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Application by: Treville Properties Ltd
Land adjacent to 36 Bridgemont, Whaley Bridge

PLANNING, DESIGN AND ACCESS STATEMENT

EPP reference: PS1-9053-RG-bp

May 2013

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1. INTRODUCTION

1.1 This planning, design and access statement is submitted in support of a full planning application for two residential dwellings at land adjacent to 36 Bridgemont, Whaley Bridge. The application is a resubmission of HPK/2013/0124, which was withdrawn on 11 April 2013. This statement should be read alongside the following plans and documents:

- site location plan
- site layout plan
- elevations and floor plans

1.2 A separate planning application for two residential dwellings has been made at land comprising the former car park of the Dog & Partridge Pub to the immediate west of this application site.

2. THE APPLICATION

2.1 As stated in the introduction to this statement, the proposal is for two residential dwellings at land adjacent to 36 Bridgemont. The site was previously used as the car park for the former pub, which occupied 36 Bridgemont.

2.2 Each dwelling would have three bedrooms; two on the first floor and one on the second floor.

2.3 There would be a garden to the rear of each property, which would be contained by a retaining wall. Two parking spaces are proposed per dwelling.

3. CONTEXT

Site location and description

3.1 The site is roughly rectangular in shape and approximately 0.04 ha in area. It is located within the village of Bridgemont, which is approximately 1.25Km south of Furness Vale and 700m north of Whaley Bridge.

3.2 The site is currently vacant. It was previously used as a car park to the former Dog and Partridge Public House. The pub has since closed and is in the process of being redeveloped for housing.

3.3 The site is well located in relation to a range of modes of transport. It is approximately 950m walking distance from Whaley Bridge railway station and 1.2Km walking distance to

Furness Vale. Both stations provide hourly services to Manchester Piccadilly and Buxton. Two trains an hour are provided at peak hours.

Accessibility

3.4 The nearest bus stops to the site are located just 100m to the south. These stops are served by the following buses:

Number	Route	Frequency
60	Disley – New Mills – Whaley Bridge - Macclesfield	Hourly (Monday – Saturday only)
61	Glossop – New Mills – Buxton	Hourly (Monday – Sunday)
040	Bridgemont – Buxworth – Chinley – Chapel High School	Daily Monday – Friday (term time only)
189 / 190	Buxton – Upper End – Chapel – Whaley Bridge	Every two hours (Monday – Saturday only)
399	Chapel en le Frith – Marple College	Daily Monday – Friday (term time only)
Skyline 199	Buxton – Chapel – Whaley Bridge – Stockport – Manchester Airport	Between 1 and 3 an hour Monday – Saturday Hourly on a Sunday

3.5 In terms of cycling, the A5004 is recognised as being an on-road cycle route. The site is also located close to the Peak Forest Canal, which is a recognised off-road cycle route which connects the site to Whaley Bridge, New Mills and Chinley.

3.6 Finally, the site is 950m walking distance of Whaley Bridge centre and the services and facilities this provides. The Tesco supermarket is considerably closer.

Relevant planning history

3.7 An application for a pair of semi-detached houses to replace the existing cottages at the subject site was submitted on 6 March 2013 (LPA ref: HPK/2013/0124). This application was withdrawn on 11 April 2013. The current application is a resubmission of that application.

3.8 An application for the change of use from a vacant public house and living accommodation to two dwellings including demolition of the existing two vacant cottages and formation of car parking area was approved on 25 March 2013 (LPA ref: HPK/2013/0042). Copies of the site location plan and decision notice for this application are appended at EPP1.

4. POLICY CONTEXT

4.1 Section 38 of the Planning and Compulsory Purchase Act (2004) requires applications for planning permission to be determined in accordance with the development plan, unless material considerations indicate otherwise. The National Planning Policy Framework (NPPF) is a material consideration in planning decisions.

National Planning Policy Framework (NPPF)

4.2 The NPPF was published on 27 March 2012. The relevant sections of the NPPF are discussed in the following section of this planning statement. However, from the outset, it should be noted that paragraph 89 of the NPPF allows for limited infilling in villages and redevelopment of previously developed sites in the Green Belt.

Development plan

4.3 The development plan for the site comprises the saved policies of the High Peak Local Plan (adopted March 2005). On the proposals map, the site is located within the Green Belt and within an improvement corridor.

4.4 Paragraph 215 of the NPPF confirms that the policies within the local plan are only relevant insofar as they are consistent with the policies in the NPPF. This is relevant in relation to the Green Belt policies, which are discussed in section five of this statement.

Other material considerations

Residential Design Guide SPD (December 2005)

4.5 This document supplements the relevant local plan policies to raise awareness of design issues in the High Peak for new residential development.

Emerging development plan

4.6 Paragraph 216 of the NPPF states that decision-takers may give weight to relevant policies in emerging plans according to the stage of preparation, the extent to which there are unresolved objections and the degree of consistency with relevant policies in the NPPF.

4.7 The council consulted on its local plan preferred options between February and March 2013. The latest timetable for the production of the local plan is as follows:

- Publication Consultation – September / October 2013;
- Submission to Secretary of State – February 2014;
- Public Examination – May 2014; and
- Adoption – September 2014.

4.8 The emerging local plan therefore carries limited weight.

5. PLANNING CONSIDERATIONS

Housing land supply

5.1 From the outset, it should be noted that the council cannot demonstrate a five year land supply. The council's view is that its five year supply as at 31 September 2012 equates to 3.4 years. In addition, paragraph 47 of the NPPF states that an additional buffer of 5% should be identified. Where there has been a record of persistent under delivery, the buffer is increased to 20%. Depending on which buffer is applied, the council has confirmed that its five year supply is reduced to 2.8 or 3.2 years.

5.2 In the recent appeal decision relating to land at Manchester Road/Crossings Road, Chapel-en-le-Frith, High Peak, Derbyshire SK23 9TP (LPA ref: HPK/2011/0282, PINS ref: APP/H1033/A/11/2159038), the Inspector concluded that the council's housing land supply falls "significantly" short of what is required by the NPPF.

5.3 Paragraph 49 of the NPPF states that housing applications should be considered within the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing are out of date if the local planning authority cannot demonstrate a five year housing land supply.

5.4 It follows therefore that paragraph 14 of the NPPF is engaged. This paragraph states that where relevant policies are out of date, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, (in this case of providing much needed housing) or where specific policies in the NPPF indicate development should be restricted.

5.5 The footnote to this part of paragraph 14 explains that such "specific policies" where development should be restricted includes land designated as Green Belt. Issues relating to the Green Belt are discussed below.

Green Belt policies

Policy status

5.6 Saved policy OC2 of the local plan states that approval will not be given, except in very special circumstances, for the construction of new buildings for purposes other than:

- agriculture and forestry;
- essential facilities for outdoor sport and recreation and cemeteries;
- limited extension, alteration or replacement of existing dwellings; and
- limited infilling or redevelopment at existing major developed sites.

5.7 Other development, including material changes in the use of land and buildings, will only be permitted where it maintains the openness of the Green Belt and does not compromise Green Belt purposes. Policy OC2 effectively reflects the advice of the now superseded PPG2.

5.8 This varies from paragraph 89 of the NPPF, which states (amongst other things) that the following are now appropriate development in the Green Belt:

- limited infilling in villages; and
- limited infilling or the partial or complete redevelopment of previously developed sites (brownfield land), whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

5.9 At this point, it is of note that the council removed an additional bullet point from policy OC2 which allowed "limited infilling in existing villages" during the local plan inquiry in November 2003. Whilst the Local Plan Inspector agreed with the council's approach, this was subject to the council re-examining the identification of settlements. This issue is discussed below.

5.10 Notwithstanding the above, paragraph 215 of the NPPF confirms that the policies within the local plan are only relevant insofar as they are consistent with the policies in the NPPF. By omitting the two bullet points described above, which are included within paragraph 89 of the NPPF, policy OC2 is therefore inconsistent with the NPPF.

5.11 Further, whilst it carries limited weight at this stage, emerging policy S2 of the preferred options document states that the Green Belt will be protected from inappropriate development and proposals will be considered in accordance with the provisions of national planning policy and in the light of other policies in the local plan.

5.12 It follows therefore that paragraph 89 of the NPPF contains the relevant policy for which this application should be assessed and that infilling and the redevelopment of brownfield sites in the Green Belt should be considered as acceptable in principle.

Limited infilling in villages

5.13 The existing local plan was prepared, examined and adopted under PPG2, which was replaced by the NPPF. The box below paragraph 2.11 of PPG2 identified three different types of villages; those "washed over" where no building beyond those considered as appropriate development is permitted, those either inset or washed over where infilling

only is allowed and those which are inset where limited development or expansion is permitted.

5.14 With the exception of the Tesco supermarket and adjoining land, the whole of Bridgemont is washed over by the Green Belt. Bridgemont is not specifically listed in the local plan and therefore under PPG2, no new building (other than for agriculture or forestry, outdoor sport and recreation or limited replacement, extension or alteration to dwellings) would have been permitted.

5.15 Paragraph 3.27 of the local plan explains that there are some examples of small settlements in the Central Area of the borough which have not been delineated by a built up area boundary. This is because they are washed over by Green Belt designation and as such they are considered to be part of the countryside.

5.16 Notwithstanding this, PPG2 has now been replaced by the NPPF. As stated above, the fifth bullet point of paragraph 89 of the NPPF now allows for limited infilling in all villages in the Green Belt, regardless as to whether they are washed over, inset and / or listed in the development plan.

5.17 Further, it appears that the washing over of Bridgemont as Green Belt is an anomaly. Bridgemont comprises a number of dwellings which run continuously along both sides of Bridgemont and the A6 (Buxton Road). Along Bridgemont itself there are approximately 70 dwellings a village hall, which is also used as a day nursery and a small business park / industrial estate. As set out in section 2 of this statement, Bridgemont is served by a number of bus routes.

5.18 Other, much smaller and more remote settlements such as Tunstead Milton have however been excluded from the Green Belt. These villages are inset and would therefore allow limited development, including infilling.

5.19 In considering whether the council's proposal to remove the bullet point relating to "limited infilling in existing villages" from policy OC2, the Local Plan Inspector recognised the anomaly described above. The following paragraphs are extracted from the Inspector's report (June 2004).

> *4.2.19 In principle I agree with the Council's approach, for in a Plan which denotes all but the very smallest settlements by a built-up area boundary, there is little basis for permitting infilling in settlements not so identified. Small rural hamlets are clearly part of the countryside, and in most cases further development would be both unsustainable and detrimental to their character. The difficulty arises, in my view, with the ribbons of houses that are prevalent along the main routes through the Central Area, in particular. A number include small employment sites and local facilities, and in certain cases public transport accessibility is*

likely to be better than at the more remote identified settlements. Moreover, some areas appear noticeably larger than the smallest identified settlements. For example, the ribbons of development along the A6 to the north and south of Furness Vale, or between Chapel and Chinley, or at Lower Hague/Hague Bar, seem to be more extensive than Tunstead Milton, which also has a ribbon form.

4.2.20 Consequently, whilst I support the deletion of the clause relating to limited infilling or redevelopment, I think it important that the process of delineating settlements with a boundary is consistent. The fact that a particular ribbon settlement may be tightly built, with little opportunity for development, does not itself justify its exclusion as an urban area, especially if other ribbon settlements are included. If it is appropriate to perpetuate these ribbons of development, which the identification of Tunstead Milton would suggest it is, then other similar areas should also be identified. I recommend that the Council re-examine the identification of settlements to ensure that its approach is consistent.

5.20 Despite the above, Bridgemont remained washed over by the Green Belt in the adopted version of the local plan.

5.21 The inclusion of Bridgemont within the Improvement Corridor further confuses the situation. Saved policy GD3 of the local plan and supporting text encourages new development in these areas as a catalyst for improvements. As above however, the Green Belt policy at the time the local plan was adopted would have restricted development to a number of limited uses.

5.22 In terms of the emerging local plan, we note that the council is proposing two minor changes within the same stretch of Green Belt that Bridgemont is within at Furness Vale and Whaley Bridge. No other amendments are proposed at this moment in time. Notwithstanding this, we question whether the emerging local plan accords with paragraph 86 of the NPPF, which states that if it is necessary to prevent development in a village primarily because of the important contribution which the open character of the village makes to the openness of the Green Belt, the village should be included within the Green Belt. Within the context of paragraphs 86 and 79 of the NPPF, which states that one of the essential characteristics of Green Belts is their openness, it is questionable whether the whole village of Bridgemont should be included within the Green Belt, particularly as it is not open in character. This issue is a matter for the emerging local plan examination to address and we have made submissions on this point in relation to our client's adjacent land interests in Bridgemont. However, we raise it here to support our case that infill development in Bridgemont is appropriate development.

5.23 Finally, it should be noted that the proposed development would not conflict with the five purposes the Green Belt serves as set out in paragraph 80 of the NPPF. The application site is contained with clear boundaries including existing buildings, roads and established mature woodland. The proposed development would not result in sprawl or the merger of neighbouring towns. It would also assist in safeguarding the open countryside from encroachment.

Definition of infill

5.24 Regarding scale, the NPPF provides no further clarification or definition as to what limited infilling comprises. Paragraph 3.28 of the local plan states that infilling means the filling of a small gap within small groups of houses or other built development. The erection of four dwellings at the site is therefore considered entirely appropriate within the context of this bullet point of paragraph 89 of the NPPF.

Infill development on previously developed sites

5.25 Notwithstanding all of the above, the sixth bullet point of paragraph 89 of the NPPF also states that limited infilling or the partial or complete redevelopment of previously developed sites is appropriate as long as it would not have a greater impact on the openness of the Green Belt and the purpose of including land within it than the existing development.

5.26 The site represents previously developed land. It was previously the car park for the former Dog and Partridge Public House. Annex 2 of the NPPF confirms that associated fixed surface infrastructure of a permanent structure is previously developed land and therefore clearly envisages more than simply the site of existing structures being redeveloped.

5.27 The nature of infill development – either in washed over villages or on previously developed sites – means that there would be a greater impact on openness than the existing situation. Within this context, and as a comparison, it is noted that policy EMP8 of the local plan allows for limited infilling at employment sites in the Green Belt provided that the development would have no "materially" greater impact on the Green Belt than the existing development. The site should not therefore be assessed in isolation but should be viewed in the context of the character of the area.

5.28 Consequently, in assessing the subject application, it is the impact on the openness of the wider Green Belt that needs to be considered. As set out above, Bridgemont contains linear residential development along both Bridgemont and Buxton Road. To the rear is open countryside but at a higher ground level than the location of the dwellings. The proposed residential dwellings at the subject site would be in keeping with this pattern of

development, which respects the wider openness of the Green Belt. They would be contained by clear defensible boundaries including existing buildings, retaining walls, roads and established mature woodland.

Conclusions regarding Green Belt policies

5.29 In summary, the proposed development represents appropriate development within the context of bullet points 5 and 6 of paragraph 89 of the NPPF.

Improvement corridor

5.30 The site lies within the A6 improvement corridor. Saved policy GD3 therefore applies. The proposed development is considered to be entirely appropriate within the context of this saved policy as:

- its layout, scale, design, external appearance, boundary treatment and landscaping would enhance the appearance of the area; and
- there would be no undue detrimental effect on existing important landscape, townscape, historic, wildlife or water features.

Parking

5.31 The council's parking standards are set out in appendix 1 of the local plan. This states that outside of town centre locations well served by public transport, the maximum standards will be applied, tailored to the individual circumstances of the development. For dwellings, this means a maximum standard of 2 spaces per 2 and 3 bedroom dwellings.

6. DESIGN AND ACCESS STATEMENT

Amount / size

6.1 The proposal is for two, three bedroomed residential dwellings.

Use

6.2 The use of the site would be residential.

Layout

6.3 The layout of the site has been designed to ensure (a) that good use is made of the site and (b) to ensure that the amenities of surrounding occupiers are protected. The layout would reflect the surrounding street scene and also be contained by established features of the area such as the retaining walls to the rear.

Scale

6.4 Each dwelling would be three storeys, although they would appear as two storeys as the second floor comprises the roof.

Landscaping

6.5 Landscaping is proposed to the rear of the site in the garden areas.

Appearance

6.6 The appearance of the site would reflect the existing ribbon residential development along Bridgemont / the A6.

6.7 The dwellings would be constructed of reclaimed stone (coursed gritsone). There would be natural stone lintels and sills to all openings. The windows and doors would be wood grain UPVC. The roofs would be natural blue slate.

Access

6.8 The site is located on Bridgemont which benefits from good access to the local highway network. Sustainable travel alternatives to private car use are accessible from the site, with bus stops located 100m to the south and good cycle access.

6.9 The existing access to the site would remain.

7. SUMMARY AND CONCLUSIONS

7.1 This planning statement is submitted in support of a full planning application for two residential dwellings at land adjacent to 36 Bridgemont, Whaley Bridge.

7.2 The site is located within the Green Belt. However, the proposals represent appropriate development in accordance with paragraph 89 of the NPPF, which allows limited infilling in villages and on previously developed land is appropriate development. With this in mind, and in the context of the council's significant shortfall in housing supply, the presumption in favour of sustainable development applies as any objections to the proposal would need to be significant and demonstrable.

7.3 Within the context of the presumption in favour of sustainable development, it is respectfully requested that planning permission is granted without delay.

8. APPENDICES

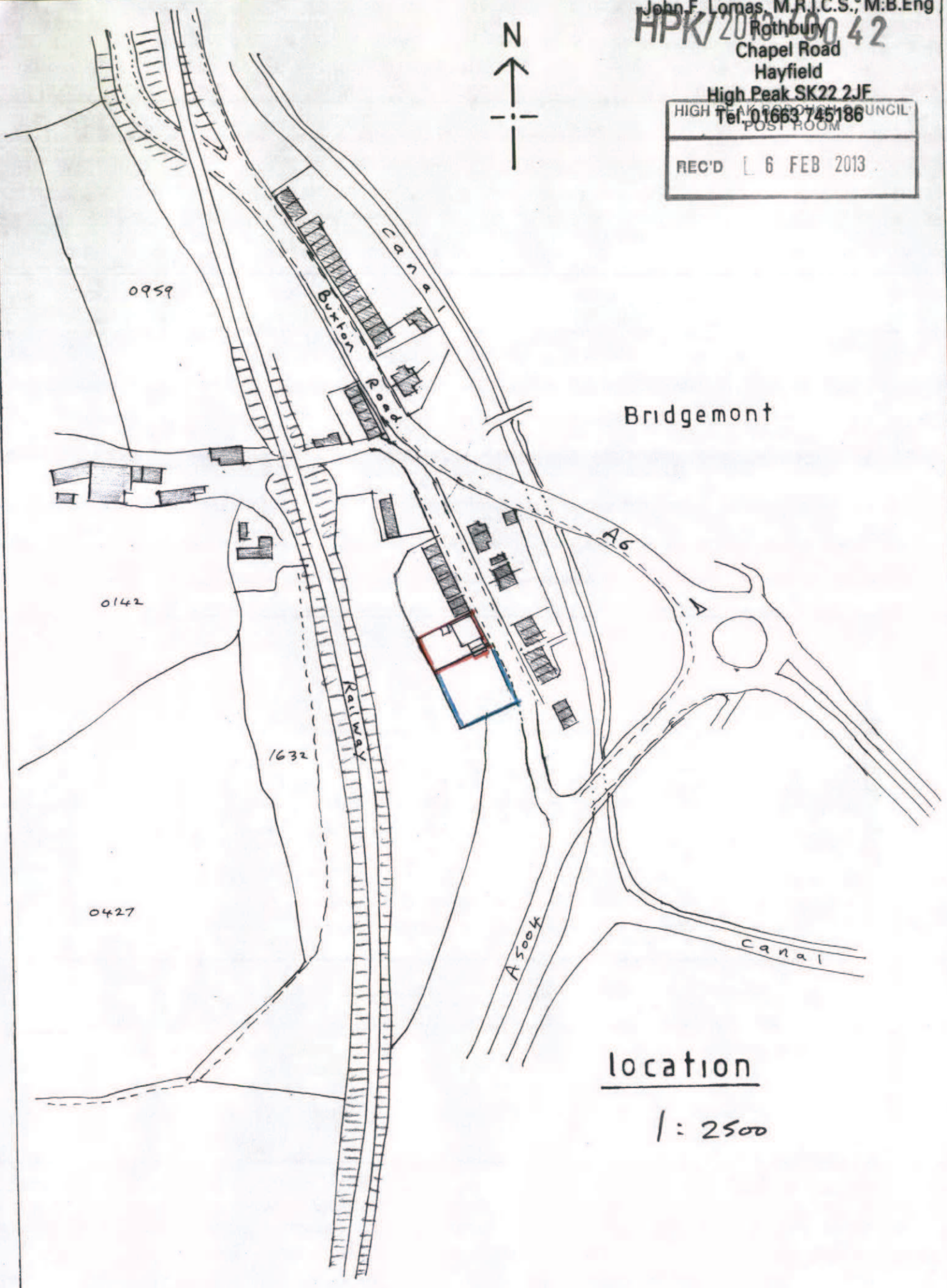
EPP1. Site location plan and decision notice for HPK/2013/0042

EPP 1

John F. Lomas, M.R.I.C.S.; M:B.Eng
Rothbury
Chapel Road
Hayfield
High Peak SK22 2JF
Tel. 01663 745186

HPK/2013/0042

HIGH PEAK BOROUGH COUNCIL
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location

1 : 2500

www.highpeak.gov.uk

High Peak Borough Council

working for our community

TOWN AND COUNTRY PLANNING ACT 1990
PLANNING AND COMPENSATION ACT 1991
TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (ENGLAND) ORDER 2010

FULL PLANNING APPLICATION

PERMISSION

Applicant
Treville Properties Ltd
Elmwood House Church Lane
New Mills
SK22 4NP

Agent
John F Lomas M.R.I.C.S M.B.Eng
Rothbury Chapel Road
Hayfield
SK22 2JF

Application no. HPK/2013/0042

Registered on 06/02/2013

Determined on 22/03/2013

High Peak Borough Council hereby **PERMIT** this application for **FULL PLANNING PERMISSION** for

Proposed Change of Use from Vacant Public House and Living Accommodation to Two Dwellings at Dog And Partridge Hotel, 36 Bridgemont, Whaley Bridge

in accordance with the submitted application, details and accompanying plans listed below subject to the following conditions and reasons:-

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years from the date of this permission unless some other specific period has been indicated in other conditions given.

2. The materials of external construction shall be coursed natural gritstone to the walls with natural blue slate to the roof.
3. Notwithstanding the details show on plan ref 13.1/4, prior to the commencement of development, revised plans shall be submitted showing the use of timber windows and

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Michael Green
Planning Applications Manager

doors on the eastern elevation. The revised plans shall show the details of windows, including glazing bar details at 1:2, together with details of the door joinery, and shall be approved in writing by the Local Planning Authority. The development shall proceed in accordance with the approved details.

Reasons

1. The time limit condition is imposed in order to comply with the requirements of sections 91, 92, 93 and 56 of the Town and Country Planning Act 1990 and section 51 of the Planning and Compulsory Purchase Act 2004.

2. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

3. In the interests of visual amenity, in accordance with Policy GD4 (and Policies BC5 and BC8 in respect of developments in conservation areas/listed buildings) of the High Peak Saved Local Plan Policies 2008.

Summary of reasons for granting permission

The decision to grant planning permission has been taken because the Council considers that the application has put forward a proposal which woud be an appropriate form of development within the green belt and would not harm weather residential or visual amenity.

The decision to grant planning permission has also been taken having regard to all other relevant material planning considerations and to the following relevant policies and proposals in the Development Plan.

POLICIES RELEVANT TO THIS DECISION

High Peak Local Plan Saved Policies

GD4 - Character Form and Design
GD5 – Amenity
BC1 – External Materials
OC1 - Countryside Development
OC2 – Green Belt
OC4 - Landscape Character and Design
TC6 – Retention of Local Centres and village shops
TR5 – Acess, Park and Design

National Planning Policy Framework
14, 17, 28, 79, 80, 87, 88, 90,

Notes to Applicant

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Michael Green
Planning Applications Manager

Plans
The plans to which this Notice refers are listed below:
13.1/1
13.1/2
13.1/3
13.1/4
13.1/5
13.1/6A

During the course of the consideration of the application the Council sought amendments to the proposals to ensure compliance with Green Belt policy and sought further details to demonstrate acceptance of the loss that the local facility. It is therefore considered that the proposals meet the provisions of paragraphs 186-187 of the NPPF.

Please Note: This decision notice does not convey any approval or consent which may be required under any enactment, bye-law, order or regulation other than Section 57 of the Town and Country Planning Act 1990.

Approval under the Building Regulations may also be required. Advice in this respect can be obtained by contacting the Councils Building Control Section on 0845 129 7777.

Any other statutory consent necessary must be obtained from the appropriate authority.

Where a vehicle is often driven across a grass verge or kerbed footway to and from premises adjoining a highway, the occupier of the premises may, be required to pay the cost of construction of a crossing, and/or may be required to comply with conditions, imposed by the Authority. You should contact the Highway Authority, Derbyshire, County Council at County Hall, Matlock, Derbyshire, tel. 01629 580000.

This consent is granted subject to conditions and it is the owner(s) and the person(s) responsible for the implementation of the development who will be fully responsible for their compliance throughout the development and beyond. **A fee is payable to us for the discharge of condition. Please refer to our web site : www.highpeak.gov.uk for details.** If there is a condition that requires work to be carried out or details to be approved prior to the commencement of the development this is called a "condition precedent". The following should be noted with regards to conditions precedent:
(a) If a condition precedent is not complied with, the whole of the development will be unauthorised and you may be liable to enforcement action.
(b) Where a condition precedent is breached and the development is unauthorised, the only way to rectify the development is the submission of a new application.

Other conditions on this permission must also be complied with. Failure to comply with any condition may render the owner(s) and the person(s) responsible for the implementation of the development liable to enforcement action.

The permission is granted in strict accordance with the approved plans. It should be noted however that:

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Michael Green
Planning Applications Manager

(a) Any variation from the approved plans following commencement of the development irrespective of the degree of variation will constitute unauthorised development and may be liable to enforcement action.
(b) Variation to the approved plans will require the submission of a new planning application.

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Michael Green
Planning Applications Manager

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