

# Planning Statement

**LAND OFF SOUTHERN END OF LONG LANE  
CHAPEL-EN-LE-FRITH**

**PROPOSED RESIDENTIAL DEVELOPMENT OF UP TO 105  
DWELLINGS AND PUBLIC OPEN SPACE**

**SEDDON HOMES LTD**

**14 June 2013**

## CONTENTS

	Page
1. Introduction	2
2. Submitted Forms, Plans and Documents	3
3. The Applicant	4
4. The Property and Surrounding Area	4
5. The Proposal	6
6. Planning History and Application Process	7
7. Planning Policy	7
8. National Planning Policy	7
9. Local/Regional Planning Policy	9
10. Detailed Considerations	16
11. Issues Arising	23
12. Conclusion	23

## PLANS

Figure 1: Extract from the High Peak Local Plan (2005)	10
--	----

## PLANNING STATEMENT

### LAND OFF SOUTHERN END OF LONG LANE CHAPEL-EN-LE-FRITH

### PROPOSED RESIDENTIAL DEVELOPMENT OF UP TO 105 DWELLINGS AND PUBLIC OPEN SPACE

### SEDDON HOMES LTD

---

#### 1. INTRODUCTION

- 1.1 This Statement is submitted on behalf of Seddon Homes Ltd in support of a planning application relating to a proposal to develop housing and open space on land immediately to the south west of the settlement boundary of Chapel-en-le-Frith.
- 1.2 The planning application is submitted in outline form with a parameters plan provided for illustrative purposes. Agreement to the means of access to the site is also sought.
- 1.3 This Planning Statement sets out how the planning application meets the objectives of current planning policy to deliver open space whilst at the same time providing family homes (up to 105). It also has regard to all other material planning considerations.
- 1.4 In relation to the National Planning Policy Framework (NPPF), this Statement demonstrates that the proposal is **fully sustainable** and that it meets the three key dimensions of sustainable development being economic, social and environmental.

## 2. SUBMITTED FORMS, PLANS AND DOCUMENTS

### 2.1 Forms and Certificates

The Application forms and land ownership Certificate B

### 2.2 Plans

The planning application plans comprise the following:

- |   |   |
|---|---|
| ▪ <b>Location Plan (3681/08)</b>                                      | VWB Architects                          |
| ▪ <b>Block Plan (Parameters Plan) (653/03)</b>                        | Camlin Lonsdale<br>Landscape Architects |
| ▪ <b>Access and Footpath Connections Plan<br/>(J246/Access/Fig 1)</b> | DTPC                                    |

### 2.3 Documents

The following documents are submitted as part of the application:

- |   |   |
|---|---|
| ▪ <b>Design and Access Statement</b>        | Camlin Lonsdale<br>Landscape Architects |
| ▪ <b>Planning Statement</b> (this document) | Higham & Co                             |
| and including:                              |   |
| <b>Affordable Housing Statement</b>         |   |
| <b>Open Space Analysis</b>                  |   |
| ▪ <b>Transport Assessment</b>               | DTPC                                    |
| ▪ <b>Travel Plan</b>                        | DTPC                                    |
| ▪ <b>Ecological Assessment</b>              | TEP                                     |

▪ <b>Utilities Statement</b>	UCML
▪ <b>Flood Risk Assessment</b>	Atkinson Peck Consulting Engineers
▪ <b>Drainage Assessment</b>	Atkinson Peck Consulting Engineers
▪ <b>Arboricultural Impact Assessment</b>	TEP
▪ <b>Preliminary Risk Assessment</b>	Carley Daines & Partners
▪ <b>Archaeological Evaluation Project Specification</b>	Oxford Archaeology North
▪ <b>Statement of Community Involvement</b>	Higham & Co
▪ <b>Section 106 draft Heads of Terms</b>	Higham & Co

### **3. THE APPLICANT**

The planning application is made by Seddon Homes Ltd who have a legal option to acquire the land subject to planning permission being obtained.

### **4. THE PROPERTY AND SURROUNDING AREA**

#### **4.1 Location**

4.1.1 The site is located on the south western side of Chapel-en-le-Frith, approximately 800m from its centre. Chapel-en-le-Frith is a Market Town and is defined as one of several Small Town Centres (second tier) behind the main towns of Glossop and Buxton in High Peak Borough. It falls within the Borough's Central Area and comprises its largest town. The Centre provides a wide range of local services and facilities for the town and the surrounding area. It lies 25km south-east of Manchester, 30km east of Sheffield and 10km north of Buxton.

4.1.2 Chapel-en-le-Frith railway station is located immediately to the south of the application site. Services run to Manchester, Sheffield and Buxton.

## **4.2 The Site**

- 4.2.1 The application site has an area of 6.16 hectares (15.22 acres) and is currently in use as agricultural land. The site is largely grassed and rises gradually from north to south. The northern corner of the site is at the junction of Long Lane and the unadopted Station Road which run along the north-eastern and north western boundaries respectively. These boundaries are formed by existing drystone walls which are in differing states of repair. The northern part of the site lies below the level of Long Lane and the wall forms a retaining wall along this section. Long Lane continues south and forms the eastern boundary of the site. This section is buffered by a plantation of young to middle aged trees (G7), which are in good condition and are to be retained, act as a screen between the site and the road. Further south, the site wraps around Brook Cottage and the south eastern corner of the site is formed by Warm Brook.
- 4.2.2 The western boundary of the site is formed by a prominent railway embankment which runs north through the town. This comprises a line solely used by freight trains. The embankment is approximately 5-6m higher than the site along the western edge and forms a screen for development as well as a wider visual boundary to the town. There is a group of trees at the foot of the embankment (G10) which is largely dominated by hawthorn and which softens the embankment.
- 4.2.3 The site is predominantly a settled enclosed pastoral landscape comprising small irregular rough grassland fields. These fields are defined by ditches, timber fencing and over-mature hawthorn hedgerows.

## **4.3 Surroundings**

- 4.3.1 There are existing residential areas to the east, on the opposite side of Long Lane. To the north of Station Road are existing cottages and a site with the benefit of full planning for 66 dwellings (HPK/2012/0678). Chapel High School and its playing fields lie further to the north and west.
- 4.3.2 To the south of the site is the Chapel-en-le-Frith Railway Station and the passenger line which runs between Buxton and Manchester.

## **5. THE PROPOSAL**

- 5.1 The proposal is for:

- A residential scheme of up to 105 dwellings, public open space, associated landscaping, infrastructure and access.

- 5.2 The parameters plan indicates 105 dwellings on the site covering a developable area of 4.2ha. The plan also shows the remaining 1.95ha provided as open space for the public. Additionally, within the development area itself, a further 0.4Ha would comprise public open space. The scheme will comprise a well-designed high quality residential development designed to meet local needs and aimed at the shortfall in housing in High Peak.
- 5.3 Given the location of the site on the outskirts of Chapel-en-le-Frith, with much existing vegetation, a landscape based design strategy has been adopted. As a result the majority of existing planting will be retained and enhanced in order to improve the visual impact of the scheme. The proposal is for up to 105 dwellings across the 6.16ha site, which equates to density of 17 dwellings per hectare. However this includes the area of open space, at the southern end of the site adjacent to Warm Brook to be provided for the public. The actual developable area of the site totals 4.2ha, which would equate to a higher density of 25 dwellings per hectare. Although relatively low, this is a factor of the landscape based approach with plentiful green spaces and buffers as indicated on the parameters plan.

#### **Access**

- 5.4 The application seeks approval of access. In addition to the parameters plan an additional drawing (J246/Access/Fig 1) has been submitted addressing the issue of access from Long Lane. The plan demonstrates the required visibility splays and sight lines along the whole of the Long Lane frontage which would enable individual plots to be accessed from the road in addition to the main access road.

#### **Layout**

- 5.5 The parameters plan indicates how the number of dwellings proposed could be accommodated successfully on the site. The areas shown for housing respond directly to the landscape setting and seek to respect the mature landscape elements of trees and hedges and hillside open space which are important to the setting of Chapel. The development would incorporate attractive formal and informal usable open space. This would draw upon the natural existing attributes of the site such as trees and hedges, and along key movement routes. The Design and Access Statement covers these matters in more detail.

#### **Landscaping**

- 5.6 The amenity and ecological value of existing trees and hedgerows will be protected wherever practical. Any removal of existing trees and hedgerows required would be compensated for by new planting or alternative habitat development. The approach to new tree and shrub planting would be for the specification of species selected

from the existing range found successfully growing in the local area. As already indicated planting would be considered as an integral and structural component of public realm design.

## **6. PLANNING HISTORY AND APPLICATION PROCESS**

- 6.1 There is no planning history on this site.

## **7. PLANNING POLICY**

The policy considerations centre on issues relating to the requirement for and the principle of new housing being established within Chapel-en-le-Frith. The planning policy framework at the local level is currently in flux with a number of relevant documents all of which are considered to be material considerations. At the national level, although over a year old, the impact of the NPPF is still being felt locally and across the country. These issues will be addressed in sections 8 and 9 of this Statement

## **8. NATIONAL PLANNING POLICY**

### **National Planning Policy Framework (NPPF)**

- 8.1 At the heart of the NPPF is a presumption in favour of sustainable development. Para 14 advises that, for decision makers, this means approving development proposals that accord with the development plan without delay. Where the development is silent or out of date planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF or specific policies in the NPPF that indicate development should be restricted.
- 8.2 In accordance with NPPF we consider that there should be a presumption in favour of the proposal now put forward which comprises a highly sustainable form of development.
- 8.3 Para 7 advises that there are three dimensions to sustainable development: namely economic, social and environmental. This proposal directly meets all three as follows:

An **economic role** will be met by contributing to the local economy through the provision of construction jobs. The housing and the open space will also generate demand for local goods and services, and by the provision of modern quality housing meeting all current standards which will create an attractive place to live and so support inward investment.



An **environmental role** will be met in major terms by the transformation of a private agricultural site into an attractive developed and landscaped area measured both on its own account and its contribution to the wider area.

A **social role** in terms of the provision of new housing and open space to meet present and future needs together with the provision of major new areas of public open space.

- 8.4 As described in para 8, these three roles are mutually dependent. Economic growth can secure higher social and environmental standards, and well-designed buildings and places can improve the lives of people and communities. Therefore to achieve sustainable development, economic, social and environmental gains should be sought jointly through the planning system. We consider that this proposal is a prime example of how these objectives can be achieved.

- 8.5 Para 17 of the Framework establishes a set of core land-use planning principles which should underpin both plan-making and decision-taking. One of these includes:-

***‘Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs. Every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth.’***

- 8.6 Section 1 – Building a strong competitive economy, is particularly pertinent to the application proposal. Para 19 states that:

***‘The Government is committed to ensuring that the planning system does everything it can to support sustainable growth. Planning should operate to encourage and not act as impediment to sustainable growth. Therefore significant weight should be placed on the need to support economic growth through the planning system.’***

- 8.7 Section 3 is titled Supporting a Prosperous Rural Economy. Para 18 states that:-

***‘Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development.’***

- 8.8 Para 47 of the Framework requires local planning authorities to 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%. Para 49 goes further to state that:-

***‘Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.’***

## **9. LOCAL/REGIONAL PLANNING POLICY**

At the local and regional level, there are several documents of relevance:-

- East Midlands Regional Spatial Strategy
- High Peak Borough Local Plan (Saved Policies)
- Replacement High Peak Borough Local Plan
- Chapel-en-le-Frith Neighbourhood Plan

### **9.1 East Midlands Plan Regional Spatial Strategy**

- 9.1.1 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. An order to revoke the East Midlands strategy was laid in Parliament on 20 March 2013.
- 9.1.2 The RSS set out the housing requirement for each Local Authority and put forward 7,700 dwellings for High Peak for the period 2001-2026, approximately 300 dwellings per annum.

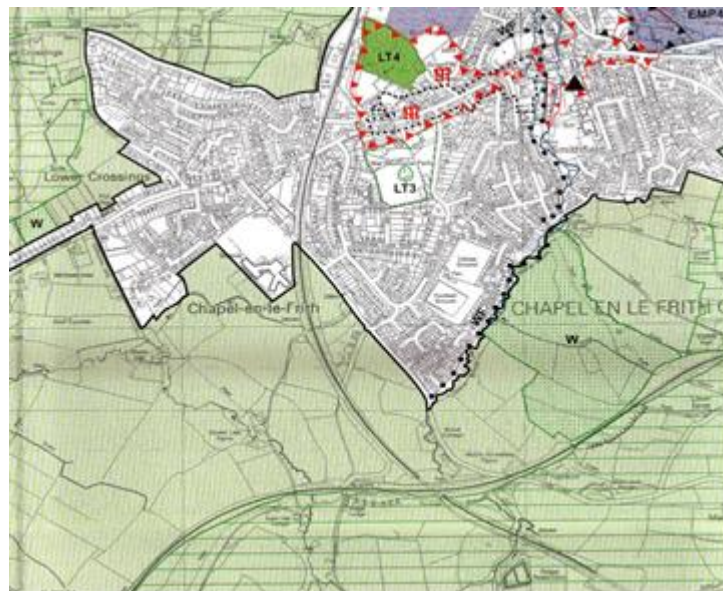
### **9.2 High Peak Borough Local Plan (Saved Policies)**

- 9.2.1 The High Peak Local Plan was adopted in March 2005 and under the provisions of the Planning and Compulsory Purchase Act 2004, policies were valid for a period of three years. Local Planning Authorities were invited by the Department for Communities and Local Government (DCLG) to make an application to the Secretary of State to issue a direction to save selected Local Plan policies beyond this 3-year period. In March 2008 the Saved Local Plan Policies was approved by the Government Office of the East Midlands (GOEM) and came into effect.
- 9.2.2 Notwithstanding being adopted in 2005, the Local Plan was prepared under the provisions of the previous 1990 Planning Act. Annex 1 of the NPPF provides guidance on the validity and level of weight to be given to local planning policies. Para 215 states that:-

***‘due weight should be given to relevant policies in existing plans according to their degree of consistency with this framework (the***

***closer the policies in the plan to the policies in the Framework, the greater the weight that may be given).***

- 9.2.3 Although several Policies of the Local Plan have been ‘saved’, many are clearly out of date and are no longer a material consideration due to the requirements of the NPPF. The relevant development plan policies material to the determination of the planning application are summarised below.
- 9.2.4 The application site is located to the south west 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 from the High Peak Local Plan (2005)**

### **Principle of Residential Development**

- 9.2.5 Policy GD2 (Built-up Area Boundaries) sets out the settlement hierarchy and directs new development to the defined settlement areas. Chapel-en-le-Frith is one of these identified settlements and is located within the Central Area. These settlement boundaries are very tightly drawn around urban area. This is due in large part to the

fact that at the time of adoption there was an over-supply of housing within the Central Area.

- 9.2.6 Policy H1 (Principles of Housing Provision) gives priority to new housing development on previously developed land in brownfield areas or the conversion and sub-division of existing urban buildings. The Policy stipulates that residential development on greenfield land will only be permitted under the exceptions set out by other Policies of the Plan.
- 9.2.7 High Peak Borough Council (HPBC) produced an Interim Housing Policy Statement which came into effect on Friday 2 January 2009. This statement intended to clarify the Council's interim approach to residential applications in light of the then emerging Regional Spatial Strategy for the East Midlands. Of particular relevance are the following two paragraphs:-

***3.2 Policy H1 is designed to set out the main principles for housing provision in the Borough and to regulate its supply. Its restrictive elements only apply so long as there is an "oversupply" of housing in any given area. If that excessive supply changes – so does the rationale for any restraint on house building.***

***3.3 Policy H1 is linked to the housing targets outlined within the Derbyshire Structure Plan 1991-2011. This document has since been superseded by the RSS. PPS3 states that "Local Planning Authorities should have regard to the level of housing provision as proposed in the relevant emerging Regional Spatial Strategy" as a key consideration when determining housing applications. For this reason, policy H1 should now have regard to the RSS in place of the Structure Plan.***

- 9.2.8 In the light of the requirement to meet housing supply targets (either RSS or emerging Local Plan) it is clear that the Local Plan Saved Policies with regards to housing are no longer relevant. HPBC is therefore entirely dependent on windfall developments in order to meet housing supply.
- 9.2.9 Policy H9 (Affordable Housing for Local Needs) sets out the requirement for affordable housing for new residential housing schemes. The policy acknowledges that the Council will negotiate with developers to ensure the provision of a proportion of affordable housing for local needs, and the Policy is triggered by developments of 15 dwellings or more. The primary criteria for negotiation will be the level and type of affordable housing needed in the area, having regard to the council's most up-to-date analysis.

## Design

- 9.2.10 Policy H11 (Layout and Design of Residential Development) requires that new residential development incorporates good design that reflects its setting and local distinctiveness; and makes efficient use of available land; and promotes safe and accessible living environments which include a mix of housing types and sizes
- 9.2.11 Policy GD4 (Character, Form and Design) provides further guidance on the design of development. The Policy requires new development to be sympathetic to the character of the area with special attention to be paid to scale, siting, layout, density, form, height, proportions, design, colour and materials of construction, elevations and fenestration and any associated engineering, landscaping or other works. This application is for Outline Permission and therefore this Policy represents only a guide at this stage.
- 9.2.12 Policy GD5 (Amenity) requires new development to respect the amenity of neighbouring property. This aims to prevent unacceptable loss of privacy or general amenity, particularly as a result of overlooking; loss of daylight and sunlight; overbearing effects of development; air, water, noise, light and other pollution; risk from hazardous substances and processes; traffic safety and generation. The parameters and scale of development are not yet finalised and so this policy will have relevance at Reserved Matters stage.
- 9.2.13 Policy OC10 (Trees and Woodlands) aims to prevent the loss of, or injury to the health of, a woodland or other significant individual, group or area of trees, unless required in the interests of safety, good tree management or a wider scheme of conservation and enhancement. Exceptionally, where loss or injury is accepted, adequate replacement planting, in terms of numbers, species, planting density and location, will be provided as part of the development. The retention of trees of value comprises one of the major design themes underpinning the proposal.

### **Highways**

- 9.2.13 Policy TR4 (Traffic Management) ensures that the capacity and design of the transport network serving the site will reasonably accommodate the anticipated increase in travel without materially harming highway safety or local amenity; and the traffic generated by the development will not unduly interrupt the safe and free flow of traffic on trunk or primary roads or materially affect existing conditions to an unacceptable extent. A Transport Assessment is required to assess the likely effects of any development that could generate significant travel movements. Necessary works to ensure that adequate highway improvements, traffic management measures and/or public transport infrastructure are provided can be secured through Section 106 Agreement. A Transport Assessment is submitted with application and demonstrates that there is spare capacity to accommodate the level of development proposed.

## **9.3 The High Peak Local Plan**

- 9.3.1 After the abandonment of the Joint Core Strategy, and to reflect the change to the planning system, the council is now preparing a Local Plan as an alternative to the Core Strategy. The new Local Plan will cover the period from 2006 to 2028 and the Council have issued the High Peak Local Plan Preferred Options which was consulted on in Spring 2013.
- 9.3.2 The High Peak Local Plan provides strategic planning guidance on matters such as housing, employment, the natural and historic environment, transport and retail. In addition, the Preferred Options document also includes details of specific sites identified for future development or protection. However in the Parish of Chapel-en-le-Frith, a Neighbourhood Plan is already under preparation, and therefore no specific sites are identified.
- 9.3.3 However as set out in the Localism Act, any Neighbourhood Plan must be in accordance with the Borough Local Plan. Therefore the Strategic Policies and Housing Targets set out in the Preferred Options document are relevant to this document.
- 9.3.4 Policy S3 (Strategic Housing Development) sets out the Preferred Option for housing land supply and distribution. Provision for at least 5,940 additional dwellings is required over the period 2006-2028 at an overall average annual development rate of 270 dwellings. In order to meet this requirement sufficient land will be required to accommodate up to 3,250 dwellings on new sites. Policy S3 states that 1070 of these are to be located within the Central Area, and 400 of those are to be within the Parish of Chapel-en-le-Frith.
- 9.3.5 Policy H2 (Phasing of Housing Development) states that land for residential development will be allocated, phased and released to ensure that the delivery of new housing broadly accords with the level of dwellings and annual rates of delivery identified in Policy S3.
- 9.3.6 Policy H5 (Affordable Housing) seeks to address the need for affordable housing and in contrast to the Saved Policy sets out proportions for new residential development. For new sites in excess of 25 units the Policy suggests that 30% should be provided as affordable. The Policy also requires that a target of 80% social rented accommodation should be sought.

#### **9.4 Chapel Neighbourhood Plan**

- 9.4.1 The emerging Chapel-en-le-Frith Neighbourhood Development Plan will identify sites for development and addresses other issues including countryside, employment, infrastructure and transport. As a result, the High Peak Local Plan - Preferred Options document does not include development sites in Chapel-en-le-Frith Parish.
- 9.4.2 The local community group Chapel Vision is currently finalising the draft of the neighbourhood plan for Chapel-en-le-Frith. The draft plan requires approval from Chapel-en-le-Frith Parish Council as well HPBC prior to a period of consultation and

referendum. The document therefore carries little weight in the determination of this application.

- 9.4.3 In the process of compiling the Neighbourhood Plan Chapel Vision carried out a survey of local people and their preference for the location of new housing development. The survey was completed by 950 respondents and whilst the application site came out number 7 of all available sites, this was the highest of any greenfield site.

## **9.5 Other Local Planning Policy Documents**

### **Strategic Housing Land Availability Assessment**

- 9.5.1 The Strategic Housing Land Availability Assessment (SHLAA) provides information on a range of potential housing sites, covering both undeveloped and previously developed land and gives an indication of how dwelling requirements could potentially be met.
- 9.5.2 High Peak produced a SHLAA update in 2012 and the application site was considered as part of this process. For this purpose the application site has been logically divided into three parts (excluding the area proposed for open space), based on field boundaries. All three parts are considered suitable for housing and capable of development for residential purposes.
- 9.5.3 The northern part of the site (HP 146) was placed in the 6-10 year period with a total capacity of 46. The eastern part (CSGO458b) was placed in the 11-16 year period with a total capacity of 40. Meanwhile the western part (CSGO458a) was deemed 'not currently developable' with a total capacity of 43. However after consultation with High Peak Officers it was confirmed that 'this is because the sites can only be developed following on from each other due to access constraints'. Therefore CSGO458a is considered developable as the last in the sequence.

### **Five Year Housing Supply**

- 9.5.4 The Council's most recent Annual Monitoring Report presents the position with regards to housing supply. The Report records the position up until 31 March 2011, and states that 'since 2006 there have been 1420 completions towards the 2026 target of 6000 dwellings'. This is below the target of 300 per annum and after an assessment of the amount of land available for residential development this has revealed that there is sufficient supply for 2.4 years.
- 9.5.5 A recent appeal decision dated 23 August 2012 for a development of 105 dwellings on Land at Manchester Road/Crossings Road in Chapel-en-le-Frith confirms this. Despite claiming a housing supply of 5.9 years the Inspector questioned the deliverability of at least five sites included by the Council. It was concluded that the



Council's estimate did not accord with the provisions of the NPPF and furthermore the evidence for 2008-2011 taken from the Annual Monitoring Report suggests a situation of persistent under-delivery in terms of the Para 47 of the Framework. The existing housing land supply falls significantly short of what is now required.

- 9.5.6 HPBC are currently preparing an updated Annual Monitoring Report recording the position up until 31 March 2013, although as of writing this has not yet been published.

#### **Chapel Housing Needs Survey 2009**

- 9.5.7 The results of this survey highlight the chronic undersupply of affordable housing in the Parish of Chapel-en-le-Frith. The Parish Council, Chapel Vision and local residents are aware of the shortfall and are supportive of new development of this kind.
- 9.5.8 The requirement for 2-3 bed houses was recorded. With regards to affordable housing a strong preference for rented properties was noted with shared ownership, owner-occupation and discounted sale also receiving support.



## **10. DETAILED CONSIDERATIONS**

### **10.1 Merits of the Scheme**

10.1.1 The proposal would accord very significant improvements to the locality on many fronts. The requirement for much needed family housing would be met as well as the demand for affordable housing. New housing would also create demand for shops and services in the local area therefore providing a boost to the local economy. The proposal would create a high quality residential environment which respects the character of Chapel en le Frith, and responds positively and sympathetically to its built and environmental context and the character and appearance of the surrounding area.

### **10.2 Principle of the Proposed Development**

#### **Residential**

10.2.1 The application is principally proposing up to 105 residential units. The layout of the housing, and the likely design, would reflect that of the surrounding area. There would be a mix of detached, semi-detached and mews housing, with off street parking and front/rear gardens. The houses would be of high quality and aimed at meeting the requirements set out in the Housing Needs Survey.

10.2.2 The parameters plan shows that the development would be accessed directly from Long Lane. The supporting access plan also shows that allowance for dwellings to be accessed individually from Long Lane is also sought. The indicative internal street layout shows an informal route with cul de sacs branching off. The layout of development reflects that of the surrounding area and respects the amenity and ecological value of existing trees which would be protected wherever practical.

10.2.3 HPBC's most recent Annual Monitoring Report presents the position with regards to housing supply. The Report records that based on the RSS target of 300 dwellings per annum the amount of land available for residential development would provide sufficient supply for 2.4 years (the residual requirement is 333 per annum). This is clearly less than half the required 5 year supply as required under para 47 of the NPPF. Even applying the emerging Local Plan housing target of 270 dwellings per annum this would still result in a shortage. In any case, until the emerging Local Plan has been through the 'examination' process and declared 'sound', there is very little weight that can be attributed to the lower requirement of 270 dwellings per annum.

10.2.4 As of 31 May 2013 the five year supply stands at **4.1** years, according to HPBC, however this includes neither the 5% nor 20% buffer required by the NPPF. As highlighted in para 7.4.5 of this Statement, in deciding the recent Manchester Road appeal, the Inspector declared that the evidence suggests a situation of persistent under-delivery of housing between 2008-2011. In these circumstances an additional buffer of 20% is required to ensure choice and competition in the market for land. If a

20% buffer is applied to the current housing supply statistics the five year supply stands at **3.5** years with a shortfall of **618** dwellings.

10.2.5 The NPPF is clear (para 49) that housing applications should be considered in the context of the presumption in favour of sustainable development and 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.

10.2.6 Given this presumption in favour of sustainable development, the principal test in the determination of this application is whether or not the site is sustainable. The site is located within walking distance of the town centre and of numerous services and amenities. It is also located immediately adjacent to the railway station and the secondary school and leisure centre. The site is thus sustainable in terms of its location and the proposal meets the economic, environmental and social roles set out in the NPPF.

### **Affordable Housing**

10.2.7 Policy H9 of the extant Local Plan sets out the requirement for affordable housing for new residential housing schemes. As stated earlier in this document the policy acknowledges that the Council will negotiate with developers and the primary criteria will be the level and type of affordable housing needed in the area, having regard to the council's most up-to-date analysis.

10.2.8 Policy H5 of the emerging Local Plan seeks to address the need for affordable housing and in contrast to the Saved Policy sets out proportions for new residential development. For new sites in excess of 25 units the Policy suggests that 30% should be provided as affordable. The Policy also requires that a target of 80% social rented accommodation should be sought.

10.2.9 In discussions with Planning Officers it has become apparent that the characteristics of affordable housing provision within the Chapel-en-le-Frith area are different to the rest of the Borough. The allowed appeals at Manchester Road, and the Dorma site in Chinley, as well as the approved application at Long Lane (which proposes 50% affordable housing) could alone result in approximately 120 affordable units in the Parish of Chapel. Applying the approach set out in the emerging Local Plan policy would not be suitable in this particular instance.

10.2.10 It is therefore appropriate that the approach set out in the extant Local Plan should be applied and negotiation is suggested between the Council Officers and the applicant. The primary criteria will be the level and type of affordable housing needed in the area. It may well be that in this instance a commuted payment towards the improvement or provision of affordable housing elsewhere in the Central Area may well be the best solution.

10.2.11 The evidence suggests that the demand for housing across the Central sub-area, in which the application site lies, is for 2 and 3 bedroom accommodation. In the High Peak Central sub-area the evidence also suggests a limited requirement for 4 bedroom or larger dwellings. The proposals are of significant benefit in that they will provide a large proportion of 2 and 3 bedroom family housing. Therefore the proposed mix will assist with providing a sustainable affordable dwelling mix which reflects the assessed sub-area and local authority area housing need. The housing proposals are of substantial benefit to the Borough, and represent a significant material consideration in favour of the application proposals.

### 10.3 Open Space Assessment

10.3.1 Policy H12 of the extant Local Plan states:-

#### **H12 - PUBLIC LOCAL OPEN SPACE**

**Planning Permission will be granted for residential development, provided that:**

- the development will provide or have access to sufficient area(s) of public open space to adequately serve residents of the site, in accordance with the standards set out in Appendix 3; and
- the area(s) of public open space will be sited so as to be convenient for, and usable by, residents of the development; and
- the area(s) of public open space will be sited and designed to ensure the safe supervision of users and to minimise disturbance and loss of amenity to nearby properties; and
- the area(s) of public open space will be provided in usable blocks of an appropriate size

**Conditions will be imposed, or planning obligations sought, to ensure:**

- a satisfactory standard of maintenance by the developer for the initial twelve months; and
- adequate provision is made to cover maintenance costs where appropriate for a substantial number of years following the initial twelve month period; and
- safeguarding of the land as public open space, such as its dedication to the Council; where appropriate, in place of direct provision of open space, a contribution may be made towards the improvement of a nearby existing public recreational facility which will meet the needs of the occupiers of the new housing.

10.3.2 The supporting text to Policy H12 states that:-

*Where new local open space is required it should be designed and located to be convenient, attractive and safe for users. For example, open space should be located within 400 metres of the homes it serves, and be a minimum of 0.2 ha in area. In addition, children*

***should not have to cross a busy road to reach play space, and dwellings may need to be orientated to overlook the area so that children have the benefit of natural surveillance from residents. It is equally important that the space does not cause undue nuisance to existing or new residents.***

***Developers will be expected to enter into agreements with the Council over future maintenance and dedication of the land, or similar arrangements to ensure that it is safeguarded as public open space. The Council has carried out an assessment of open space provision as part of its Parks and Open Spaces service review. This reveals that there is an overall shortfall in open space of 33.06Ha, and that the deficit is more acute in some areas, notably Blackbrook, Chapel West and Simmondley wards.***

- 10.3.3 The site area is approximately 6.2Ha in total, of which 4.2Ha is proposed for the development, with the remainder to be strategic open space. Additionally, within the development area itself, around a further 0.4Ha would comprise public open space. These areas of open space to the south of the site and the smaller areas located within the development, indicated on the parameters plan, would clearly meet the locational requirements set out within Policy H12. There are no major roads to cross, the area would be overlooked and there is unlikely to be any nuisance for existing or new residents. The open space would perform a number of important roles within the community. The areas within the development are likely to be largely flat and grassed which would provide for informal sports and play areas. The large area to the south would contain a wide variety of natural environments. These would be characterised by the steeper graded land, the existing trees plantations and the brook. These would provide exciting areas of play for children and adults.
- 10.3.4 HPBC has established standards for local open space provision, which will be used to assess the levels of new provision in housing developments. These are based on the National Playing Fields Association guidelines of 2.4ha per 1000 population (400 houses). A development of up to 105 dwellings is likely to provide for between 350 and 400 occupants. Given that the scheme is proposing in excess of 2ha of open space the proposal is well in excess of the requirements of Policy H12. The scheme will serve the needs of new residents as well as contribute to the deficit in the Chapel West ward.
- 10.3.5 Additionally the areas of open space would provide the opportunity to mitigate against any loss of biodiversity on the principal development site. However the most important role would be that of open space for use by new and existing residents. The parameters plan shows that the likely road layout would provide access directly to the area of open space both for vehicle users and pedestrians. There are various options for the use of the land which could be considered at Reserved Matters stage.

- 10.3.6 It is suggested that a condition be worded to ensure that a 'Detailed Landscaping Plan', an 'Open Space Management Plan' and an 'Open Space Phasing Strategy' be approved by the Council. The condition could also be worded so as the open space shall be laid out and made available for use in accordance with the approved documents and maintained by the Owner/Developer. Regarding the future management, the condition could be flexible so as to incorporate either a scheme for long term maintenance or the transferal to the Council.

## 10.4 Design

- 10.4.1 The Design and Access Statement, compiled by Camlin Lonsdale expands on the philosophy of the proposed design. Given the location of the site on the outskirts of Chapel-en-le-Frith, with much existing vegetation, a landscape based design strategy has been adopted.
- 10.4.2 The statement explains how the applicant has considered the proposal, and understands what is appropriate and feasible for the site in its context. It clearly explains and justifies the design and access principles that will be used to develop future details of the scheme.
- 10.4.3 Prior to the commencement of design proposals a thorough visual appraisal of the locality was undertaken to properly understand the key viewpoints related to the site and potential visual receptors. On this issue the Design and Access statement concludes that there are wider views of the site from the station and associated PROW locality to the south and east however views are generally filtered by intervening vegetation associated with both railway line embankments and wider landscape structure and that these aspects already experience views of residential development as a composite element of the view. The site has no policy designations such that it would warrant being protected on landscape grounds. The trees to be retained, as well as new tree planting, would also assist with the integration of the development into the locality from any longer range views.

## 10.5 Transport and Accessibility

- 10.5.1 The **Transport Assessment** compiled by **DTPC** confirms that:
- The scheme accords with local and national policy to site development adjacent to good transport linkages and other attractions to minimise trips and share trip movements.
  - The site has a sustainable location and the layout and junctions accord with the required standards.
  - Traffic flows have been assessed for up to date levels, the location has no capacity issues based on a robust view of the flows and no capacity issues are

expected to arise with the adjacent junction to the site. As such the scheme would have little or no impact on the local network.

- 10.5.2 The **Travel Plan** is also compiled by **DTPC**. The document aims to achieve a reduction in the number of car borne trips, particularly single occupancy trips on the network, from the site to a significantly lower level than predicated within the Transport Assessment and to encourage residents and visitors to travel by sustainable modes of transport.

## 10.6 Trees

- 10.6.1 An **Arboricultural Impact Assessment** has been undertaken by **TEP**. This has involved a site survey of all trees within the planning application site and an assessment in accordance with BS5837:2012.
- 10.6.2 The Assessment concludes that the viability of the site for a residential development is not significantly impeded by trees. Development of the site would be possible with a low overall level of tree loss. Likely tree removals would include those that were unsuitable for retention.

## 10.7 Ecology

- 10.7.1 The **Ecological Assessment** was carried out by **TEP**, and is submitted with the application. The assessment comprises a desktop study, investigating historic species records and protected sites, as well as an Extended Phase 1 habitat survey.
- 10.7.2 The site itself lies within the boundary of a site noted as of local interest, although not of sufficient quality to be included within the Local Wildlife Sites (LWS) system. Recommendations for the site, following a survey undertaken in 1999, were for retention of woodland areas and mature trees. The indicative layout of the development allows for the retention of the majority of woodland blocks and the mature trees identified within the site, so is in accord with the site recommendations.
- 10.7.3 Brookside Pastures LWS and Ridge Hall Wood LWS are directly connected to the site via Warm Brook. Brookside Pastures LWS, located downstream from the site, could be subject to indirect effects from the development through potential pollution of the watercourse. Although there would be a discharge into this watercourse, this would be subject to approval by the Environment Agency, so should not result in any potential pollution. Standard pollution prevention measures would also be implemented during the construction phase of the development to prevent any accidental spillages entering the watercourse.
- 10.7.4 All the habitats present within the site are common and widespread in the area. The grassland areas are not species rich and are heavily grazed, both of which reduces their value to wildlife. The majority of blocks of plantation planting within the site are

immature and of low intrinsic ecological value. However, some of the trees do have features that may be suitable for roosting bats and/or nesting birds. These identified trees are proposed to be retained. However, if the indicative layout changes and work is required to these trees, bat surveys would be required.

- 10.7.5 A number of trees will also be removed for the development proposals, but the most ecologically valuable of these would be retained within the site layout. The majority of trees requiring removal for the development are semi mature or immature and are dominated by hawthorn. To compensate for the loss of these trees, some enhancements to provide nesting/roosting habitats for birds and bats is recommended.

## **10.8 Flood Risk and Drainage**

- 10.8.1 Both a **Flood Risk Assessment** and **Drainage Assessment** have been produced by **Atkinson Peck**.
- 10.8.2 The Assessments have established that suitable foul and surface water drainage schemes are feasible for the proposed development. No significant on-site flood risks have been identified which would adversely affect the development and subject to appropriate design, there should be no significant increase in risk of flooding off-site due to the development.

## **10.9 Land Contamination**

- 10.9.1 A **Phase 1 Preliminary Risk Assessment** has been carried out by **Carley Daines and Partners**, and is submitted with the application. The main issues considered in the report are based on a review of historical data, available information and a site walkover. The report provides a preliminary assessment of potential geo-environmental issues and implications for the proposed use of the site, together with recommendations for any further investigations.
- 10.9.2 Based upon an assessment of the available information and development of the conceptual site model, it is considered that the site is not likely to have suffered from any significant levels of contamination and would initially appear to be fit for purpose for the proposed residential development. It is recommended that an intrusive Phase 2 site investigation is undertaken and this would enable a robust site specific Risk Assessment to be undertaken, and to identify any potential remedial requirements. A programme of Ground Gas Monitoring is also recommended to be undertaken concurrently with a general geotechnical investigation to determine ground conditions for appropriate foundation design.

## 10.10 Utilities

A **Utility Connections Report** has been produced by **UCML** and is submitted with the application. The principal aim of this report is to identify any key constraints derived from statutory utility infrastructure on the proposed development. The report concludes that the utilities infrastructure within the vicinity of the site is capable of supporting new mains and services to serve the proposed development of up to 105 dwellings.

## 10.11 Archaeology

An **Archaeological Evaluation Project Specification** has been compiled by **Oxford Archaeology North**. After consultation with Steve Baker, Development Control Archaeologist, Derbyshire County Council, it has been concluded that a programme of archaeological investigation of the site be undertaken as a planning condition in advance of any Reserved Matters Application. The submitted document sets out the options for investigation.

## 11. ISSUES ARISING

Any issues during the application process, in relation to all reports submitted should in the first instance be forwarded to Higham and Co.

## 12. CONCLUSION

**The proposal adheres to the Policies of the Emerging Local Plan and embraces the principles set out in the NPPF to support sustainable development and to promote economic growth.**

**The NPPF is clear that housing applications should be considered in the context of the presumption in favour of sustainable development and 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. The principle of residential development on this site is therefore accepted.**

**The supporting statements demonstrate that the proposed development can be accommodated on this land and that there are no adverse impacts which could outweigh any benefits.**

**The site provides the perfect opportunity for 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. The proposal will provide much needed family housing and address the shortage of market and affordable housing. The scheme**



**will also accord a very wide range of lasting benefits to the local and wider area through increased demand for shops and services.**

**Any items referred to in this Statement which require further reports or information can be the subject of planning conditions and dealt with at the reserved matters stage and in the light of the detailed scheme then to be put forward.**

**It is therefore requested that planning permission is granted.**

**Higham & Co  
14 June 2013**