



Summary Proof of Evidence of Rawdon Gascoigne

Outline planning application for the erection of up to six
dwellings with associated works – Land at Manchester
Road, Tunstead Milton, SK23 7ES

for Mr & Mrs Bevan

EP Ref: 14-148

PINS ref: APP/H1033/W/16/3147726

LPA ref: HPK/2015/0351



Project : 14-148
Site address : Land at Manchester
Road, Tunstead Milton,
SK23 7ES
Client : Mr & Mrs Bevan
Date : November 2016
Author : Rawdon Gascoigne

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1. Introduction

- 1.1 This Proof of Evidence is submitted on behalf of Mr G Bevan (the Appellant) in support of a planning appeal against the High Peak Borough Council's decision to refuse to grant outline planning permission for the erection of up to six dwellings with associated works to include the creation of a new Nature Reserve on land at Manchester Road, Tunstead Milton, High Peak (PINS ref: APP/H1033/W/16/3147726).
- 1.2 This evidence should be read alongside the evidence presented by Ben Pycroft of Emery Planning in respect of Housing Land Supply matters, Una Maginn of Avian Ecology in respect of Biodiversity and Ecology and Lynn Jones of Emery Planning on landscape matters.

2. Qualifications

- 2.1 I am Rawdon Edward William Gascoigne. I have a Bachelor of Arts with Honours in the subject of Town and Country Planning, from the University of Newcastle-upon-Tyne. I am a Chartered Town Planner with over 20 years' experience in local government and private practice, 10 of which were as a senior planning officer dealing with development control and enforcement matters for the Lake District and subsequently, Peak District National Park Authority which I left in 2002 to take up my current position.
- 2.2 I am a director in the firm of Emery Planning (EP), chartered town planners and development consultants, based in Macclesfield, Cheshire where I deal with a range of developments across the UK. This has included planning and enforcement matters covering a diverse range of development. I am therefore familiar with the tests applied in such cases.
- 2.3 Emery Planning was the agent for the outline planning application HPK/2015/0351, which is now the subject of this appeal. I am therefore familiar with the appeal site and the planning history.
- 2.4 The evidence which I have prepared and provide for this appeal (PINS ref: APP/H1033/W/16/3147726)) is true and has been prepared and given in accordance with the guidance of my professional institution and I confirm that the opinions expressed are my true and professional opinion.

3. The Appeal Proposal

- 3.1 This appeal relates to an outline planning application submitted to the Council in June 2015 for a residential development comprising the erection of up to six family-sized houses with associated works to include the creation of a new Nature Reserve (access to be considered with all other matters reserved).
- 3.2 Indicative plans were submitted showing that the appeal site could accommodate six dwellings with generously sized gardens and parking for at least two cars clear of the highway within each plot. The indicative plans show that the proposed new houses would front onto Manchester Road and would integrate well with the existing built form along this established linear settlement. The proposed new houses would be built to an energy-efficiency standard equivalent to Code Level 5 of the Code for Sustainable Homes, exceeding mandatory requirements.
- 3.3 The existing frontage of the appeal site, together with land leading to the bus stop beyond the road serving the reservoir car park to the east, comprises a grass verge with no pedestrian access for local residents to safely and conveniently access the bus services available along Manchester Road and the wider public right of way network. The proposed development would provide a new dedicated footway along the entire frontage of Manchester Road and up to the existing bus stop, approximately 70m beyond my client's land ownership.
- 3.4 The development incorporates a substantially sized area of open space (hereafter referred to as Nature Reserve), approximately 0.5ha in area, to the rear of the new housing development. The Nature Reserve would comprise an area of public open space that would be accessible to all and would comprise a shared community space to the benefit of local residents and would result in a number of net positive impacts for biodiversity with a range of ecological enhancement works.

4. The Appellant's Case

- 4.1 In my main Proof of Evidence the appeal proposal is assessed against the following seven propositions:
- **Proposition 1** - a) The Council cannot demonstrate a deliverable five year supply of housing land in accordance with paragraph 47 of the Framework and new housing is

therefore needed now to address the significant shortfall b) All development plan policies relevant to the supply of new housing development should be considered to be out-of-date in accordance with paragraphs 49 and 14 of the Framework.

- **Proposition 2** – The proposed residential development relates to a sustainable edge-of-settlement site and would be fully compliant with Policy H1 of the adopted local plan.
- **Proposition 3** – Notwithstanding the proposal constituting acceptable and appropriate development, 'very special circumstances' can be demonstrated to justify the grant of planning permission in accordance with Policy C1 of the Chapel-en-le-Frith Neighbourhood Plan and paragraph 78 of the Framework.
- **Proposition 4** - Any harm associated with the impact on the character and distinctiveness of the area is outweighed by the benefits associated with the appeal proposal.
- **Proposition 5** – The proposal represents a high quality development in a sustainable location which would deliver a range of social, economic and environmental benefits in accordance with paragraph 7 of the NPPF.
- **Proposition 6** - There are no other site specific or policy considerations which would prevent planning permission from being granted in accordance with the guidance in paragraph 14 of the NPPF.
- **Proposition 7** - The proposed development will provide for the necessary infrastructure and/or financial contributions to meet the needs arising from the development.

4.2 In the first instance, my evidence demonstrates that the appeal proposal is fully compliant with the provisions of the development plan. There is no conflict with the provisions of the adopted local plan or the Chapel-en-le-Frith Neighbourhood Plan. Planning permission should thereby be granted without delay in accordance with paragraph 14 of the Framework.

4.3 Furthermore, Mr Pycroft's evidence demonstrates that there is a significant shortfall in deliverable housing land as required by paragraph 47 of the Framework. New housing is required across the Borough now in order to address the identified shortfall. In such circumstances, planning permission should be granted unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits in accordance with paragraph 14 of the Framework.

4.4 I have undertaken the planning balancing exercise within my main Proof of Evidence and conclude that the limited harm balanced with Biodiversity enhancements associated with the development of part of a Local Green Space designation, together with the very limited, if any, harm to the character and appearance of the area and the wider countryside as a result of

the proposal, would not significantly and demonstrably outweigh the range of significant and overriding benefits associated with the appeal proposal.

- 4.5 In the event that the Inspector finds there to be a five-year housing land supply contrary to Mr Pycroft's evidence and disagrees with my position that there is no breach with the development plan, then the planning balance at Proposition 5 of my main Proof of Evidence shows that the sustainable benefits associated with the appeal proposal outweigh any such perceived conflict in any event.
- 4.6 I respectfully request therefore that the appeal is allowed and planning permission granted for the development proposed.