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AM PLANNING CONSULTANTS LIMITED

PROPOSAL LAND AT BARNCROFT,
DODSLEIGH LANE, DODSLEIGH,
STAFFORDHIRE, ST10 4SL

*PLANNING
STATEMENT*

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1. Introduction

- 1.1. This Planning Statement is prepared by AM Planning Consultants Limited on behalf of our clients Mr G H Smith and Ms K F Wills (the `applicants`), in support of an application for outline planning permission for the erection of two barn-style dwellings.

2. Background

- 2.1. Ms Wills' parents purchased the property in February 1986 to enjoy in their retirement. At that time it was in a neglected state of repair having previously been occupied by a lady in her late seventies, whose father had run the property as a market garden enterprise some years before and was in desperate need of modernisation, along with the barn.
- 2.2. Apart from the old glasshouses and potting shed the garden was overgrown grass, which overtime was transformed into a typical cottage garden and was well maintained until her parents became infirm. When her father died her mother could no longer manage to live at the property on her own and moved into a care home. Following this the property again became overgrown and fell into disrepair.
- 2.3. This proposal will enable the most efficient use of the land to be utilised for residential development and contribute to the shortage of housing supply within the District of East Staffordshire.
- 2.4. Prior to the drawing up of the site layout, a detailed assessment was carried out to ascertain the suitability of the site for residential development. This work has demonstrated that the site can effectively be redeveloped for two residential dwellings. This conclusion is based on and supported by the following accompanying drawings and documents listed below in section 5. The information gathered from these reports has enabled the architect to produce a design which strongly reflects the character of the area, supports the local community and enables this infill site to contribute to meeting the Council's housing needs.

3. Planning History

- 3.1. On 10th December 2013 planning permission was granted for the conversion of barn with external alterations and associated access and parking areas under planning reference no. P/2013/01241.

4. Pre-Application Discussions

- 4.1. Pre-application discussions were undertaken by Bi Design with Jonathan Imber, Planning Officer from East Staffordshire Borough Council who confirmed that the site is suitable for residential development, provided the policy issues are addressed and the design is in keeping with the character with the area.

5. Application Submission Documents

- 5.1. The following documents have been submitted in support of the application:

- Topographical Survey
- Phase 1 Habitat Survey
- Design and Access Statement
- Planning Statement
- Drawing LPG/PJH/AM No. 4 – location & site plan plus elevations etc.

6. The Site and Surrounding Area

- 6.1. The application site comprises of approximately 1681sq. m. of land, bounded by mature hedgerow and tree planting along the eastern, western and southern boundaries, with Barncroft to the north. The site is predominately level.
- 6.2. This infill site is situated between Barncroft to the north and Manor Farm to the south. To the east of the site there are agricultural fields and a chicken-rearing unit, and to the west residential properties.



Barncroft to the north.



Western boundary towards Dodsleigh Lane.



Eastern boundary.



Southern boundary towards adjacent residential property.

- 6.3. There are bus stops adjacent to the site enabling sustainable transport towards Uttoxeter and Stafford.
- 6.4. The site lies to the south west of Church Leigh accessible by a public footpath adjacent to Barncroft and 1.5 miles away by road. The village has local facilities such as church, community centre, public house, general store and Post Office.
- 6.5. The nearest primary school is All Saints C of E First School at Church Leigh, which is 1.5 miles away from the site. There is a local secondary school in Uttoxeter. There is also a library available in Uttoxeter, plus the village has a mobile library service.
- 6.6. The application site is situated 4 miles from Bramshall (less to Bramshall Industrial Estate), 6 miles from Uttoxeter, 9 miles from Stone, 13 miles from Stoke on Trent and 14 miles from Stafford.
- 6.7. There are both doctors and dentists available in Uttoxeter, along with leisure and recreational facilities.
- 6.8. In relation to utilities the site already has electricity, water and telephone services and the proposed dwellings would connect to those services.
- 6.9. Foul water will be connected to the existing foul drainage.
- 6.10. Rain water will be harvested and reused for the flushing of the toilets. Surface water will be dealt with through soakaways with no increased outflow from this the proposal.
- 6.11. Heat will be provided by ground or air sourced heat pumps. In addition to this, underfloor heating and log burners are likely to be incorporated.

- 6.12. Cooking will be via electricity or oil or gas or multi-fuel ranges (dependent on the occupant's requirements).

7. The Proposal

- 7.1. The planning application seeks outline planning permission for the erection of 2 four-bedroomed barn style dwellings, associated gardens, formation of a new access and parking area.
- 7.2. The access has been located to ensure the maximum visibility in both directions and where it ensures the most worthy trees and shrubs will be retained.
- 7.3. The access off Dodsleigh Lane into the site will comply with Highway Authority requirements and be finished in permeable paving.
- 7.4. The proposed dwellings will be advertised as self-build opportunities and modern, energy efficient homes which will appeal to both families and more mature householders looking to transfer from older properties within the area with the high maintenance levels that accompany them. This will help to encourage local residents to remain in the area rather than migrate out of the rural area.

8. Planning Policy Framework

- 8.1. In preparing this Planning Statement reference is made to the following national and local planning policies and guidance documents:
- The National Planning Policy Framework (NPPF) (March 2012)
 - The East Staffordshire Local Plan (2006) (Saved Policies)
 - Emerging planning policy and guidance documents
 - East Staffordshire Design Guide Supplementary Planning Document (Feb 2008)

9. National Planning Policy Framework

- 9.1. The National Planning Policy Framework (March 2012) (NPPF) has replaced all the previous PPGs and PPSs in respect to applications and decision taking, the following paragraphs are considered relevant to the consideration of the application and the approach authorities should take in respect to decision taking.

9.2. Reference to relevant paragraphs is set out below:

12. This National Planning Policy Framework does not change the statutory status of the development plan as a starting point for decision making. Proposed development that accords with an up-to-date Local Plan should be approved and proposed development that conflicts should be refused unless other material considerations indicate otherwise. It is highly desirable that local planning authorities should have an up-to-date plan in place.
13. The National Planning Policy Framework constitutes guidance for local planning authorities and decision-takers both in drawing up plans and as a material consideration in determining applications.
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 **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.
47. To boost significantly the supply of housing, local planning authorities should:
- use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;
 - identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing

requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;

- identify a supply of specific, developable sites or broad locations for growth, for years 6-10 and, where possible, for years 11-15.
48. Local planning authorities may make an allowance for windfall sites in the five-year supply if they have compelling evidence that such sites have consistently become available in the local area and will continue to provide a reliable source of supply. Any allowance should be realistic having regard to the Strategic Housing Land Availability Assessment, historic windfall delivery rates and expected future trends, and should not include residential gardens.
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.
50. To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:
- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children and people wishing to build their own homes);
 - identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
 - where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provisions or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and agreed approach contributes to the objective of creating mixed and balanced communities. Such policies

should be sufficiently flexible to take account of changing market conditions over time.

55. To promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. For example, where there are groups of smaller settlements, development in one village may support services in a village nearby. Local planning authorities should avoid new isolated homes in the countryside unless there are special circumstances such as:

- essential need for a rural worker to live permanently at or near their place of work in the countryside; or
- where such development would represent the optimal viable use of a heritage asset or would be appropriate enabling development to secure the future of heritage assets; or
- where the development would re-use redundant or disused buildings and lead to an enhancement to the immediate setting; the exceptional quality or innovative nature of the design of the dwelling. Such design should:
 - be truly outstanding or innovative, helping to raise standards of design more generally in rural areas:
 - reflect the highest standards in architecture;
 - significantly enhance its immediate setting; and
 - be sensitive to the defining characteristics of the local area.

58. Planning policies and decisions should aim to ensure that developments:

- will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- establish a strong sense of place, using streetscapes and buildings to create attractive and comfortable places to live, work and visit;
- optimise the potential of the site to accommodate development, create and sustain an appropriate mix of uses (including incorporation of green and other public spaces as part of developments) and support local facilities and transport networks;
- respond to local character and history, and reflect the identity of local surroundings and materials, while not preventing or discouraging appropriate innovation;

- create safe and accessible environments where crime and disorder, and the fear of crime do not undermine quality of life or community cohesion; and
 - are visually attractive as a result of good architecture and appropriate landscaping.
59. Local planning authorities should consider using design codes where they could help deliver high quality outcomes. However, design policies should avoid unnecessary prescription or detail and should concentrate on guiding the overall scale, density, massing, height, landscape, layout, materials and access of new development in relation to neighbouring buildings and the local area more generally.
60. Planning policies and decisions should not attempt to impose architectural styles or particular tastes and they should not stifle innovation, originality or initiative through unsubstantiated requirements to conform to certain development forms or styles. It is, however, proper to seek to promote or reinforce local distinctiveness.
61. Although visual appearance and the architecture of individual buildings are very important factors, securing high quality and inclusive design goes beyond aesthetic considerations. Therefore, planning policies and decisions should address the connections between people and places and the integration of new development into the natural, built and historic environment.
186. Local planning authorities should approach decision-taking in a positive way to foster the delivery of sustainable development. The relationship between decision-taking and plan-making should be seamless, translating plans into high quality development on the ground.
187. Local planning authorities should look for solutions rather than problems, and decision –takers at every level should seek to approve applications for sustainable development where possible. Local planning authorities should work proactively with applicants to secure developments that improve the economic, social and environmental conditions of the area.

10. NPPF and Development Rational

- 10.1. Under chapter 6 of the NPPF the Local Planning Authority is required to objectively assess the need for both market and affordable housing across their housing market area, by identifying and annually updating a rolling supply of

specific `deliverable` housing sites to provide sufficient housing land against their housing requirements

- 10.2. The calculation of the five year housing land supply requires the Local Authority to reach a conclusion on two elements:
 - a. What is the dwelling requirement in the next five years?
 - b. What elements of the identified supply are capable of meeting this requirement in the next five years?
- 10.3. In order to address the first issue of the housing requirement the Local Authority is required to consider the following:
 - a. What are the dwelling requirements in the up to date plan or if there is not a development plan then what are the objectively assessed housing needs?
 - b. Is it appropriate to apply a 5% or 20% buffer to the housing requirements?
 - c. Is there a back log of housing needs?
 - d. Over what time period should the backlog be addressed?
- 10.4. To address the second issue of housing supply the Local Authority is required to consider the following:
 - a. Is there compelling evidence that windfall sites have consistently become available in the local area and will continue to provide a reliable source of supply?
 - b. Are all of the sites with planning permissions:
 - i. Available now
 - ii. Suitable now
 - iii. Achievable with a reasonable prospect that the housing will be developed on the site within five years (potential completions)
 - iv. Viable – Is there still a demand for that type of housing unit or are there issues with phasing?
 - c. Are there development plan allocations, draft allocation or other sites which can meet the criteria in (b)?
- 10.5. Where a Local Planning Authority is unable to demonstrate a five year supply of deliverable housing sites paragraph 49 of the NPPF states that `relevant policies for the supply of housing should not be considered up-to-date.
- 10.6. Paragraph 47 of the National Planning Policy Frameworks explains that the Local Planning Authority should not only boost significantly the supply of housing but:-
 - use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs of market and affordable housing in the housing market area, as far as is consistent with the policies set out in this Framework, including identifying key sites which are critical to the delivery of the housing strategy over the plan period;

- identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and completion in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;....

10.7. It is clear from the Public Inquiries, decisions made by the Planning Inspectorate and supported by the Secretary of State in relation to Land South of Branston, Upper Outwoods Farm, Red House Farm, and Forest Road, that East Staffordshire Borough Council does not have a rolling 5 year Housing Land Supply and that they have been a `persistent under delivering` authority and are required to provide a 20% buffer.

10.8. This is not a duty which falls on the developers/applicants only to submit residential proposal for large scale development sites, that may deliver a greater number of dwellings over the build out period but, which may not deliver any dwellings for several years due to potentially selling the land off in lots, construction of infrastructure, decontamination works etc. Small scale developments should be considered to contribute to the under supply of the housing land where they are sustainable especially where they would contribute to enhance or maintain the vitality of the rural community. This is supported by the National Planning Practice Guidance on Rural Housing Section ID50.

10.9. On 31st March 2014, the Council re-calculated its 5 year housing land supply and published a `Note on 5 Year Land Supply Methodology` on 20th May, which showed the re-calculation to lead to a negative land supply calculation with the Council demonstrating 4.14 years of supply.

10.10. It is evident that this shortfall needs to be made up by deliverable site over the next five years and this proposal can assist to contribute positively towards the Council's future need for housing land and deliver high quality designed housing within the next year.

10.11. Section 38(6) of the Planning and Compulsory Purchase Act 2004 states:

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

10.12. The status of the Development Plan has been somewhat diminished in light of the Council's failure to have an adequate five year housing land supply and this is supported by both case law and the Council's own appeal decisions made by the Planning Inspectorate following the introduction of the National Planning Policy Framework (NPPF) in March 2012, which is a material consideration.

- **South Northamptonshire Council v Secretary of State for Communities and Local Government, Barwood Homes Limited High Court of Justice Queen's Bench Division Administrative Court [2014] EWHC 570 (Admin) 2014 WL 795295**

10.13. In terms of economic, social and environmental dimensions of sustainability, this proposal offers a number of significant improvements for the area:

- The distances to local facilities, such as schools, doctors, dentist, shops is stated above in paragraphs 6.4-6.6. Other facilities such as large super stores are available in Uttoxeter, Stone, Stoke on Trent or Stafford.
- There are significant employment opportunities in the local rural area, and towns.
- The provision of new family homes with private gardens and off road parking, within an area which is short of deliverable housing will contribute to meeting the village's and Council's housing requirements and enhance the current housing stock of the District and the village.
- The dwellings will be offered as self-build schemes which will make them more accessible than normal market housing of this type in this local.
- The site's development will also promote housing choice in the form of new family homes, helping redress the current undersupply of accommodation within the District. This will help rejuvenate the District's housing stock, helping create homes in a sustainable location, which are more attractive to the market given the current fragile economic climate and overall lack of delivery within the county and the District. This will provide dwellings within close proximity to Bramshall, Uttoxeter, Stone, Stafford and Stoke on Trent, the local major mixed employment areas within good access and connectivity to the transport network to the site.
- The development of the site will offer construction work for a local small building firm, which will see an estimated delivery within two years of the granting of permission for the development, helping to contribute positively to the rural economy.
- The dwellings will have a room which has the potential for home working as the majority of office based/white collar roles now offer this to their employees. This would include extra power outlets, telephone points and an

appropriate level of light and ventilation. This would reduce the need to travel to work and be more sustainable whilst reducing the carbon footprint.

- The proximity to Church Leigh will ensure that the residents enhance and contribute to maintain the vitality of the rural community and economy by supporting local facilities.
- The additional dwellings will assist to add to the community spirit of Dodsleigh and Church Leigh and help to add to the age mix of the local population in this area.
- Additional planting will be undertaken to encourage local wildlife to flourish and enhance the character of the area.
- Environmental energy sources will be utilised along with sustainable construction materials and methods to ensure the development is sustainable.
- This proposal accords with the National Planning Policy Framework (March 2013) and does not have any significant adverse impact which would demonstrably outweigh the benefits of granting planning permission.

10.14. This proposal meets the following Core Planning Principles of the NPPF:

1. Building a strong, competitive economy by providing construction jobs which will bring additional expenditure into the local economy and additional Council Tax to help fund local services and facilities.
2. Supporting a rural economy by employing local tradespeople to implement the construction of the proposal. Providing housing choice within the area to prevent migration out of the district. The potential occupiers of the dwellings will also enhance the vitality of the rural economy and community by supporting local facilities and services.
3. Promoting sustainable transport through the provision of a room which can be utilised for home working. The local bus service and footpath network will enable short journeys to be undertaken via sustainable transport methods.
6. Delivering a wide choice of high quality homes. The scheme's high quality design will ensure that housing market choice reflects people's desire to live in a village/rural location, whilst enabling residents of larger properties in the area to downsize into more energy efficient properties.
7. Requiring good design through the removal of the overgrown and unworthy trees and shrubs to improve the appearance of the street scene and rural

character of the area, along with the construction of high quality designed dwellings, which reflect the rural character of the area.

8. Promoting healthy communities by providing sufficient garden space and access to local amenities, whilst appreciating the adjacent countryside.
11. Conserving and enhancing the natural environment through the retention of the most worthy existing trees and shrubs and provision of residential gardens, which will enhance the wildlife habitat by providing a food source.

11. Local Plan Saved Policies

- 11.1. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 states that planning permission must be determined in accordance with the Development Plan, unless material considerations indicate otherwise. In this case, the Development Plan consists of the `saved` policies of the East Staffordshire Local Plan (2006).
- 11.2. However, the status of the Development Plan has been somewhat diminished in light of the Council's failure to have an adequate five year housing land supply and this is supported by case law following the introduction of the National Planning Policy Framework (NPPF) in March 2012 which is a material consideration. e.g. **South Northamptonshire Council v Secretary of State for Communities and Local Government, Barwood Homes Limited High Court of Justice Queen's Bench Division Administrative Court [2014] EWHC 570 (Admin) 2014 WL 795295**

12. Local Plan Policies

- 12.1. Despite the fact that very little weight can be given to the out-of-date Local Plan policies, I will address the relevant policies below:
- 12.2. **NE1: Development outside the development boundary** - This policy is clearly out of date and holds no weight in relation to this planning application in light of the supporting information in this document and the Council's lack of a 5 year land supply and the above case law. Furthermore, the policy does not reflect the requirement of the NPPF for sustainability and therefore conflicts with the NPPF. **APP/F1040/A/13/2204406 Hatton Lodge, Uttoxeter Road, Foston, Derbyshire DE65 5PX**
- 12.3. It is clear that the housing needs of the District cannot be met from Brownfield Land within towns alone and the suitability of this infill site within an existing residential area is such that it can assist to make up the shortfall of the supply and contribute to meeting the local housing requirements through the delivery

of high quality designed family dwellings, which will be in keeping with the character of the area and enhance the visual amenity of the site and its surroundings.

- 12.4. This infill site is located between and opposite residential properties and does not form isolated dwellings in the open countryside. The site is well screened from views across from Church Leigh and is not prominent especially in light of the design, which reflects barn style conversions which are found throughout the District and county.
- 12.5. **Policy BE1: Design** – The proposal satisfies this policy due to the fact that it responds positively to the context of the surrounding area and the dwellings are of a high quality design reflecting the character of the area. The massing, height, scale and volume of the dwellings are well proportioned in relation to the size of the site and the adjacent properties resulting in the enhancement of the area.
- 12.6. The positioning of the dwellings on the site has been carefully assessed and positioned to ensure that the existing landscape will be retained to provide screening from Church Leigh and the adjacent residential property at Manor Farm. The use of traditional materials will blend in with the surrounding properties and relate well with the rural location of the site. The proposal will not have an adverse impact on the amenity of local residents.
- 12.7. The design and layout incorporates appropriate crime prevention measures including low level height planting near the front of the property, natural surveillance by the adjacent properties, lockable windows, and patio doors, and an alarm system.
- 12.8. **POLICY H6: Housing Design and Dwelling Extensions** - This proposed infill site satisfies this policy due to the fact that it is sensitively integrated into the landscape to prevent the loss of any worthy trees or hedgerow, it is not visually intrusive, it will not harm the setting of existing properties, the street scene or adversely affect adjacent properties by virtue of size of dwellings, intrusion on privacy, loss of daylight, bulk, noise, loss of amenity space and vegetation, and intensification of traffic.
- 12.9. The layout is such that its design and built form will be complimentary to the existing residential area and context of the limited nature of the proposal, which is considered entirely in keeping with the character of the area of adjoining residential area, which has a mixture of dwelling designs and styles.
- 12.10. **Policy T1: Transport – General Principles for New Development** - The proposed access has been located to provide maximum visibility in both directions to ensure that there is no adverse effect on the safety of pedestrians or

road users who enter or egress the site or prejudice the free flow of traffic along Dodsleigh Lane. Further detail can be found in the Design and Access Statement.

- 12.11. **Environment Policy 1: Development in the Countryside** - This policy is out of date due to the Council's lack of a five year housing land supply and should not be given any weight. However, the proposal is designed to have minimal impact on the countryside due to the fact that the site is contained within a residential area, and will secure a high quality designed residential scheme, which will enhance the character of the area.
- 12.12. The existing trees and hedgerows will be retained along the eastern, southern and western boundary to preserve a typical field divide and rural hedgerow generally found in the countryside. Apart from the access point off Dodsleigh Lane the remaining trees and shrubs will be retained to provide screening and to ensure that the existing local wildlife will flourish.
- 12.13. This infill site proposes the most efficient use of the land for sustainable development and that the information in this document address the policy issues to overcome any objection to permitting this proposal on the basis that it is not sustainable and does not comply with the out-dated Local Plan policies.

13. Emerging Planning Policy

- 13.1. In July 2012 the Council published a Preferred Options consultation document, setting out the Council's views on what the Local Plan strategy should be and illustrating how that compares with other alternative potential strategies. It also included draft policies. The Council published a Consultation Schedule alongside the Preferred Options document setting out the comments received and the Council's response to each comment.
- 13.2. Following consultation of the Preferred Options document, the Council has published the full version of the Local Plan, known as the Pre-submission Local Plan that it intends to submit to the Secretary of State (Planning Inspectorate) in 2014. Consultation commenced on 18th October for six weeks, where the deadline for comments closed at 12 noon Friday 29th November 2013. The Council is currently compiling and responding to the responses submitted.
- 13.3. Following this, an independent Planning Inspector has been appointed to hold an examination into whether the Local Plan is sound. The Council will then consider the Planning Inspector's Report (produced by the Planning Inspectorate) and depending on whether or not there are significant changes thought to be necessary which may be consulted upon.

- 13.4. Since that time the draft Local Plan 2012-2031 has been submitted to the Secretary of State for independent Examination on 11th April 2014. Until he has completed his examination the draft plan holds little weight. Despite this, I will address the relevant policies:
- 13.5. **Strategic objective S02: Housing Choice** - this proposal will assist to meet the objectives of this policy by providing a well-designed family home to meet the needs of existing and future residents given ongoing and expected population change in the Borough.
- 13.6. **Strategic objective S011: Prudent Use of Resources** - The development of this infill site for two dwellings is an efficient use of the land and the design of the dwellings will incorporate sustainable energy features such as ground or air heat source pump and rain water harvesting to ensure that it is energy efficient and sustainable.
- 13.8. **Strategic objective S012: Countryside** - The design of the dwellings reflects the local character of the area ensuring that the existing worthy trees and shrubs on the site are safeguarded and provide screening of views across from Church Leigh and Dodsleigh Lane and a definitive boundary to the residential site and the open countryside. Additional planting implemented around the dwellings will soften the built form, and enhance the local character of the area to ensure that the wildlife habitat is preserved and enhanced.
- 13.9. **PRINCIPLE 1 Presumption in Favour of Sustainable Development** - Paragraph 6.4-6.7 and 10.13 above covers the issue of the proposal being sustainable and this policy also stated that *“Where the development plan is absent, silent or relevant policies are out of date at the time of making the decision the Council will grant permission unless material considerations indicate otherwise – taking into account whether:*
- *any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or*
 - *specific policies in the National Planning Policy Framework indicate that development should be restricted.*
- 13.10. The proposal meets the requirements of the NPPF taken as a whole and there is no adverse impact from the proposal which would significantly and demonstrably outweigh the benefits of granting planning permission.
- 13.11. This is reinforced by Planning Practice Guidance Ref. ID: 50 Paragraph 1 which states:

It is important to recognise the particular issues facing rural areas in terms of housing supply and affordability, and the role of housing in supporting the broader sustainability of villages and smaller settlements. This is clearly set out in the National Planning Policy Framework, in the core planning principles, the section on supporting a prosperous rural economy and the section on housing.

A thriving rural community in a living, working countryside depends, in part, on retaining local services and community facilities such as schools, local shops, cultural venues, public houses and places of worship. Rural housing is essential to ensure viable use of these local facilities.

Assessing housing need and allocating sites should be considered at a strategic level and through the Local Plan and/or neighbourhood plan process. However, all settlements can play a role in delivering sustainable development in rural areas – and so blanket policies restricting housing development in some settlements and preventing other settlements from expanding should be avoided unless their use can be supported by robust evidence.

- 13.13. **STRATEGIC POLICY 1** - This proposal meets the requirements of this policy and has been address through reference to existing Local Plan Policies and throughout this document.
- 13.14. **STRATEGIC POLICY 2** - Church Leigh is Tier 3 settlement closely linked to the application site and due to the Council's lack of a 5 year housing supply this policy holds little weight. See Land west of Keyworth Road, Wysall, Nottinghamshire NG12 SQP Appeal decision -APP/P3040/A/14/2211781
- 13.14. **STRATEGIC POLICY 3** - this proposal will contribute to providing housing within the District and expand the market choice for rural accommodation, which is in short supply in this area, whilst providing the ability to home work.
- 13.16. **STRATEGIC POLICY 4** - This proposal will assist in meeting the windfall allowance of 90 dwellings and satisfies this Strategic Policy 18 as the scale of the proposal is acceptable in relation to the size of the site.
- 13.17. **STRATEGIC POLICY 8** - This proposal is an appropriate windfall site within an existing residential area and will not adversely affect the amenities enjoyed by local residents and will contribute positively to the character of the area and the landscape. Furthermore, there will be no detrimental impact on the highway network or road safety.
- 13.18. **STRATEGIC POLICY 24** - The high quality design of the dwellings contributes positively to the character of the area and environment through the retention of

the majority of the trees and hedgerows on the site and will enhance the biodiversity through additional planting to encourage further wildlife. As stated above the dwellings will benefit from energy efficient methods such as ground or air source heat pump and rain water harvesting and therefore satisfies this draft policy.

- 13.19. **STRATEGIC POLICY 27** - The proposal satisfies this draft policy due to the fact that it will utilise sustainable drainage methods such as rain water harvesting, soakaways or into an existing water course and will not increase any run-off from the site. Foul drainage will connect to the existing system.
- 13.20. **STRATEGIC POLICY 29** - The proposal will have a minimal impact of biodiversity through the retention of the hedgerows which have already provided screening and landscaping for the site. However, additional planting will take place to enhance the natural habitat and encourage the local wildlife.
- 13.21. **STRATEGIC POLICY 34** - This proposal satisfies this policy.
- 13.22. **DETAILED POLICY 1** - The design of the proposed dwellings reflects the rural character of the area and compliments the surrounding residential dwellings. The scheme is compliant with the East Staffordshire Design Guide. The size of the dwellings are proportionate to the site area and have not resulted in over development of the site and the massing in terms of the dwelling's shape, volume etc. is in context with the surrounding residential dwellings. The dwellings will be constructed of red brown facing bricks, Staffordshire Blue roof tiles, timber framed doors and windows; porous block paving will be used to form the driveway along with the sustainable energy efficient methods mentioned above. This policy is also addressed through comments made above.
- 13.23. **DETAILED POLICY 2** - This policy is addressed by the information above in this document and the Design and Access Statement.
- 13.24. **DETAILED POLICY 3** - As stated above the proposal is compliant with the East Staffordshire Design Guide and other relevant policies in the development plan and satisfies the requirements of this policy in terms of preventing overlooking and loss of light. It does not cause an overbearing impact on its surroundings. This infilling proposal does not result in the unacceptable intensification of the area; the barn style design reflects the spatial pattern of the area whilst integrating sensitively into the character of the residential area. Additional landscaping will be undertaken and the existing hedgerows will be retained to ensure that it is screened from Dodsleigh Lane and views across from Church Leigh.

13.25. **DETAILED POLICY 8** - The location of the access point and dwellings has been carefully assessed to ensure that the majority of the hedgerows are retained on the site to provide landscaping for the proposed dwellings and safeguard the character of the area. Trees protection measures will be put in place during the construction period, where necessary. Therefore, this policy has been satisfied.

14. Planning Appraisal

14.1. Having considered the adopted and emerging planning policy framework and the current and future housing supply needs of the District up to 2031, there are a number of considerations that are material in determining whether this application proposal is acceptable for residential development:

1. The proposal is sustainable and suitable for residential development.
2. This infill site will contribute to maintain and enhance the rural economy and housing land supply.
3. The dwellings will be offered to the market as self-builds which will provide local residents to wider housing choice and benefit local builders and suppliers.
4. The proposal meets both the Local Plan and emerging Local Plan Policies despite their status.
5. The proposal meets the overall provisions of the NPPF.
6. The high quality design of the proposed dwellings incorporates energy efficient measures, uses sustainable materials and construction methods, reflects the character of the area and does not cause any detrimental impact which would warrant its refusal.
7. The proposal will support the rural community and help to add to the age and social mix of area.
8. The Council does not have a five year housing land supply.
9. The Local Plan policies are out of date.
10. The emerging Pre Submission Local Plan holds no weight.

15. Conclusion

The proposed dwellings will integrate into the rural character of the area and help to support and enhance the vitality of the local rural economy. The proposal accords with the provisions of National and Local Planning Policy, including the National Planning Policy Framework, specifically policies 1, 2, 3, 4, 6, 7, 8, 10 and 11. It also accords with the saved Planning Policies of the East Staffordshire Local Plan July 2006 and the draft emerging Pre Submission Local Plan Policies. It will help deliver the authority's identified housing

requirements through a sustainable proposal with little or no adverse impact. Anything which could be deemed detrimental would significantly and demonstrably be outweighed by the benefits of granting planning permission.