

SEDDON RDP LTD & EQUITY HOUSING GROUP

LAND AT LONG LANE, CHAPEL-EN-LE-FRITH

PLANNING STATEMENT

30 NOVEMBER 2012

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1. Introduction

- 1.1 This Planning Statement is submitted in support of an application by Seddon RDP Ltd and Equity Housing Group (as joint applicant) for full planning permission for:

“Residential development at Long Lane, Chapel-en-le-Frith”

- 1.2 The application is made in respect of land at Long Lane, Chapel-en-le-Frith. The site lies adjacent to the settlement boundary and has been identified as a suitable housing site by the Council.

- 1.3 The application comprises a full suite of drawings and supporting information with the following information submitted:

- Drawings
- This Planning Statement
- Design and Access Statement (including Statement of Community Involvement)
- Transport Assessment
- Phase 1 Ecological Survey
- Arboricultural Impact Assessment
- Flood Risk Assessment and Drainage Strategy
- Archaeological Assessment

- 1.4 Pre-application discussions have taken place with planning and highway officers to agree the scope of the application and the key issues to be addressed. Discussions with Chapel Vision, the group formed to prepare a Neighbourhood Plan for Chapel-en-le-Frith, have been held to gauge its views on the proposals. Further consultation with members of the community, including local Councillors and the Town Council has also taken place. This confirmed support for the proposals, recognising the benefits it will deliver in terms of new housing, particularly housing which is affordable and meets local needs.

- 1.5 This Planning Statement provides the relevant background in considering the application, describes the site, its surroundings and the scheme. The relevant planning and other policies are identified and an assessment of the proposals against this framework is provided.

- 1.6 The proposals have been discussed with planning officers during pre-application meetings. Consultations have also been carried out with within the local community via a public exhibition held on 24th October 2012; the full details and results of which are provided in the Consultation section of the Design and Access Statement accompanying the application.

Overview of Planning Case

- 1.7 In summary, the planning application demonstrates that the proposed redevelopment will:
- be a sustainable development, in a sustainable location, close to the town centre, public transport routes and a range of services and facilities, including local schools;
 - deliver much needed affordable housing - 50% of the dwellings - and market houses which meet the needs of the local area;
 - make a valuable contribution to the housing supply in High Peak; at present High Peak Borough Council is unable to demonstrate a 5-year housing supply;
 - complies with the Development Plan, and should be granted planning permission 'without delay' as required by the National Planning Policy Framework;
 - create a high quality residential environment which respects the character of Chapel en le Firth, and responds positively and sympathetically to its built and environmental context and the character and appearance of the surrounding area;
 - support sustainable economic development by providing a number of local employment opportunities and delivering a range of physical, environmental and socio-economic benefits;
 - Increase Council Tax revenue and receipt of New Homes Bonus payments to further invest back into the Chapel-en-le-Frith community; and
 - present no technical constraints which are not capable of being addressed by condition.

- 1.8 The proposed redevelopment is fully compliant with national planning policy and relevant policies of the development plan and there is a clearly compelling case in favour of planning permission being granted.

2. The Site and Its Surroundings

- 2.1 This section provides a description of the physical characteristics of the site and its surroundings.

Location

- 2.2 The application site lies on the western edge of the built up area of Chapel-en-le-Frith, approximately 1.2km from its centre. Chapel-en-le-Frith is a market town and is one of several second tier centres behind the main towns of Glossop and Buxton in High Peak Borough; it is the main settlement within the borough's Central Area. It provides a wide range of local services and facilities for the town and the smaller villages surrounding it. It lies 25km south-east of Manchester, 30km east of Sheffield and 10km north of Buxton.
- 2.3 A number of bus services run close to the application site, along Manchester Road, with bus stops falling within acceptable walking distances (c.400m) of the site, providing access to services running to Chapel town centre, and other towns in the High Peak, including Glossop and Buxton. Chapel-en-le-Frith railway station is located to the south of the application site, within an acceptable walking distance around 800m. Services run to Manchester, Sheffield and Buxton.

The Site

- 2.4 The application is approximately 2.4ha in size and is generally flat, with some gentle undulations, and is largely grassed. It is divided by a narrow access road which runs east-west and passes underneath the railway embankment.
- 2.5 It is approximately triangular in shape, and occupies a position between Long Lane and a prominent railway embankment which respectively define its eastern and western boundaries. A low dry-stone wall runs along the eastern boundary with a group of mature trees within the southern part of the eastern boundary; some smaller trees present along the other boundaries.
- 2.6 A gated access from Long Lane to the field north of the access road is located towards its southern boundary.

Surroundings

- 2.7 There are existing residential areas to the east, on the opposite side of Long Lane, and to the north. Chapel High School and its associated grounds lie to the west,

beyond the railway embankment. Some industrial/commercial uses lie to the north-west, fronting onto Long Lane. Land to the south-west, beyond the railway line is predominantly agricultural land.

- 2.8 The railway embankment serves to enclose the site, preventing views from Long Lane to the west. It also represents a permanent and defensible boundary for the south-western edge of Chapel-en-le-Frith.
- 2.9 A group of mature trees, some of which are subject to Tree Preservation Orders, is located adjacent to the junction between Long Lane and the access road. These trees are outside the application site.

Planning History

- 2.10 It is understood that there is no relevant previous planning history associated with the site.

3. The Proposed Development

The Applicant

- 3.1 The application is submitted jointly on behalf of a joint venture (JV) between Seddon RDP Ltd and Equity Housing Group.
- 3.2 Seddon RDP Ltd is part of the Seddon group. Seddon will build the development once planning permission is granted. It is a family-owned construction company with an extensive track record of building housing developments, particularly affordable housing schemes in the North-West and East Midlands.
- 3.3 Equity Housing Group is a registered social landlord (RSL) which owns and manages a large stock of affordable housing, including a number of schemes within the High Peak, in partnership with High Peak Borough Council.

The Development

- 3.4 The applicant seeks full planning permission for the residential development of the site, comprising the erection of 66no. affordable and market dwellings, formation of access, hard and soft landscaping, earthworks and associated works.
- 3.5 The submitted Design and Access Statement provides a more detailed description of the proposals. A summary is set out below.

Housing

- 3.6 The scheme is an affordable housing development which includes market housing which is necessary in order to ensure that the development is viable. It will provide a total of 66 dwellings, fifty percent of which (33 dwellings) will be affordable. These dwellings will be social rent and shared ownership tenure. Both the affordable and market dwellings will comprise a mix of types and sizes to meet local needs. The proposed accommodation schedule is shown below:

Dwellings	No. of Units (Market)	No. of Units (Affordable)
2 bedroom	8	6
3 bedroom	17	14
Bungalows		
2 bedroom	8	5

Apartments		
1 bedroom	-	4
2	-	4
Total Units	33 (50%)	33 (50%)

- 3.7 This mix of dwellings reflects the local requirements for smaller accommodation and accommodation suitable for elderly people identified in the High Peak Strategic Housing Market Assessment (2009), and also the urgent need for affordable housing.

Layout

- 3.8 The development will provide 66 dwellings across a net developable area of 2.4ha; the development density will therefore be 28 dwellings per hectare which is appropriate for the location of the site, balancing the need to make efficient use of the site with the provision of generous plot sizes.
- 3.9 The layout is based around the existing features of the site that will be retained, and seeks to integrate them successfully into the overall design. The existing stone wall to the Long Lane frontage is retained, and forms an attractive boundary treatment. The existing trees are also largely retained, with some removed for arboricultural reasons, and other Category B and C trees removed to accommodate the development.
- 3.10 Dwellings towards the eastern boundary are orientated towards Long Lane, to provide an active frontage and strong architectural statement. The car parking associated with these dwellings is purposely located to the side to maintain an unobstructed frontage. The other dwellings are arranged to maximise the use of the site, having regard to its shape, around a cul-de-sac arrangement which incorporates a footpath for circulation by pedestrians within the site. A separate footpath will link the site to Long Lane.
- 3.11 The development is laid out to foster a strong sense of community, with most of the dwellings grouped around cul-de-sacs, likely to encourage interaction between residents.

Scale and Design

- 3.12 The development will comprise two storey dwellings; the apartments are arranged in two storey buildings, the scale and design of which is consistent with that of the dwellings. The scale of the development is consistent with the railway

embankment, which is currently the prominent visual feature when looking west towards from Long Lane.

- 3.13 The dwellings will incorporate a mix of stone, red brick work and render with roof tiles. Brickwork detailing will be used to add visual interest within the elevations.
- 3.14 A tenure-blind approach to the provision of the affordable dwellings has been taken. They have been designed to the same specification as the market dwellings and are distributed across the development.

Landscaping

- 3.15 The development will include landscaped front gardens and amenity areas which include trees, low level planting and grass. Hedgerows around the southern boundary of the field will be retained and a number of plots will have hedges planted along the boundaries of rear garden areas.
- 3.16 The surface treatments of roads and pathways will reflect this high quality landscape approach.

Access

- 3.17 New vehicular accesses will serve the development from Long Lane. They will be provided with visibility splays that exceed the safety requirements for Long Lane and 2m wide footways to either side of the entrance to the northern site, linking to the existing pedestrian footways.

4. Planning Policy Context

- 4.1 Relevant policy is provided at a national level in the National Planning Policy Framework and retained practice guidance, Ministerial Statements and associated national economic growth and housing market strategies. The adopted Development Plan for High Peak Borough, comprises the East Midlands Regional Plan and the High Peak Borough Local Plan together with Supplementary Planning Guidance and Supplementary Planning Documents. Work on the Derbyshire Dales and High Peak Joint Core Strategy, which was to form part of the Local Development Framework and replace the Local Plan, has taken place but has since stopped, with a replacement Local Plan to be prepared instead.

National Planning Policy

The National Planning Policy Framework

- 4.2 The National Planning Policy Framework ('the Framework') was published in March 2012. It sets out the Government's policies for the planning system and how these are expected to be applied positively and pro-actively to deliver sustainable economic growth and new development to meet identified needs. It replaces all previous Planning Policy Statements and Planning Policy Guidance notes.
- 4.3 The Framework endorses the merits of a plan-led system and is a material consideration in the determination of planning applications.

Achieving Sustainable Development

- 4.4 The key objective at the heart of the Framework is to achieve sustainable development. It identifies the three dimensions of sustainable development, namely economic, social and environmental considerations and advises that these are interdependent and should not be treated in isolation in the consideration of planning issues.
- 4.5 Paragraph 17 of the Framework also sets out 12 Core Planning Principles underpinning plan-making and decision-taking. These are intended to shape and influence the sustainable attributes of development proposals, but are also aimed at the process, requiring the operation of the planning system by local planning authorities to:
- not simply be about scrutiny, but to be a creative exercise finding ways to enhance and improve places; and to

- pro-actively drive and support sustainable economic development to deliver the homes, development and places the country needs.

4.6 As a material consideration in the determination of planning applications, Paragraph 14 of the Framework seeks to foster the delivery of sustainable development by establishing a *'presumption in favour of sustainable development'*, which for decision-taking 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 the Framework taken as a whole; or specific policies in the Framework indicate development should be restricted.

4.7 The Framework makes it clear that for development plan policies to be afforded full decision-making weight (for the purposes of Section 38(6) of the Planning and Compulsory Purchase Act 2004), they must be up to date. This is defined as being prepared in accordance with the 2004 Act and consistent with the Framework, and requires assessment of the following questions:

- does the development plan positively seek opportunities to meet the development needs of the area? [paragraph 14];
- does the plan meet objectively assessed needs, with sufficient flexibility to adapt to rapid change? [paragraph 14]; and
- to what extent can it be said that the development plan is underpinned by the 12 Core Principles set out in the Framework? [paragraph 17]

4.8 For those authorities reliant upon the saved policies of old-style 1990 Act development plans, Paragraph 215 of the Framework states:

".....due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework."

In other words, the closer the saved policies of an old-style development plan are to the policies of the Framework, the greater weight they may be given in the decision-making process. As the strategic development and housing policies of the development plan for High Peak (excluding RSS) were either not saved and/or are

now time-expired and out of date, this will substantially increase the weight to be given to the Framework in the determination of this planning application.

- 4.9 Paragraph 216 of the Framework also allows weight to be afforded to emerging development plans according to their stage of preparation, the number of unresolved objections against them and the degree of consistency with its policies.

Delivering Sustainable Development

- 4.10 The remainder of the Framework contains thematic chapters mirroring the subject content of former PPS / PPGs. Of relevance to the proposed development at Long Lane, it requires planning authorities to:

- help achieve economic growth by proactively supporting an economy fit for the 21st century, including growth in rural areas to create jobs and prosperity, by taking a positive approach to sustainable development;
- significantly boost the supply of housing by annually identifying a 5-year supply of deliverable sites, with an additional buffer of 5% (moved forward from later in a plan period) to ensure choice and competition. Authorities with a persistent record of under-delivery should provide a 20% buffer. Local plan housing supply policies should not be considered up-to-date if the local planning authority cannot demonstrate a deliverable five-year supply of sites;
- seek high quality and inclusive design;
- promote sustainable transport and only refuse development where the residual cumulative impacts are severe;
- conserve the natural and historic environment; and
- meet the challenge of climate change and the move to a low carbon future.

Plan for Growth

- 4.11 From taking office in May 2010, the Coalition Government has remained committed to its rolling Growth Review programme and the reform of the planning system so that it actively encourages growth.¹
- 4.12 Announced in parallel with the March 2011 Budget, the Plan for Growth and its accompanying written Ministerial Statement² is based on the premise that ‘...*there is a pressing need to ensure that the planning system does everything it can to help secure a swift return to economic growth*’. It seeks to establish a new set of priorities for the planning system which reflects the importance of sustainable growth within the current economic context.
- 4.13 Heralding the National Planning Policy Framework and the presumption in favour of sustainable development, the Statement confirms that delivery of a sufficient quantum of housing of the right type is fundamental and as much a part of the growth agenda as direct economic development. It states that:
- “When deciding whether to grant planning permission, local planning authorities should support enterprise and facilitate housing, economic and other forms of sustainable development. They should therefore.....ii) take into account the need to maintain a flexible and responsive supply of land for key sectors, including housing”;*
- 4.14 As a consequence, the Statement also indicates that: ‘*the Government’s clear expectation is that the answer to development and growth should wherever possible be ‘yes’, except where this would compromise the key sustainable development principles set out in national planning policy*’.
- 4.15 The CLG’s Chief Planner has made clear that the Minister’s statement comprises a material consideration in planning decisions.³

Laying the Foundations : A Housing Strategy for England

- 4.16 This Strategy was introduced in the autumn 2011 budget statement. It is a response to earlier Ministerial Statements and budget announcements that recognises a thriving housing market is critical to the economic and social well-

¹ Chapter 3 *Local Growth : Realising Every Place’s Potential*, DCLG [October 2010]

² Written Ministerial Statement : Planning for Growth - Greg Clark Minister for Decentralisation [March 2011]

³ Letter from Steve Quartermain (DCLG) to all Chief Planning Officers in England [March 2011]

being of the country. It sets out Government proposals to invigorate the housing market, including:

- supporting a new build Indemnity Scheme to provide up to 95% loan to value mortgages;
- establishment of a £500m Growing Places Fund to support infrastructure that unblocks housing and economic growth;
- launching a new £400m 'Get Britain Building' investment fund to help unlock progress on stalled sites; and
- supporting new development, including modern garden cities, urban and village extensions.

Housing and Growth (September 2012)

- 4.17 On 6 September 2012 the Secretary of State for Communities and Local Government made a further announcement confirming that the number one priority for Government is to get the economy growing. He stated that the need for new homes is acute, but supply remains constrained, noting that housing schemes in areas of high demand could provide a real benefit to the local community once delivered. The Statement set out Government's commitment to work in partnership with local authorities, promoters and the community to deliver major housing sites.

The Planning System : General Principles

- 4.18 This retained practice guidance provides a general description of key elements of the planning system, including the determination of planning applications. It should be read in the context of the National Planning Policy Framework.
- 4.19 Paragraphs 17 and 18 indicate that a refusal of planning permission on the grounds of prematurity "*will not normally be justified*" and is only likely to be appropriate "*where a proposed development is so substantial, or where the cumulative effect would be so significant, that granting permission could prejudice an (emerging) DPD by predetermining decisions about the scale, location or phasing of new development which are being addressed in the policy in the DPD*".
- 4.20 Further to this, Paragraph 19 confirms that where planning permission is refused on the grounds of prematurity, the planning authority will need to demonstrate clearly how the grant of permission for the development concerned would prejudice the outcome of the DPD process.

Other Ministerial Statements

4.21 The Planning Minister has recently (28th November 2012) reiterated the urgent need to secure further housing. New housing should be secured on land that is currently open to solve the housing shortage.

4.22 The Planning Minister said:

"The built environment can be more beautiful than nature and we shouldn't obsess about the fact that the only landscapes that are beautiful are open - sometimes buildings are better"

"People have got to accept that we've got to build more on some open land."

"We're going to protect the greenbelt but if people want to have housing for their kids they have to accept we need to build more on some open land."

"In the UK and England at the moment we've got about 9% of land developed. All we need to do is build on another 2-3% of land and we'll have solved a housing problem."

4.23 He also said that having a house with a garden was a *"basic moral right, like healthcare and education"*.

The Development Plan

4.24 The adopted development plan for High Peak borough comprises:

- the East Midlands Regional Plan 2009; and
- High Peak Borough Local Plan.

4.25 The Regional Plan (Regional Spatial Strategy – RSS) was adopted in 2009 and prepared in accordance with the Planning and Compulsory Purchase Act 2004. It is consistent with the National Planning Policy Framework in promoting the delivery of sustainable development and until such time as it is formally revoked under Section 109 of the Localism Act, it therefore continues to form part of the adopted Development Plan and carries full weight in the determination of this planning application.

4.26 In contrast, the High Peak Borough Local Plan is an older-style plan document, having been adopted in March 2005 in accordance with the Town and Country

Planning Act 1990 and covering a 8 year period from 2003 - 2011. It is therefore time-expired and, whilst the majority of its policies have been 'saved', a number are now clearly out of date and no longer compliant with national planning policy in terms of being capable of meeting the objectively assessed development needs of the Borough.

- 4.27 The importance (and absence) of up-to-date local plan coverage emphasised in the Framework, is also highlighted in the March 2008 letter from the Government office for the East Midlands accompanying the Secretary of State Saving Direction, which noted that:

"Maximum use should be made of national and regional policy especially given the advanced position of many regional spatial strategies and the development plan status of the Regional Spatial Strategy.

"Following 30th March 2008 the extended policies should be read in context. Where policies were adopted some time ago, it is likely that material considerations, in particular the emergence of new national and regional policy and also new evidence, will be afforded considerable weight in decisions."

- 4.28 On this basis, the relevant development plan policies material to the determination of the planning application are summarised below.

East Midlands Regional Plan 2009

- 4.29 The distribution of new development across the region is to take place in accordance with Policy 3. It recognises that the development will be necessary in those settlements, such as Chapel-en-le-Frith, not identified in the highest levels of the hierarchy.
- 4.30 Policy 9 also supports modest growth within the Peak Sub-Area, comprised of the Peak District National Park and surrounding areas, included Chapel-en-le-Frith.
- 4.31 The pressing need for affordable housing is recognised in policy. Within the Peak Sub-area, Policy 8 identifies the provision of affordable housing as one of the spatial priorities. In addition, Policy 1 (a) seeks to ensure that the new market and affordable housing stock addresses the needs and extends choice in all communities. The need is quantified by Policy 14 which identifies a requirement for 6,100 affordable dwellings in the Peak Sub Area over the plan period.

- 4.32 Policy 13 sets out the regional housing requirements, with a requirement for High Peak of 300 dwellings per annum over the period 2006 – 2026 identified (a total of 6,000).

Other Policies

- 4.33 Part (c) of Policy 1 aims to ensure that the environmental quality of urban and rural settlements is protected and enhanced, through, inter alia, high quality design which reflects local distinctiveness.
- 4.34 Part (d) encourages improved health and mental, physical and spiritual well being of the region's residents through improvements in air quality, 'affordable warmth', the availability of good quality housing and access to health, cultural, leisure and recreation facilities and services is secured.
- 4.35 Accessibility to jobs, homes and services through the promotion and integration of opportunities for walking and cycling, promotion of the use of high quality public transport and encouragements of patterns of development that reduce the need to travel, especially by car is sought through part (f).
- 4.36 Protection of the environment is sought by part (g), and a reduction in the causes and impact of climate change by parts (i) and (j) respectively.
- 4.37 Better design, in terms of the layout, design and construction of new development is required in accordance with Policy 2. This includes taking account of local character, achieving high standards of sustainability in terms of design, layout and resource use and making efficient use of land. Achieving accessibility and a highway and parking design that improves the safety and quality of public spaces is similarly encouraged.

High Peak Local Plan

- 4.38 The application site adjacent to the western edge of the defined Chapel-en-le-Frith settlement boundary and is not subject to any site specific allocations. It currently comprises an area of open countryside.

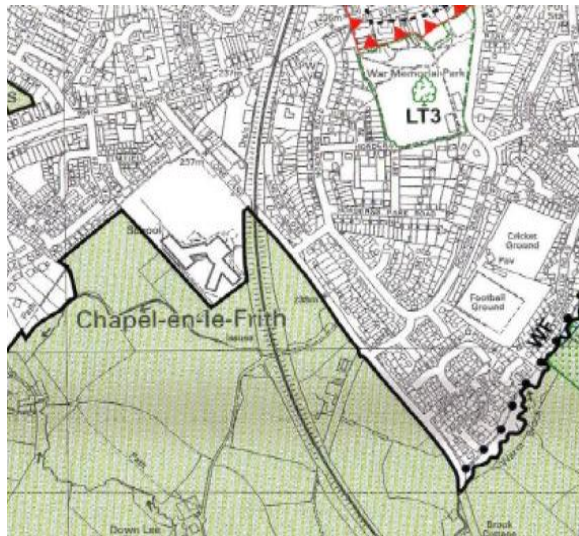


Figure 1: Extract of High Peak Borough Local Plan Proposals Map

- 4.39 The Local Plan was prepared to conform to the Derbyshire Structure Plan. It is therefore based on a settlement strategy, set out in Policy GD2 that directs new development to the defined built up areas of settlements as the focus of development. Chapel-en-le-Frith is one of these identified settlements and falls within the Central Area of the borough.
- 4.40 At the time the Local Plan was adopted, there was an over-supply of housing within the Central Area. Consequently, the settlement boundaries remained tightly drawn and no new sites were identified for future housing growth, reflecting an approach of housing restraint that was in place at the time.
- 4.41 This also forms the basis for the approach of Policy 40 - H1 which confirms that planning permission will be granted for housing development, with priority given to the redevelopment of previously developed land in brownfield areas and the conversion and sub-division of existing urban buildings. Residential development on greenfield land will only be permitted where it falls within the exception criteria set out by other policies.
- 4.42 Whilst Chapel-en-le-Frith is therefore identified as one of the main settlements within the Central Area, reflecting its size, accessibility and the range of services and facilities it contains, there is clearly insufficient land available to accommodate future growth. This policy approach does not facilitate the delivery of the present RSS housing requirements and was only intended to apply until 2011; it cannot satisfy the requirements of Paragraph 14 of the Framework in 'meeting objectively assessed needs with sufficient flexibility to adapt to rapid change' and is therefore clearly time-expired and out-of-date.

- 4.43 As the Council's evidence base to the emerging Core Strategy acknowledges that the delivery of new housing in Chapel-en-le-Frith to meet strategic requirements will necessitate development outside existing settlement boundaries, it is not just the development strategy and settlement boundary policies of the Local Plan that are now out of date. The associated policy (Policy OC1) is similarly out of date as it is no longer appropriate to restrict new residential development solely to that which forms part of the rural economy.
- 4.44 This conclusion is confirmed in the appeal decision⁴ of 28th May 2012 for the development of up to 200 dwellings at Sellars Farm, Hardwicke, Gloucestershire, the Inspector concluded that the equivalent saved Policy HN10 of the Stroud Local Plan, precluding new residential development outside defined settlement boundaries, was in significant conflict with the Framework and the presumption in favour of sustainable development because it does not allow for sustainable development that would help to meet a shortfall in provision for the current identified housing requirement. As a material consideration, the requirements of the Framework outweighed the inconsistency of the proposed development at Hardwicke with saved Policy HN10 of the development plan and justified the granting of planning permission.
- 4.45 The same approach was also taken in the more recent appeal decision⁵ of 19th June 2012 for the development of 221 dwellings at Cockermouth, Cumbria (paragraph 15) and although it pre-dated the Framework, the decision⁶ at Henthorn Road, Clitheroe where the Inspector agreed that the Districtwide Local Plan had been overtaken by more recent policy guidance.
- 4.46 In the absence of up to date housing policies within its development plan other than RSS, High Peak is therefore entirely dependent on windfall development as its only source of housing supply in Chapel-en-le-Frith.
- 4.47 Of the saved Local Plan policies to which weight can be given, the housing (excluding those that deal with its location and distribution), environmental, design and technical development management policies of the Local Plan remain largely relevant and consistent with the Framework.

⁴ Appeal Ref. APP/C1625/A/11/2165865

⁵ Appeal Ref. APP/G0908/A/11/2151737

⁶ Appeal Ref. APP/T2350/A/11/2161186

- The approach of the Council to ensure that a proportion of affordable housing is provided as part of new residential schemes is set out in Policy 44 – H9. It confirms that the proportion will be subject to negotiation and will take account of:
 - the level and type of affordable housing need in the area (having regard to up-to-date analysis);
 - the suitability of the site to accommodate a range of house types and sizes including a proportion of affordable housing;
 - proven site development constraints; and
 - the proximity of local services and facilities and access to public transport.
- The policy confirms that it may be appropriate to make financial contributions towards the provision of affordable housing on a different suitable site and confirms that conditions, planning obligations and/or the involvement of Registered Social Landlords will be sought to ensure the ongoing benefit of the provision.
- Policy 46 - H11 sets out the requirements for the layout and design of residential development. Planning permission will be granted where it:
 - Incorporates good design that reflects its setting and local distinctiveness and makes efficient use of land;
 - Promotes safe and accessible living environments which include a mix of housing types and sizes; and
 - Protects the amenity of existing and future occupiers.

Design and Landscape

- Further policy guidance on the character, form and design of developments is provided by policy GD4. It confirms that planning permission will be granted where its scale, siting, layout, form, height, proportions, design, colour and materials, elevations, fenestration, landscaping or other works will be sympathetic to the character of the area and there will not be undue detrimental effect on the visual qualities of the locality.

- A policy specifically relating to the use of external materials (Policy 17 – BC1) requires that their type, colour and specification and the way they are applied will be sympathetic to the character and appearance of the immediate surroundings and the wider area. Natural facing materials will be required in locations conspicuous from public viewpoints in areas where natural materials predominate.
- A high standard of hard and soft landscaping is to be provided as part of a development, as required by Policy 5 - GD6. The treatment should be in keeping with the character of the area and should integrate existing features and use native species.
- Policy 6 - GD7 requires that the design, layout and landscaping of a scheme will create a safe and secure environment which minimises the opportunities for crime to be committed.
- Development is also expected to have regard to the amenity of existing and future occupiers, in accordance with Policy 4 - GD5. This policy requires that development does not create unacceptable loss of or be subject to unacceptable levels of privacy or general amenity as a result of the development. This means consideration of the impact in terms of loss of daylight and sunlight, overbearing effects, pollutions, risk from hazardous substances and processes and traffic safety and generation. It confirms that conditions may be imposed to address potential impacts.
- The impact of development on trees and woodlands is set out in Policy 16 – OC10. This policy states that planning permission will be granted provided that it will not result in the loss, injury to the health of a woodland or other significant individual group or area of trees unless for reasons of safety, tree management or a wider scheme of conservation and enhancement. Exceptionally loss or injury may be permitted where adequate replacement planting is proposed.

Highways

- Policies 34 (TC10), 78 (TR1), 81 (TR4) and 72 (TR5) respectively set out the Council's approach in respect of parking provision, reducing the need to travel, the impact of development on the highway network and the provision of suitable access and egress to accommodate a range of users.

- Policy 81 - TR4 is not considered to comply with the approach to highway impact set out in the NPPF where development may only be refused on highway grounds where the impact is severe.

Emerging Development Plan and Evidence Base

Derbyshire Dales and High Peak Joint Core Strategy

- 4.48 A Draft Plan was published for consultation in June 2010 following consultation on Issues and Options (March – May 2009) and Growth Options (August – October 2009). It has since been abandoned in preference for a new Local Plan.
- 4.49 It identified, as a Key Issue, meeting local housing needs for all local residents as a particular challenge, and the need across the plan area to provide affordable housing was recognised. This translated in the overarching vision which included affordable, decent homes for local people and the Spatial Vision, which recognised that Housing Growth in Chapel-en-le-Frith will be supported by the protection an enhancement of areas around it, and the development would be required on greenfield sites across the Plan area.
- 4.50 Chapel-en-le-Frith was placed in the top tier of the settlement hierarchy (Market Towns) by draft policy CS2, recognising that there is access to a wide range of employment, facilities and services.
- 4.51 A housing requirement for the Central Area of 1,250 new dwellings, including 700 outside the current settlement boundary, was proposed over the plan period through Policy CS13.
- 4.52 An affordable housing requirement equating to 30% on sites of 25 units of more, comprising 80% social rented accommodation with the balance as intermediate housing (unless agreed otherwise with the LPA) was proposed by policy CS14.

Replacement High Peak Borough Local Plan

- 4.53 Consultation on the emerging Local Plan took place in September 2012 through publication of the Local Plan Options Publication 2012, with views sought on a range of issues. It outlined that, within the Central Area, Key Issues included providing for the housing needs of the community.
- 4.54 It proposed a proposed local housing target of 270 dwellings per annum for the Borough, with a residual requirement of 3,137 across the plan period. Views were sought on the distribution of housing across the settlements within the three sub-

areas, with between 27 and 33% proposed with the Central Area. The distribution across settlements within the sub-areas was also considered, with a preferred option of accommodating 47% of housing within Chapel-en-le-Frith and its parish proposed. This would result in a proposed requirement of between 398 and 486 dwellings to be accommodated in Chapel over the remaining years plan period, depending on how the housing requirement was split across the sub-areas.

Chapel Neighbourhood Plan

- 4.55 The Local Plans consultation did not identify any potential housing sites in Chapel-en-le-Frith as it is intended that this will be done through a Neighbourhood Plan. Preparation of the Neighbourhood Plan is being led by Chapel Vision.
- 4.56 Chapel-en-le-Frith Parish was selected by the Department for Communities and Local Government as a national neighbourhood planning pilot area. It has been awarded £20,000 to help prepare a neighbourhood development plan, which has been given to Chapel-en-le-Frith Parish Council to help meet the costs of developing its neighbourhood plan.
- 4.57 The local community group Chapel Vision is currently preparing a neighbourhood plan for Chapel-en-le-Frith. The plan is in the very early stages of preparation, with initial consultation having been undertaken. Further consultation is ongoing and Given that the Neighbourhood Plan is only at formative stage it can carry no weight in the determination of this application.

Peak Sub Region Strategic Housing Market Assessment December 2008

- 4.58 The SHMA seeks to provide an understanding of the housing market in the peak sub-region in terms of demand and supply. Of particular relevance is identification of the housing tenures and cost profiles of the required housing.
- 4.59 It concludes that there is a need for housing to be affordable to support the local economy; that there is an aging population (although not in the High Peak area); a very substantial requirement for affordable housing; and that modest housing supply targets constrain the scope for addressing affordability issues through new supply.
- 4.60 The link between affordable housing and the economy is as a consequence of the area being a fairly low-wage economy but a high-price housing area. This, and the in-migration of wealthier households who are retired or economically inactive

present issues for local business recruiting and retaining staff. Less sustainable patterns of travel to work are also an outcome of this. Affordable and entry-level housing is needed.

- 4.61 A need for as much affordable housing as the sub-area can secure is identified with social rented and intermediate housing the priority. Similarly, the need to ensure that the provision of market housing at a rate which at least achieves the strategic requirement is underlined.

Chapel Housing Needs Survey Results December 2009

- 4.62 The Survey underlines the pressing need for affordable housing in Chapel-en-le-Frith and the overall level of support amongst respondents to its provision.
- 4.63 In terms of affordable housing, a strong preference for properties for rent was revealed, with shared ownership, owner-occupation and discounted sale also getting support. Strong accommodation requirements for bungalows and 2 bed houses, followed by 1 bed flats and 3 bed houses were identified.

Strategic Housing Land Availability Assessment June 2009

- 4.64 The SHLAA aims to identify a supply of land and buildings with the potential to deliver residential development in accordance with the requirements of PPS3 (now superseded). It forms part of the evidence base for the emerging Core Strategy.
- 4.65 It recognises the need for the provision of affordable housing across both High Peak and Derbyshire Dales boroughs as a key priority contained within the Joint Community Strategy.
- 4.66 It assesses the level of housing supply, although this has since been superseded by the more recent AMR, and the sources of potential supply. It considers sites from a number of sources including those known to the Council, including by virtue of previous studies, applications for planning permission, and sites suggested by other parties following a 'call for sites' process.
- 4.67 The application site was considered through this process and is recognised as being a suitable housing site (SHLAA refs. 137 and 141), capable of development for residential purposes.

Annual Monitoring Report 2010/11

- 4.68 The Council's most recent Annual Monitoring Report sets out, inter alia, the position in terms of housing supply as at 31st March 2011. It states that affordable housing completions since 2004/5 have totalled just 264 dwellings.
- 4.69 It also summarises the position in terms of market housing. Since the start of the RSS plan period (2006), 1,420 dwellings have been completed, against a requirement of 1,500 dwellings for this period. This is below the strategic requirement and, on the basis of the number of units that the LPA claims could be delivered on sites it has identified and the residual requirement, just 2.4 years supply is identified.

Supplementary Planning Documents and Other Policy Guidance

High Peak Interim Housing Policy Statement 2009

- 4.70 The Interim Policy Statement was adopted in 2009, and seeks to provide further explanation on the application of the Local Plan housing policies. However, given the status of the Local Plan policies to which it relates (considered above), and the publication of the Framework, it is not considered to be of relevance to the determination of this application.

Housing Needs in the High Peak SPD 2007

- 4.71 This SPD provides guidance on the provision of affordable housing to meet the identified needs of the Borough. Where affordable housing is provided, priority is to be given to the on-site provision of housing to rent followed by the on-site provision of intermediate housing combined with housing to rent, then on-site provision of intermediate housing.
- 4.72 It sets recommended minimum house sizes for affordable dwellings, based on Housing Corporation guidance, to ensure that affordable dwellings are of a suitable size.
- 4.73 Guidance on the design and layout of affordable dwellings is also provided. It seeks to ensure that there is no difference in the quality of the design or materials between the market housing and the affordable housing. It encourages wider housing opportunity and choice and a better mix in the size, type and location of housing with a view to creating mixed and balanced communities.

Residential Design Guide SPD 2005

- 4.74 Detailed guidance on all aspects of the design of residential developments is contained within with Residential Design Guide SPD. Guidance on the use of materials, building form, building details, achieving living places which are safe and accessible and which are environmentally sustainable.

Planning Obligations SPD 2005

- 4.75 The Planning Obligations SPD was adopted in December 2005. It states that it was prepared having regard to the national planning policy guidance contained within PPGs, PPSs and relevant circulars, the Regional Spatial Strategy for the East Midlands, the Derbyshire Structure Plan and the High Peak Local Plan.
- 4.76 The obligations are to be sought where there is an identified impact arising from the development and the contribution is required towards mitigation measures. It recognises the need to take account of the financial viability of a scheme and that obligations sought may need to be prioritised.
- 4.77 The priority for obligations is for site infrastructure works required to enable development and to protect important features on site, followed by:
- Affordable housing;
 - Open space/sustainable transport provision;
 - Provision/improvement of community facilities.
- 4.78 The SPD states that obligations relating to affordable housing, open space, education, heritage, in relation to enabling development, transportation (eg off-site highway works and sustainable transport provision), drainage works and landscape management may be sought, but will be subject to discussions with officers.

Summary of Policy Context

- 4.79 The Government has made clear its expectation through the NPPF and Ministerial Statements that Local Planning Authorities should adopt a positive approach to development which makes a contribution to economic growth and does not compromise key sustainable development principles. Housing development is recognised as a key component of growth.
- 4.80 The development plan is the starting point in the decision-making process. However, the weight to be attached to relevant policies in the plan depends upon

whether they are up-to-date and their degree of consistency with the policies of the National Planning Policy Framework.

- 4.81 The RSS is the only up-to-date development plan; its strategy and relevant policies are consistent with the aims and objectives of the Framework and can be afforded full weight in determination of the application.
- 4.82 The RSS specifically recognises that some growth in smaller settlements including Chapel-en-le-Frith is appropriate.
- 4.83 The adopted Local Plan and emerging Local Plan both identify Chapel-en-le-Frith as one of the main settlements within the borough's Central Area, with the emerging Local Plan identifying it as location for growth and development.
- 4.84 A pressing need for affordable housing is required, in order to meet the identified needs of the Borough and to support economic growth. The requirement for the Borough is quantified through the RSS (6,100 dwellings across the Peak Sub Area).
- 4.85 The Borough's strategic requirement is for 300 dwellings per annum. However, the Council has not been able to achieve this and is not able to demonstrate a deliverable 5-year land supply. In the circumstances, the housing policies of the Local Plan are not up-to-date and carry only limited weight in the determination of this application.
- 4.86 The application site is allocated as open countryside in the local plan where development will normally be resisted. Notwithstanding this, the weight to be attached to that policy needs to be considered in the context of the strategic housing restraint that was in place at the time that settlement boundaries were defined, the urgent need for affordable housing, the current significant shortfall in housing land supply, the imperative for housing growth in the Framework, and other material considerations.

5. Planning Appraisal

The Statutory Basis for Determining the Planning Application

- 5.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 refers to the Development Plan as a whole and requires that:

“If regard is to be had to the Development Plan for the purpose of any determination to be made under the Planning Acts, the determination must be made in accordance with the Plan unless material considerations indicate otherwise.”

- 5.2 This is a reiteration of the presumption in favour of development that accords with an adopted and up to date Development Plan, as qualified by Paragraph 12 of the Framework.
- 5.3 The Framework also makes it clear that development plans should be kept up-to-date and in accordance with its policies at all times, following the approach of the presumption in favour of sustainable development. For that reason, wherever an adopted Development Plan is absent, silent or not up to date, or where there is more than limited conflict with its policies, the Framework will carry greater weight as a material consideration in the decision-making process.
- 5.4 On this basis, the key issues to determine in the consideration of this planning application are whether:
- 1) the development proposals are in accordance with the relevant policies of the adopted Development Plan, insofar as they apply and the degree of weight that can be reasonably attributed to them; and whether
 - 2) the assessment of all other material considerations, including the National Planning Policy Framework and the application of the presumption in favour of sustainable development, point towards the appropriateness of a grant of planning permission in the planning balance.

Issue 1: Compliance with the Development Plan

- 5.5 The second part of Paragraph 14 of the Framework sets out clear guidance for decision makers, stating that unless material considerations indicate otherwise, the presumption in favour of sustainable development means:

“Approving development proposals that accord with the development plan without delay”

- 5.6 Having identified those parts of the development plan that are relevant and up-to-date in the previous chapter, the following paragraphs assess whether the development proposals are in accordance with its policies.

Regional Spatial Strategy

- 5.7 The RSS includes a number of Core Objectives within Policy 1, against which all development should be assessed in order to secure sustainable development. An assessment of the application against these requirements follows:

- ***Objectives: To ensure that the existing housing stock and new affordable and market housing addresses need and extend choice in all communities in the region; & To improve accessibility to jobs, homes and services***

- 5.8 The development will comply with this Core Objective through the delivery of a high quality housing scheme which has been designed to reflect the particular needs of the area as established through the LDF evidence base and discussions with High Peak Borough Council.

- 5.9 In addition, RSS recognises, at Policy 3, that the needs of smaller settlements should be provided for. This should include the provision of good quality, affordable housing. The development supports the objectives of this policy.

- 5.10 RSS also sets out a significant requirement for affordable housing (6,100 dpa for the Peak Sub Area over the plan period) through Policy 14. In securing a significant proportion of affordable housing as part of the development, the proposals will contribute towards this priority as well as these Core Objectives and with Policy 8, which identifies the spatial priorities within the Peak sub-area which development is expected to support, and which includes the provision of affordable housing.

- 5.11 RSS establishes a housing requirement of 300 dpa for the Borough at Policy 13a. High peak has been unable to achieve this in any year over the plan period and as such there is a requirement to secure development which would contribute to meeting this shortfall and the housing supply. The development would secure the delivery of housing

on a site which the Council has assessed and found to be suitable for housing development.

- ***Objective: To reduce social exclusion***

5.12 This will be achieved through the provision of affordable housing which meets the housing needs of households in the area. Not only will the affordable housing provide the opportunity to meet this need, but its quality and specification – indistinguishable from the market housing proposed - is such that occupiers of the affordable housing will have access to a home of equally good quality.

5.13 The market housing which forms part of the development is also intended to be accessible to the local market, and caters for young people, single households and first time buyers as well as existing households looking to downsize.

5.14 Overall, the scheme will provide a balanced mix of units and avoid a concentration of any particular type of dwelling or tenure.

5.15 The development will also be accessible without reliance on private car journeys. It is therefore compliant with this Core Objective.

- ***Objectives: To protect and enhance the environmental quality of urban and rural settlements; To protect and enhance the environment; & To minimise adverse environmental impact of new development and promote optimum social and economic benefits***

5.16 The development maintains the character and vitality of the community through a design which reflects its surroundings and context, using materials reflective of the area. In this respect the development will also comply with Policy 3.

5.17 The development will not have any adverse environmental impact or effect of the amenity of existing or proposed occupiers and is consistent with the environmental elements of these Core Objectives.

- ***Objective: To improve the health and mental, physical and spiritual well being of the residents***

5.18 The policy also recognises that the availability of good quality housing will achieve this; it has already been demonstrated that this will be secured.

5.19 As noted above, the development will enhance the environmental quality of the locality and will not have any adverse impact. The development is consistent with this objective.

- ***Objective: To reduce the causes of climate change***

5.20 The proposed development will achieve a high standard of energy and resource efficiency to minimise its use of resources and will achieve Code for Sustainable Homes Level 3 accreditation. This will contribute to reducing the causes of climate change and compliance with this Core Objective.

Local Plan

5.21 The relevant and up to date aspects of Local Plan policy include Chapel-en-le-Frith as one of the main settlements and that development should take place in such locations (Policy GD2). The development accords with these aspects of the Local Plan and is therefore acceptable in principle.

5.22 The technical information and reports submitted in support of the application demonstrate that the development proposals are capable of meeting all of the requirements of the relevant saved Local Plan policies as summarised below:

- the development will provide a high standard of building design and landscape quality and will protect local amenity (Policy GD4);
- the scheme has been designed to limit the risk of crime (Policy GD7);
- the development is in keeping with the local landscape character and reflects local vernacular design and materials (Policy GD5);
- it protects healthy trees and hedgerows and incorporates them within the development (Policy OC10);
- the development is accessible to public transport and pedestrian and cycle links and reduces reliance on the private car (Policy TR1 and TR5).

Conclusion

5.23 The development proposals are fully compliant with the overall strategy and those relevant spatial, technical and design policies of the adopted Development Plan to which weight can be applied in the decision-making process. While the proposals lie outside the built up area of Chapel-en-le-Frith, the housing and countryside

policies of the adopted Local Plan that would normally preclude development in this location are out-dated in a time-expired plan and therefore carry limited weight in the determination of the application.

- 5.24 In the circumstances, Section 38(6) of the Planning and Compulsory Purchase Act applies and the development should be favourably determined in accordance with the relevant policies of the development plan to which full weight should be attached. Paragraph 14 of the Framework makes clear that in such circumstances the application should be approved '*without delay.*'

Issue 2: Other Material Considerations

- 5.25 Both the Act and the Framework refer to other material considerations that may be taken into account in the decision-making process. In this case, the principal material consideration is the Framework, together with other relevant documents including the emerging development plan and relevant Ministerial Statements.

Compliance with the National Planning Policy Framework

- 5.26 In the first instance, the proposed development accords with the following relevant Core Planning Principles set out at Paragraph 17 of the Framework. The development:
- will help to pro-actively drive and support sustainable economic development to deliver the homes and thriving local places and responds positively to wider opportunities of growth;
 - seeks to secure high quality design and a good standard of amenity for existing and future occupants;
 - takes account of the different roles and character of different areas, supporting the town of Chapel-en-le-Frith and protecting the Green Belt;
 - contributes to conserving and enhancing the natural environment;
 - conserves heritage assets in a manner appropriate to their significance;
 - promotes growth in a sustainable location where the fullest use of public transport, walking and cycling can be made; and
 - takes account of and supports local strategies to improve health, social, cultural wellbeing for all.

Sustainable Development

- 5.27 Paragraph 6 of the Framework states that the purpose of the planning system is to contribute to the achievement of sustainable development and that the policies in paragraphs 18 to 219 of the Framework, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system. This means therefore that development proposals must be assessed against Policies 18 to 219 in order to assess whether they are sustainable. Such an assessment should also be made in the context of the three social, economic and environmental dimensions set out in Paragraph 7 and the guidance at Paragraphs 8 to 17 of the Framework. All elements of a proposal should be balanced such that even if there is a conflict with one aspect of policy, in overall terms a development may still be sustainable.
- 5.28 Not all of the policies in the Framework of course will be relevant to a particular development. Those elements that are identified as being relevant to this application are considered in more detail below.

Building a Strong Competitive Economy

- 5.29 It is clear at all levels of policy and strategic thinking that housing development is recognised as a key component of economic growth contributing to the Framework's objective of building a strong, competitive economy.
- 5.30 The importance of the relationship of housing delivery to economic growth is clearly emphasised in the guidance relating to the preparation of Strategic Housing Market Assessments⁷.
- 5.31 The 2011 and 2012 Budgets, the Plan for Growth and associated Government statements are similarly clear in recognising that attracting and/or generating greater levels of economic investment to or within an area, will require increased commercial confidence and certainty.
- 5.32 There is also recognition at a local level in a number of LDF evidence base documents that there is an identified need for housing delivery to support economic development within the Peak Sub Area.
- 5.33 The development of the application site is an important component in the achievement of sustainable economic growth in High Peak Borough and is fully

⁷ Strategic Housing Market Assessments : Practice Guidance (2nd Edition)

supported by the requirements and advice of the Framework, particularly in light of the housing supply shortfall in the borough and is fully supported by the requirements and advice of the Framework.

- 5.34 In addition to the inherent economic benefits that housing development will bring, the scheme will also deliver direct economic benefits in the form of the New Homes Bonus, construction-related jobs, training opportunities and indirect employment.
- 5.35 The proposed development would result in between £1m & £1.75m⁸ of contributions to the local area through the Government's New Homes Bonus scheme: a factor which under S143 of Part 6 of the Localism Act 2011 is, as a *local finance consideration*, a material consideration of this application.
- 5.36 With regards to construction related jobs, the proposed development represents a substantial construction project that will support a number of direct employment opportunities. It will create associated supply-chain demand and expenditure in the local economy and indirect opportunities. Equity Housing Group has a standard requirement that for any development, a minimum of one apprenticeship place is provided per £1m of the contract value; this forms part of its contract with the contractor. This project represents a £5m value and will therefore support at least 5 apprenticeships.
- 5.37 The development will provide and retain indirect economic benefits within the local economy through increased spending and demand for goods and services arising from new residents.

Ensuring the Vitality of Town Centres

- 5.38 Development of the site as part of the wider Chapel-en-le-Frith urban area, in close proximity and accessible to the town centre, will assist in supporting the vitality of that centre through increased patronage.

Promoting Sustainable Transport

- 5.39 The application site is sustainable location for housing development given the presence of the railway station to the south, with regular services to the nearby centres of Manchester and Sheffield. Access to Chapel-en-le-Frith town centre

⁸ Calculated using the New Homes Bonus calculator on the Homes and Communities Agency website (www.homesandcommunities.co.uk)

and other towns within the High Peak is also provided by the bus services which run along Manchester Road, which are within acceptable walking distances.

- 5.40 Specifically, given the proximity of the site to the settlement centre and public transport the development will offer a range of opportunities to future residents to encourage sustainable transport modes in preference to the use of the private car. The development is also within close walking distance (c. X_m) of Chapel High School minimising the need for car trips in preference for more sustainable modes of travel by foot and cycle.
- 5.41 The proposals are consistent with Paragraphs 37 and 38 of the Framework to ensure a balance of uses to minimise journey lengths.
- 5.42 A Transport Assessment submitted as part of the application confirms that the impact on the highway of vehicle trips associated with the proposed development is acceptable. There will be no unacceptable impact on highway safety or function and is certainly not 'severe', thereby meeting the test at Paragraph 33 of the Framework.

Delivering a Wide Choice of Quality Homes

Housing Supply

- 5.43 Paragraph 47 of the Framework states that to “*boost significantly*” the supply of housing, local planning authorities should use their evidence base to ensure their local plan meets the full objectively assessed needs for market and affordable housing; this includes identifying key sites which are critical to the delivery of the housing strategy over the plan period. In addition they should identify and up-date annually a supply of specific and immediately deliverable sites, with a further supply to meet the requirement of years 6 – 10.
- 5.44 The Council's housing supply information considered in Section 4 of this statement, contained within its most recent annual monitoring report (2010/11) confirms that it had just 2.4 years housing supply at 31st March 2011. The Council has confirmed that it does not have a 5-year supply; this position was confirmed in a recent appeal decision in respect of a housing site on Manchester Road, Chapel-en-le-Frith⁹, with the Inspector concluding that:

⁹ PINS ref. APP/ H1033/A/11/2159038

“the housing land supply falls significantly short of what, under the Framework, is now required.”

- 5.45 The Inspector also confirmed that the persistent under-delivery identified in the Council's evidence base triggered a requirement for an additional buffer of 20% to be identified.
- 5.46 The application site is suitable and deliverable now; of the potential housing sites identified through the SHLAA, it represents one of the best sites, occupying a site between the current settlement boundary and the railway embankment which will act as a strong and permanent defensible boundary. This assertion is confirmed through discussions with Chapel Vision who see the site as the best green field site in Chapel-en-le-Frith.
- 5.47 The suitability of the site for housing is assessed by the LPA through its SHLAA. The SHLAA confirms that the site is free from any significant development constraints that would prevent its delivery and is therefore deliverable in accordance with the definition contained within the Framework. The application is also submitted on behalf of an established and experienced affordable housing provider and house builder who is committed to commencing development on Phase 1 in mid-2013, subject to the discharge of all conditions precedent to the commencement of development. This commitment means that the benefits of the development in terms of contribution to housing supply and to affordable housing will be realised as soon as possible.

Housing Mix: Affordable Housing

- 5.48 High Peak has an urgent need for affordable housing. This is consistently recognised in the Core Strategy evidence base and in the adopted Development Plan; this is despite the fall in house prices associated with the property crash and recent double dip recession.
- 5.49 The approach of housing restraint taken by the Local Plan has arguably exacerbated the issue as, without large market-led housing developments, an important contributor of affordable housing supply has been restricted. Whilst the
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Local Plan makes provision for affordable housing sites to come forward in locations where market housing would otherwise be contrary to policy, the contribution of such sites to the supply of affordable housing is therefore limited.

- 5.50 As such the amount of housing that has come forward in recent years has failed to address historic shortfalls, let alone address ongoing and future requirements, set out in RSS.
- 5.51 The proposed scheme is important in this respect, as it will secure the delivery of 33 affordable dwellings in a location which is well related to local shops, services and public transport. Occupiers will not, therefore, be reliant on car journeys.
- 5.52 The mix of dwelling and tenure types has been directly informed by the needs identified through the evidence base and will ensure that the benefits of the delivery of affordable housing are maximised, by providing greatest need.
- 5.53 The proportion of the development which comprises the affordable element well in excess of the Local Plan requirement, and the development therefore complies with paragraph 50 of the Framework which relates to the provision of on-site affordable housing.
- 5.54 In addition to the benefits associated with the provision of affordable housing, it is also important to note that Equity Housing is an existing partner of High Peak Borough Council, and manages existing affordable housing stock in the Borough. It therefore has an existing relationship with the Council, its Housing officers and residents of the Borough. Its track record as an RSL should provide the Council with assurance that the housing will be properly managed, in accordance with the standards it would expect.
- 5.55 This is demonstrated through the approach taken on the design and specification of the affordable dwellings, which are identical to the market dwellings and designed to be indistinguishable from them. This approach fully accords with best practice.
- 5.56 The affordable housing element is funded entirely by the applicant; no public subsidy or grant is required in order to deliver it. There is therefore no burden on the budget of the Council, central government or any other public body.

Housing Mix: Market Housing

- 5.57 Paragraph 50 of the Framework states that local 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.
- 5.58 The proposed development of 66 dwellings will provide a balanced mix of dwellings providing a choice of type and size in response to the identified housing demand and market assessment for Chapel-en-le-Frith, with an emphasis on offering a choice of accommodation comprising smaller, lower cost (and therefore 'affordable') homes (including a small number of apartments) for younger people, first-time buyers and some family housing. The houses have generous rear garden areas, making them particularly suitable for young families. Bungalows suitable for the elderly to downsize into are included; with the additional benefit of making larger existing dwellings in the local area available to the market.
- 5.59 The mix is considered suitable and appropriate to Chapel-en-le-Frith, will complement and widen the existing housing stock within the village and widen opportunities for home ownership.
- 5.60 The proposal is clearly consistent with the objectives of paragraph 47 of the Framework in terms of housing supply, and paragraph 50, through contributing to the creation of housing choice and a mixed community, reflecting local circumstances.

Requiring Good Design

- 5.61 The scheme has been developed having regard to the site constraints and its context, as documented through the Design and Access Statement. The design and landscaping strategy therefore represents an appropriate design response in this context and will result in an attractive development.
- 5.62 On this basis the development is consistent with paragraphs 56 – 68 of the Framework.

Promoting Healthy Communities

- 5.63 Healthy communities are those that interact and are cohesive. The location of this development, well related to the town and its services and facilities with pedestrian links which connect with the surrounding area, ensure that it is fully integrated into Chapel-en-le-Frith. The site is an ideal location for residential development given the proximity to existing services and facilities and good accessibility by sustainable modes of transport.

- 5.64 The proposals will also include a pedestrian route which provides direct access onto Long Lane, towards the northern edge of the site. This will maximise the opportunity for residents to access these facilities by foot.
- 5.65 It will, therefore be accordance with paragraph 69 of the Framework.

Meeting the Challenge of Climate Change

- 5.66 The application is accompanied by foul and surface water drainage strategies and a detailed flood risk assessment which confirms that the site lies within the lowest risk area (Zone 1) with regards to flooding and as such, can be considered to be in a sequentially preferable location for residential development.
- 5.67 A foul drainage connection is available to an adopted public sewer and there is available capacity to serve the development. Surface water will be drained via a sustainable urban drainage system with water discharging at a greenfield rate to an existing watercourse. The development will therefore be appropriately drained and will not increase the risk of flooding elsewhere and will also include provision for any future increases in rain-fall due to climate change.
- 5.68 The proposed dwellings will include measures that would support a low carbon future as directed by paragraph 96 of the Framework, achieving Code for Sustainable Homes Level 3 accreditation.
- 5.69 The development therefore complies with the relevant requirements of the Framework in respect of flood risk and drainage (paragraphs 99-104) and the efficient use of resources (paragraph 98).

Conserving and Enhancing the Natural Environment

- 5.70 The site is greenfield, however, paragraph 111 of the Framework which seeks to encourage the re-use of brownfield sites is not a 'brownfield first' policy. This was recently confirmed by the Secretary of State in his decision letter on the Burgess Farm inquiry¹⁰.
- 5.71 While some brownfield sites exist in the Chapel-en-le-Frith area, there are significant constraints to bringing forward development on those sites, as confirmed by the Inspector in her decision on the Manchester Road appeal. In

10 PINS ref. APP/U4230/A/11/2157433

order to deliver a significant quantum of house building in the area consistent with the development plan strategy a number of greenfield housing sites will be required; similarly development on greenfield sites will be necessary to meet future housing needs across the borough. Paragraph 110 of the Framework does not preclude the development of sustainable greenfield sites particularly where there are no suitable alternatives.

- 5.72 The detailed habitat and species surveys submitted with the application demonstrate that development of the site could be achieved without harmful impacts on the natural environment or ecological interests.
- 5.73 Similarly, the loss of some poorer quality trees planting of new trees within a planned and managed landscape structure provides the opportunity for long-term enhancement. No adverse impact on retained trees, including those subject to Tree Preservation Orders will result, with suitable separation distances between development retained and tree protection measures implemented during construction.
- 5.74 The construction impact may have some effects which are short-term and temporary in nature, and local to the site and immediate area. In any event, best practice measures, including restricted hours of working, will be put in place and the development will be registered under the 'Considerate Constructors Scheme to mitigate any adverse temporary impacts in terms of noise and vibration, pollution control, air quality, the operation of construction traffic, plant and machinery, the management of construction wastes and any other related disturbance or nuisance. This is likely to include controls on working hours, dust suppression measures including damping down materials and haulage roads during dry periods and covering trailers. The proper maintenance of plant and restrictions on burning waste, the provision of wheel washing facilities and street sweeping if required will also implemented.
- 5.75 Full details of these tried and tested measures to minimise construction impact can be secured through a construction management plan prior to the commencement of development.

Conserving and Enhancing the Historic Environment

- 5.76 An Archaeological Survey has been undertaken to assess the archaeological value of the site. It confirms that subject to appropriate mitigation the proposed development will not have an adverse impact on below-ground archaeology, consistent with the objectives of the Framework.

- 5.77 There are no above-ground heritage assets that would be affected by the proposed development.

Plan for Growth

- 5.78 As expressed in the policy context section of this statement, the importance of the relationship of housing delivery to economic growth, i.e. providing a flexible residential offer that responds to the growing needs of the economy, is clearly articulated and emphasised in the Framework and related guidance such as the Strategic Housing Market Assessments (Practice Guidance 2nd Edition).
- 5.79 The Plan for Growth and accompanying Ministerial Statement, in particular sets out a strong affirmation that housing development is a key driver for economic growth and there is a need to support house-building in the short term. It is clear that the Government is expecting a positive plan-led system to facilitate this growth and in the absence of a largely up-to-date development plan, as here, there should be a strong presumption in favour of sustainable development.

This position weighs heavily as a significant material consideration in the determination of this planning application.

Conclusion re Other Material Considerations

- 5.80 There are a number of benefits arising from the development which should be given weight in the determination of the application (considered further in the Section below) and no other material considerations that would result in harm have been identified. The material considerations identified therefore positively reaffirm the grant of planning permission in applying paragraph 14 of the Framework.
- 5.81 An assessment of the scheme against the Framework has concluded that it will clearly be sustainable and compliant with the core planning principles and responding positively to each of the policy aspects of the Framework. The conclusion therefore is that the development is consistent with the policies set out in the Framework and the presumption in favour of sustainable development is fully applicable.

6. The Planning Balance and Conclusions

- 6.1 The development proposals are in accordance with the overall strategy, and the strategic, technical and design policies and objectives of the adopted development plan that are relevant to the determination of the application.
- 6.2 The site lies on the edge of the town of Chapel-en-le-Frith and is in an area where the policies of the adopted development plan would normally preclude new housing development. However the relevant housing policies of the Borough Local Plan are out-of-date due to there not being a deliverable 5-year land supply in the Borough. In the circumstances, the proposals need to be considered in the light of other material considerations.
- 6.3 The National Planning Policy Framework is a material consideration that carries significant weight in this instance. Paragraph 14 of the Framework sets out a presumption in favour of sustainable development and calls for decision takers to grant planning permission unless the harm of doing so would significantly and demonstrably outweigh the benefits.
- 6.4 In this case, the application proposals comprise sustainable development in accordance with the definition set out in the Framework and when tested against all of the relevant sections of the Framework.
- 6.5 Chapel en le Firth is one of the larger and more accessible sustainable settlements in the Borough. Spatially, Chapel-en-le-Frith is a highly suitable and sustainable location for development and is able to accommodate and deliver a significant amount of affordable housing, in order to meet a shortfall, and an appropriate proportion of the Borough's housing needs at a time when the Borough is under-performing against its present and emerging targets.
- 6.6 The Council's own evidence base confirms that communities in the Central Area of the Borough, within which Chapel-en-le-Frith is located needs new affordable and low cost housing in order to meet the needs of the area and to support economic growth. The application site has been identified by the Council in its SHLAA, as a suitable site for housing development and the proposed scheme has been designed and tailored to help meet local market and affordable housing needs in Chapel-en-le-Frith.
- 6.7 Overall, the development is consistent with the policies set out in the Framework and the presumption in favour of sustainable development is fully applicable. The benefits of the scheme include:

- Development in a sustainable location – The development is within acceptable walking distances of the train station and bus stops on Manchester Road. The centre of Chapel-en-le-Frith with its shops and services is within easy walking or cycling distance of the site, which reduces reliance on the private car.
- The contribution towards affordable housing need – there is a clear and substantial affordable housing need in Chapel-en-le-Frith and the surrounding area. The proposed development will make an important contribution towards meeting this need.
- Improvements in housing mix and choice – The proposed development of 66 dwellings will provide a balanced mix of dwellings providing a choice of type and size in response to the identified housing demand and market assessment for Chapel-en-le-Frith, with an emphasis on smaller homes for younger people, first time buyers and a range of family housing offering a choice of accommodation.
- Creation of a high quality residential environment which respects the character of Chapel-en-le-Frith - The development has been designed to respond positively and sympathetically to its built and environmental context and the character and appearance of the surrounding area.
- The retention of existing landscape features – The proposals are based around the existing landscape features of the site, and seek to integrate them successfully into the overall design. The existing boundary wall, hedgerow and group of trees adjacent to the site is retained and provides an attractive landscape feature.
- Creation of new pedestrian links – The site will provide for a new pedestrian link through the site, linking it in to the town centre and to the services and facilities in the locality.
- Minimal traffic impact - the anticipated level of increase associated with the development proposals is minimal and would therefore be unlikely to have any material impact upon the local highway network.
- A sustainable increase in population within Chapel-en-le-Frith to sustain and support the vitality and viability of the town as a vital and viable market town.
- Economic benefits through the provision of jobs and apprenticeships as a direct consequence of the development. Increased Council Tax revenue

and receipt of New Homes Bonus payments to further invest back into the Chapel-en-le-Frith community will also result.

- 6.8 There are no material considerations or adverse impacts which demonstrably outweigh the benefits which flow from the development and planning permission should, therefore, be granted without delay as instructed by the Framework.

