

THORNCROFT- PROPOSED DWELLING PLANNING STATEMENT

Prepared on behalf of

Mr and Mrs K. Povah

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Thorncroft – Proposed Dwelling – Planning Statement

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1.0 Purpose of the Statement

1.1 This statement has been prepared on behalf of Mr and Mrs K.Povah (the “Applicants”), who are seeking planning permission to develop a single dwelling (three bed) on land within the ownership of Thorncroft, Lower Hague, SK22 3AP. It describes the development and the wider context and demonstrates that the development is in the manner of sustainable development for the purposes of up to date planning policy.

1.2 Aside from Forms 1 APP, the Planning Application is supported by a Design and Access Statement together with a series of drawings developed by Paul Testa Architects to illustrate the Applicants’ intentions. The drawing package includes:

- PT138-101 Rev P01 Location Plan and Block Plan - Existing
- PT138-102 Rev P01 Site Analysis
- PT138-103 Rev P01 Existing Site Plan
- PT138-104 Rev P01 Existing Plan and Elevations
- PT138-030 Rev P01 Design Concept
- PT138-105 Rev P01 Proposed Site Plan
- PT138-106 Rev P01 Proposed Roof Site Plan
- PT138-107 Rev P01 Proposed Ground Floor Plan
- PT138=108 Rev P01 Proposed Sections A-E
- PT128-109 Rev P01 Proposed Elevations
- PT138-110 Rev P02 Long Section
- PT138-111 Rev P02 View from House
- PT138-112 Rev P02 Exterior Walkway
- PT138-113 Rev P02 Living/Dining
- PT138-115 Rev P01 Model Photos

2.0 Context

- 2.1 The development site is bounded to the north west by the property referred to as Thorncroft (dating from the late 20th Century), and to the north east by the live Hope Valley railway, which links New Mills Central with Sheffield and Manchester Piccadilly. New Mills Central station is located approximately 1.3km east/south east of the property. The live line runs past the site along a cutting and the tracks are situated well below ground level within the site. The cutting is screened from the site by a belt of mature landscaping which is within the ownership of and maintained by Railtrack.
- 2.2 There is a neighbouring dwelling to the east separated from the site by mature landscaping. To the south, south west and south east, the development site gives onto open land (within the ownership of Thorncroft).
- 2.3 The site is currently occupied by an outbuilding. Originally constructed to stable horses (which were grazed on the land to the south), the building is now used for storage purposes in connection with the dwelling at Thorncroft. It has been in use for the purpose described for a period more than 10 years.
- 2.4 The building is permanent in nature, of substantial construction and in a good state of repair it occupies a footprint (gross external area) measuring approximately 84.5sqm. It sits on a concrete plinth (the developed footprint), which measures approximately 220sqm in area. There is access to the outbuilding along a grassed track. Access to/from the main highway is shared with Thorncroft.
- 2.5 The site is located at Lower Hague 1.57km west/northwest of New Mills with access from the south side of the highway referred to as Lower Hague. Lower Hague comprises a small settlement, which is organised along a kilometre stretch of the B6101. The site forms a gap in an otherwise built up frontage.

3.0 Proposed Development

3.1 The Applicants (Son and Daughter in Law of Thorncroft's current owners) are seeking planning permission to redevelop the site of the existing outbuilding for the purposes of creating a single dwelling.

3.2 Matters of access, layout, scale and appearance are detailed in the drawings which accompany the application and are considered within the Design and Access Statement.

3.3 In brief, the dwelling proposed would have its accommodation organised on a single level to include:

- Three double bedrooms (one en-suite)
- Kitchen/Dining/Living Area
- Snug
- Family bathroom
- Garage

3.4 The gross internal floor area would measure approximately 150sqm. The material finish to the elevations would comprise a mix of timber and metal (detail TBA) with profile metal sheeting intended for use on the roof. The new dwelling is designed to have a simple appearance (reflecting its predecessor) and to sit comfortably and quietly within the landscape.

4.0 Planning Policy Context.

4.1 For the purposes of the adopted Development Plan, the development site is located outside the Built-Up Area Boundary of New Mills and on land which is classed as Green Belt.

5.0 Relevant Planning History

- 5.1 Although planning permission has previously been refused for an application to develop four dwellings within land adjacent to Thorncroft (application HPK/0001/2693 refers) and for a separate (later) application to develop part of the site for a single dwelling (application HPK/0003/3130 refers), the applications in question were materially different and both pre-date the National Planning Policy Framework (the "NPPF") and the current Development Plan. There is no planning history pertaining to the site which is therefore relevant to the matter in hand.

6.0 Development Plan as a Material Consideration

- 6.1 In accordance with the provisions of s38(6) of the Act, planning applications should be determined in accordance with the development plan unless material considerations dictate otherwise. In accordance with Paragraph 14 of the National Planning Policy Framework (NPPF), development proposals which accord with the development plan should be approved 'without delay'.

- 6.2 The adopted Development Plan for the High Peak comprises the High Peak Local Plan 2016. With reference to the Local Authority's website the Applicants note that the Development Plan was adopted on 14 April 2016 and that its purpose is to set out:

"the Council's vision and strategy for the Borough until 2031, [and] the proposed locations for development and policies which will be used in determining planning applications".

- 6.3 With reference the development now being proposed we consider the following Development Plan policies relevant to the principle:

- Policy S1 – Sustainable Development Principles
- Policy S1a – Presumption in Favour of Sustainable Development
- Policy S2 – Settlement Hierarchy

- Policy EQ3 – Rural Development
- Policy EQ4 – Green Belt
- Policy EQ5 – Design and Place Making

Policy S1

- 6.4 This policy builds on the advice contained within the NPPF tailoring the sustainable development principles set out therein to the specific strategic planning (social, economic and environmental) challenges which face the High Peak. The text preceding Policy S1 states that one of the challenges is to ensure sufficient land is released to “*meet assessed needs*” (page 25, paragraph 4.4.). One such ‘assessed need’ is housing. The text further states that Policy S1:

“underpins the whole Local Plan and provides a fundamental set of criteria that will be applied to all development proposals to ensure that all development provides integrated solutions which meet social, economic and environment objectives at the same time” (Page 25, Paragraph 4.6).

- 6.5 We note that Policy S1 is not a pass or fail policy, such that if a development fails against one criterion, it is found to have failed against all the criteria.

- 6.6 In so far as it is relevant to the proposal in hand we note that S1 “*seeks*” to ensure that development:

- Needs (for the most part) are met within or adjacent to existing communities
- Takes account of the landscape character within the High Peak
- Enhances the environment (where possible)

- 6.7 The text within and preceding Policy S1 does not explain how adjacency to an existing community might be assessed nor does it define what constitutes a “*sustainable location*”.

Policy S1a

- 6.8 Policy S1a merely repeats the presumption in favour of development which is set out at Paragraph 14 of the NPPF. The whole matter of how decision making should be undertaken in the context of Paragraph 14 of the NPPF is examined later.
- 6.9 Taken together Policy S1 and Policy S1a seek to promote sustainable development. Upon examination of the detail there is nothing in Policies S1 and S1a which would immediately preclude development of the site as proposed.

Policy S2

- 6.10 Policy S2 directs housing development towards Market Towns including New Mills. According to the report prepared by the Inspector tasked with finding the Plan sound, the policy has to be read in conjunction with other policies within the Development Plan and it is on that basis the policy (and the constraints it places on locations for development) is justified. Policy S2 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 this Local Plan”.

- 6.11 Notably Policy S2 does not define inappropriate development and so the Applicants have assumed that Policy S2 intends to apply the meaning set out in Paragraph 89 of the NPPF.
- 6.12 The Applicants consider that the development comprises appropriate development for the purposes of Paragraph 89 of the NPPF (as explained later).

Policy EQ3

- 6.13 Policy EQ3 seeks:

“to ensure that new development [in the open countryside] is strictly controlled in order to protect the landscape’s intrinsic character and distinctiveness”

- 6.14 Bullet point 12 of Policy EQ3 supports the principle of new residential development where it would involve the redevelopment of:

“a previously developed site, where it does not have an adverse impact on the character and appearance of the countryside”.

- 6.15 According to bullet point 13, Policy EQ3 supports:

“Limited infilling of a small gap capable of accommodating no more than two dwellings of a similar size and scale to the surrounding dwellings in an otherwise continuously built up frontage”.

- 6.16 The Applicants consider that the development proposed is Policy EQ3 compliant in that:

- It would involve redevelopment of a previously developed site; and/or
- It would comprise a form of limited infill

Policy EQ4

- 6.17 Policy EQ4 – Green Belt Development aims to protect the Green Belt, stating that:

“within the Green Belt planning permission will not be granted for development unless it is in accordance with national planning policy”.

- 6.18 It is the Applicants’ case that the development proposed would accord with national planning policy (see section 8 and 9).

Policy EQ5

- 6.19 Policy EQ5 seeks to ensure that development is:

“well designed and of a high quality that responds positively to both its environment and the challenge of climate change, whilst also contributing to local distinctiveness and sense of place”.

6.20 Noting that Policy EQ5 is not a pass or fail policy, the Applicants consider that the development would be Policy EQ5 compliant for the following reasons:

- It would be well designed and of a high quality, respecting the character, identity and context of the landscape (in accordance with EQ5 bullet points 1 and 2); and
- It would contribute positively to the area’s character in terms of its scale, height, density, layout, appearance, materials and it would maintain a comfortable relationship with adjoining buildings and landscape features (bullet point 3); and
- A satisfactory relationship can be maintained with adjacent development (bullet point 4); and
- Existing landscape features will be protected, and the setting will be designed to complement the built form (bullet point 5); and
- It can be designed so that it is capable of meeting the environmental performance standards set out in Policy EQ1 (bullet point 9)

Housing Supply and the Development Plan

6.21 Referring once more to the Inspector’s Report (Paragraph 63), the Applicants note that there apparently remained a shortfall in five-year housing land supply immediately prior to the adoption of the Development Plan and at the time of writing the Inspector was merely satisfied *“there **would be a reasonable prospect** that the Plan would result in an appropriate supply of sites to provide five-years’ worth of housing in accordance with the Framework”*. Clearly at the time of adoption, there remained some ambiguity around the Local Authority’s five-year housing land supply and one must therefore conclude that the Local Authority will lend considerable weight to any application coming forward for housing development.

6.22 The Applicants are content that the site can be developed for the purpose proposed in accordance with the Development Plan.

7.0 Other Material Considerations

Decision Making in the Post NPPF Era

- 7.1 The essence of the NPPF is to promote sustainable development including boosting housing supply. Sustainable development is very clearly defined within the NPPF (at Paragraph 7) as having three dimensions: economic, social and environmental, which are mutually dependent. Paragraph 8 of the Framework states that *“to achieve sustainable development, economic, social and environmental gains should be sought jointly and simultaneously through the planning system”*. The policies in the NPPF (paragraphs 18 to 219) taken as a whole set out the Government’s view of what sustainable development means in practice for the planning system.
- 7.2 Paragraph 14 states that where decisions accord with the development plan they must be approved without delay.
- 7.3 The recent High Court case of *Renew Land Developments Ltd v Cheshire East Borough Council and the Secretary of State for CLG* [2016] EWHC 571 (Admin) has examined the matter of how the decision-making process should be undertaken in the context of Paragraph 14 of the Framework. In arriving at his judgement, Mr Justice Jay stated that:
- “The concept of ‘sustainable development’ is the bedrock of the NPPF. ...I think it must be obvious from a cursory examination of the concept that it is seeking to secure the attainment of a proper balance between different factors pulling in different directions.....Thus, or so the framers of the NPPF have conceptualised the matter, development which balances these factors in the right way is ‘sustainable development’ (Paragraph 10).*
- 7.4 Following on he stated the decision-taking process has become a balancing exercise and *“in most situations there will be somewhat of a trade-off between competing desiderata”* (Paragraph 19).
- 7.5 Thus, in the post NPPF era:

- There is a presumption in favour of sustainable development, which is seen as the ‘bedrock’ of the NPPF (Paragraph 14 of the NPPF);
- Sustainable development is considered to have three dimensions (social, economic and environmental) that should be sought jointly and simultaneously through the planning system (Paragraphs 7 and 8 of the NPPF);
- **The decision-taking process has become a balancing exercise;**
- **Policies which seek to restrict development and which do not allow for any ‘countervailing economic or similar benefit to be weighed in the scales’ are not consistent with the objectives of the NPPF;**
- Policies relevant for the supply of housing are not considered to be up-to-date in the event the LPA cannot demonstrate a five-year supply of housing (as per Paragraph 49 of the NPPF);
- *“Due weight should be given to relevant policies in existing plans according to their degree of consistency”* with the NPPF (Paragraph 215 of the NPPF).

Paragraph 89 of the NPPF

7.6 Paragraph 89 of the NPPF supports:

“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”.

7.7 We note that development which accords with Paragraph 89 of the NPPF is not in principle *“inappropriate”* and in accordance with the judgement handed down in the case of R (Lee Valley Regional Park Authority) v Epping Forest DC [2016] EWCA Civ 404, it

is the case that if such development is not *“inappropriate”* it follows that it is *“appropriate to the Green Belt”* and must therefore be regarded as not inimical to the *“fundamental aim”* of the Green Belt. Such development, does not therefore have to be justified by *“very special circumstances”*.

- 7.8 The Applicants can confirm that the development would comprise a form of development which is *“appropriate to the Green Belt”*. The Applicants do not believe the development would have a greater impact on the openness (given the presence of an existing building, the concept of openness in this case is taken to mean absence of visual impact rather than the state of being free from built development) of the Green Belt and the purpose of including land within it than the existing development.

8.0 The Planning Balance

Economic Dimension

- 8.1 In pursuing the economic dimension of sustainable development, the NPPF and the Development Plan expect the planning system to:

Contribute “to building a strong, responsive and competitive economy, by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation; and by identifying and coordinating development requirements, including the provision of infrastructure”. (NPPF, Paragraph 7)

- 8.2 Development of the site for the purpose proposed would generate direct and indirect employment during the construction period and will undoubtedly provide indirect economic benefits within the local economy long term through (albeit minor) increased spending and demand for goods and services.

Social Dimension

- 8.3 According to the NPPF (and accepted by the Development Plan), the social role of the planning system is to:

support “*strong vibrant and healthy communities, by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality built environment, with accessible local services that reflect the community’s needs and supports its health, social and cultural well-being*” (NPPF, Paragraph 7).

- 8.4 The development will make a contribution towards housing supply and will provide a home for a young couple, local to the area, who are both active in the local economy allowing them to stay within their local community and within easy reach of family.
- 8.5 In terms of the quality of accommodation on offer, Lifetime Homes criteria are incorporated in the design, space standards are generous with the accommodation designed to provide good quality living conditions and the dwelling will be serviced by a satisfactory amount and quality of amenity space.
- 8.6 More generally the architectural approach is exemplary.
- 8.7 We note, with reference to the RIBA publication entitled: The Environmental Design Pocketbook, 2012, page 56 that distances of less than 2km should be considered suitable for walking and cycling. The development site is situated within an existing community and well within the 2km walking distance threshold of a full range of local services and public transport.

Environmental Dimension

- 8.8 The NPPF (with which the Development Plan is expected to accord) defines the environmental role of the planning system as:

“contributing to protecting and enhancing our natural, built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimize waste and pollution and mitigate and adapt to climate change including moving to a low carbon economy”. (NPPF, Paragraph 7)

- 8.9 There are no apparent environmental constraints identified (statutory landscape

designations, flood risk, contamination) which might affect development of the site as proposed.

- 8.10 The Applicants accept that the site possesses several landscape elements (particularly trees) which could be considered of nature conservation value and the Applicants intend to retain these elements, such that there will be minimal impact on the nature conservation value of the site overall. In addition, the Applicants accept that it would be reasonable to expect any future Landscape Masterplan to be ecologically sensitive and the Applicants are committed to ensuring the dwelling sits in a naturalised landscape environment.
- 8.11 In addition, the site can be developed, using a Sustainable Urban Drainage System, without increasing the risk of surface water or indeed sewer flooding in the locality.
- 8.12 As for the environmental aspect of any detailed design, there is every reason to expect that a design and construction framework can be developed in line with appropriate/preferred sustainability indicators.
- 8.13 The Applicants acknowledge that developing the site along the lines proposed would result in minor (visual) change to the immediate landscape. Paragraph 89 of the NPPF, Policy EQ3 and Policy EQ4 of the Development Plan accept the principle of change to the landscape.
- 8.14 By the Applicants' own assessment, the perceived level of change would be localised and negligible. Importantly, the dwelling proposed would not harm and would have no greater an impact on nearby visual receptors (including PROWs, Roads, Dwellings - with the exception of Thorncroft) than the building which currently exists.

9.0 Housing White Paper

- 9.1 The Government published the Housing White Paper – Fixing our Broken Housing Market in February 2017(the “Paper”). The Paper sets out the Government’s position on

housing delivery, and acknowledging that not enough homes are being built, is calling for:

- Local authorities to better plan for the homes they need;
- The housing building process to be sped up
- The release of a greater number of smaller development sites to make it easier for SME builders/developers to deliver housing

9.2 Essentially the Government is to seek changes in the planning policy and legislative framework which ensure that:

- The right homes are built in the right places
- Homes are built faster
- The housing market is diversified

9.3 It is intended that the planning system should focus on maximising the contribution from brownfield land and on the delivery of more small and medium sized sites, particularly where this would allow rural communities to grow, knowing that such sites will be more attractive to the small and medium sized developers. The Government also intends to provide more robust support for custom-build homes.

9.4 In respect of brownfield land and at paragraph 1.4 the Paper states:

“We must make as much use as possible of previously developed (‘brownfield’) land for homes”

9.5 At Paragraph 1.25 the Paper states:

“The presumption should be that brownfield land is suitable for housing unless there are clear and specific reasons to the contrary. To make this clear, we will amend the National Planning Policy Framework to indicate that great weight should be attached to the value of using suitable brownfield land within settlements for homes”

9.6 At paragraph 1.29 the Paper states:

“Policies in plans should allow a good mix of sites to come forward for development, so that there is choice for consumers, places can grow in ways that are sustainable, and there are opportunities for a diverse construction sector.”

9.7 It goes on:

“Small sites create particular opportunities for custom builders and smaller developers”.

9.8 At paragraph 1.30 the Paper states:

“Reflecting proposals set out in the Government’s previous consultation changes to the National Planning Policy Framework, we will:

- *Amend national policy to **expect local planning authorities to have policies that support the development of small ‘windfall’ sites**; and*

9.9 As per footnote 28, small sites are defined as those which are:

“capable of accommodating fewer than 10 units, or which are smaller than 0.5ha”.

9.10 Paragraph 1.31 goes on to state that the approach will apply to *“all types of area”* and that through changes to the National Planning Policy Framework the Government will *“ensure there is a clear presumption that residential development opportunities on small sites should be treated positively”.*

9.11 There is no doubt that the application site is considered to be a suitable housing site (whether as brownfield land or as small site) for the purposes of the Housing White Paper.

10.0 Conclusion

- 10.1. One of the core principles of the Development Plan is the promotion of sustainable development. When determining whether a development is sustainable, the LPA is required to undertake a balancing exercise taking into consideration all three strands of sustainability.
- 10.2. Considering the development objective in this context, the Applicants note the following impacts:

Economic

- Construction activity - positive
- New Homes Bonus payment – positive
- Retention of an economically active family - positive

Social

- Additional housing choice - positive
- Contribution towards five-year housing supply - positive
- Sustainable location - positive
- Retention of a local family - positive

Environmental

- Exemplary design - positive
- Redevelopment of Brownfield land - positive
- Development in a sustainable location - positive
- Ecological mitigation (if necessary) - neutral
- Retention of existing trees allowing them long term protection - positive
- Growth of a targeted settlement – positive
- No adverse impact on openness of Green Belt (by way of increased visual impact) in this location - positive

- 10.3. There are clear social, economic and environmental benefits to be gained by enabling sensitive development of the Site. The development will deliver housing (albeit a single dwelling) on Brownfield land on a small site of less than 0.5ha in area and this is a material consideration, which in the context of the Housing White Paper weighs very heavily in favour of the grant of planning permission. The development will build on an already a strong, vibrant and healthy community in a highly sustainable location in a settlement (albeit outside of the BUBA) targeted for growth and its layout, appearance, scale and landscaped setting can be managed in a way that will have no adverse impact on the value of the landscape within which it sits.
- 10.4. The Applicants consider that development of the Site as proposed would be Development Plan policies S1, S1a, S2, EQ3, EQ4, EQ5 compliant (in so far as they are relevant to the matter in hand). The development is in the manner of sustainable development for the purposes of the NPPF. Planning permission should therefore be granted without delay.

