justify a five year land supply, relevant policies for the supply of housing

should not be considered up to date. Therefore permission should be granted unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF or specific policies in the NPPF indicate development should be restricted.

4. The Site Allocations DPD is still at an early stage, no public consultation on options have been undertaken to date, however the Core Strategy Policy SS6a expects some development for housing in the larger villages. The majority of this particular site (UT012) is identified in the SHLAA as having potential for future residential development. It describes the site as being a 'logical northern development of settlement but would have a significant impact on character of this part of village whilst floodplain and landscape constraints would limit extent of possible development.' However, the northern part of this site is not identified in the SHLAA. Although Upper Tean is identified in the Core Strategy as a larger village, there has been significant development completed and committed already in the village since 2006 and therefore the need for additional development is less than many of the other larger villages. There are also a number of brownfield sites within the settlement boundary which could accommodate further growth to meet local needs. At least 33% of any approved housing would need to be in the form of affordable housing.

5. The development initially raised concerns with regards to impact on the ecology and some of the trees that are present. The area of concern was regarding the access road in the centre of the site, as it initially required the removal of a group of trees and entered into the an area of ecological value. This was the subject of a specific site meeting on Monday 7th April with the applicant and the Council's Ecologist. The outcome of this discussion was that a revised plan will be submitted to mark a clear line beyond which there shall be no development and this should then be used by us to form the basis of a condition to that effect. Revised plans have now been received by the Council and the road position has been pulled back eastwards to get clear of as much of the wetland as possible. Although these drawings are indicative, Officers considered it relevant to ensure that the development could occur without any adverse ecological issues being created.

6. In favour of development is the fact that Upper Tean is identified in the adopted Core Strategy Development Plan Document as a larger village where some housing development would be required, and the site has been assessed in the SHLAA as having development potential. It relates well to the settlement boundary and is in a sustainable location that is not in the green belt. The site is also well defined by the existing road network and the river. There is also the opportunity to develop areas of informal open space and wildlife areas alongside the river through a bio-diversity enhancement programme. Notwithstanding that there is only limited need for further development in Upper Tean and the potential brownfield sites which could accommodate this need, the fact that there is not a 5 year land supply means that there is a presumption in favour of allowing this scheme unless there are significant adverse impacts. In this instance the impact on the landscape is the greatest concern. The LSCA identifies the areas as being important to the setting of the village, there are prominent public footpaths running through or alongside the site and there are significant woodland areas on the western half of the site.

7. In this instance it is considered that the sustainable location of the site, coupled with a lack of a 5 year housing supply significant and material considerations in the assessment of this planning application. Whilst there will be an impact on the visual amenities in the area, the indicative layout has demonstrated that a development can be accommodated, which incorporates all of the important ecological features and will integrate positively within the landscape. The proposal will not raise any other issues in terms of highway safety, residential amenity or drainage etc. As a consequence the proposal is recommended for approval.

Parish Council Views

Are discussed within the main body of the report above. However, the Parish Council have commissioned their own ecological assessment, which has been examined by the Council's Ecology Officer. The main points of cross reference here are that this report separates the lower lying wetland area from the rising field ground and advocates a no-development-at-all zone for the lower land and required ecology data to support proposal in the adjoining rising field. Clearly this study has reached a similar conclusion to that of the Council's Ecological Officer.

Public Views:

The concerns raised by local occupiers have been addressed in the Officer Comment section above.

8.5

OFFICER RECOMMENDATION 1

Subject to the prior completion of a S106 Planning Obligation to secure the financial contribution of £2150.00 to monitor the Residential Travel Plan and to secure the provision of 33% affordable housing, planning permission be granted subject to the following conditions:

Housing supply figures

STAFFORDSHIRE MOORLANDS HOUSING DELIVERY SCHEDULE

HOUSING SUPPLY – 31st March 2014

Sub-area	Commitments		TOTAL SUPPLY		TOTAL DELIVERABLE SUPPLY	
	Balance under Construction (Gross)	Planning Permission (Gross)	Gross	Net	Gross	Net
LEEK	285	366	651	628	651	628
BIDDULPH	163	50	213	210	213	210
CHEADLE	26	126	152	148	152	148
RURAL	126	168	294	279	294	279
DISTRICT	600	710	1310	1265	1310	1265

Definitions

Total Supply – Total supply over the next 5 years. Comprises of balance of all dwellings under construction and all unimplemented sites with valid planning permission.

Total Deliverable Supply – Number of dwellings on sites which are assessed to be deliverable over the next 5 years. Comprises of balance of all dwellings under construction and all unimplemented sites with valid planning permission, but excludes uncommitted sites identified in the Strategic Housing Land Availability Assessment which may be deliverable over the next 5 years.

Gross – The gross figure includes proposed new build dwellings and gross gains from change of use and conversions.

Net – The net figure is the gross figure less any proposed losses through change of use, conversions and demolitions.

Sub-area – Based on parishes of Leek, Cheadle and Biddulph and other rural parishes.

HOUSING COMPLETIONS – 31st March 2014

Sub-area	Completions 2006/7		Completions 2007/8		Completions 2008/9		Completions 2009/10		Completions 2010/11		Completions 2011/12		Completions 2012/13	
	Gross	Net	Gross	Net	Gross	Net	Gross	Net	Gross	Net	Gross	Net	Gross	Net
LEEK	77	77	106	105	64	62	76	75	50	48	34	17	41	41
BIDDULPH	40	40	44	41	18	17	7	-4*	8	8	7	7	6	6
CHEADLE	9	9	20	20	27	26	47	46	5	2	1	1	37	37
RURAL	134	134	95	95	134	131	69	68	53	52	34	33	12	12
DISTRICT	260	260	265	261	243	236	199	185	116	110	76	58	96	96

Notes -

* 11 losses in the year

**37 losses in the year

Sub-area	Completions 2013/14		Total Completions	
	Gross	Net	Gross	Net
LEEK	15	-22**	463	403
BIDDULPH	78	71	208	186
CHEADLE	3	3	149	144
RURAL	28	26	559	551
DISTRICT	124	78	1379	1284

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5 Year Land Supply Assessment

A.	Completions from April 2006 to 31 st March 2014	=	1284
B.	Under Construction as at 31 st March 2014	=	600 gross
C.	Sites with Planning Permission as at 31 st March 2014	=	710 gross
D.	Losses as at 31 st March 2014	=	45
E.	Total Supply [B + C - D]	=	1285 net
F.	Housing Requirement (2006-2026)*	=	6000
G.	Annual Requirement [F/20]	=	300
H.	Target Completions (April 2006 to 31 st March 2014) [Gx8]	=	2400
I.	Current shortfall [H-A]	=	1116
J.	5 year requirement with shortfall [(Gx5)+I]	=	2616
K.	Annual 5 year requirement with shortfall [J/5]	=	523
L.	20% buffer moved forward [(Gx5)x20%]	=	300
M.	Annual Requirement with shortfall and 20% buffer [(J+L)/5]	=	583
N.	No. of years supply [E/M]	=	2.17 years

Note: * Core Strategy requirement as adopted 26th March 2014

Please note that there was 1 non-permanent dwelling completion in 2013/2014 which is not included in the above calculation.

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