

PLANNING STATEMENT

Full Planning Application for the Erection of a Detached Bungalow

Talbot Road, Glossop

High Peak

Contents

1. INTRODUCTION	3
1.1 The Planning Application	3
1.2 The Site and Surroundings	3
1.3 Planning History	3
2. THE DEVELOPMENT PLAN	5
2.1 Introduction	5
2.2 Accordance with the Development Plan	5
3. THE FRAMEWORK	9
3.1 Introduction	9
3.2 The Presumption in Favour of Sustainable Development	9
4. THE APEAL DECISION	11
5. CONCLUSION AND PLANNING BALANCE	13

1. INTRODUCTION

1.1 The Planning Application

1.1.1 This Planning Statement supports the full planning application for the following:

“Full Planning Application for the Erection of a Detached Bungalow.”

1.1.2 The statement sets out the context for the development by providing the background to the proposals including a description of the site and its surroundings and the relevant up-to-date policy framework. It then assesses the proposals against the identified policy framework and the key material considerations and sets out the case in support of development.

1.2 The Site and Surroundings

1.2.1 The site is located to the north of Talbot Road, Glossop, adjacent to Talbot House to the north. There are a number of trees, varying in age and quality. The site forms part of the wider Howard Park Conservation Area. Access will be achieved via Talbot Road.

1.3 Planning History

1.3.1 There is notable planning history in relation to the site. In 2016, an application was submitted for the construction of a new dwelling. The application was refused (17th November 2016) for the following:

1. **The proposed development would, by reason of its siting, scale and design, would form a visually discordant and dominant feature which would detract from the character and appearance of the Howard Park Conservation Area. The loss of protected trees and woodland area and impact on long term health of trees proposed to be retained will have a harmful impact on the setting of the Conservation Area. Approval of the application would result in substantial harm to the conservation area and would therefore be contrary to High Peak Local Plan Policies EQ6, EQ7 of the High Peak Local Plan and Sections 7 and 12 of the National Planning Policy Framework.**
2. **The proposed development, by reason of its siting, scale and design would result in the loss of important protected trees and managed woodland area and would have an unsatisfactory relationship with remaining protected trees within the site. As such the loss of the protected trees and managed woodland area, which are considered to make**

a significant contribution to the character of the Conservation Area and visual amenities of the area, would be contrary to Policy EQ9 of the High Peak Local Plan and Section 11 of the NPPF.

3. The proposed siting of the dwelling and its associated garden and parking area in relation to the mature trees and woodland will result in a property which will suffer from undue shading and leaf fall which will be detrimental to the amenities of the occupiers of the property and will result in pressure in the future for the felling and pruning of the protected trees. The development is thus contrary to Policies EQ6 and EQ9 of the High Peak Local Plan.

1.3.2 The refused application was appealed which as subsequently dismissed in June 2017 for the following:

- The proposal would fail to preserve the character and appearance of the Conservation Area
- Future occupiers of the proposed dwelling would not have satisfactory living conditions having regard to shading and leaf fall and therefore if the dwelling were constructed there would likely be future pressure to fell or prune trees on the site.

1.3.3 The purpose of this application to address the concerns raised by the Inspector.

2. THE DEVELOPMENT PLAN

2.1 Introduction

2.1.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 states that a planning applications determination must be made in accordance with the development plan unless material considerations indicate otherwise.

2.1.2 The Local Plan was adopted on 14 April 2016 and sets out the council's vision and strategy for the borough until 2031.

2.1.3 The relevant policies are addressed below.

2.2 Accordance with the Development Plan

2.2.1 The High Peak Local Plan (HPLP) was adopted in accordance with the old 2012 National Planning Policy Framework (NPPF1) which has now been replaced with the 2021 National Planning Policy Framework (the Framework). It is therefore important to consider whether the policies within the HPLP are in accordance with the Framework.

2.2.2 The Framework makes clear at paragraph 213 that existing policies should not be considered out-of-date simply because they were adopted or made prior to the publication of this Framework. Due weight should be given to them, 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).

2.2.3 The policies relevant to this application are considered below.

2.2.4 **Policy S2 'Settlement Hierarchy'** states that Development will be directed towards the most sustainable locations in accordance with the settlement hierarchy. Glossop is identified within the top tier of the hierarchy to deliver the housing and economic development needs of the District. Whilst the proposals will only provide a single dwelling, the new home is a contribution to this need.

2.2.5 **Policy S5 'Glossopdale Sub-Area Strategy'** states that the Council will seek to promote the sustainable growth of Glossopdale whilst promoting and maintaining the distinct identity of its settlements, provide an increasing range of employment opportunities, promote the growth of a sustainable tourist economy and meet the housing needs of the local

community. Notably, Point 1 states that it will achieve this by protecting and enhancing sites designated for environmental value, including Howard Park.

2.2.6 On the previous application, the Appeal Inspector¹ stated that:

‘The erection of such a large building visible from beyond the site boundaries would in combination with the associated loss of trees be harmful to the character and appearance of the CA. Whilst I acknowledge that there are other large dwellings set within spacious grounds with tree cover within the CA, for the reasons stated above the character and appearance of this site differs from those sites and the change in character and appearance of the appeal site that would result from the proposal would be harmful to the CA’

2.2.7 It is notable that the concern related to the scale of the building and the loss of trees. The proposals are now significantly reduced in scale, in terms of footprint and mass. The single storey bungalow responds to the concerns raised by the Inspector. Further, only a small number of trees (Category C and U) require removing. The proposals accord with the policy.

2.2.8 **Policy EQ5 ‘Biodiversity’** states that the biodiversity and geological resources of the Plan Area and its surroundings will be conserved and where possible enhanced by ensuring that development proposals will not result in significant harm to biodiversity or geodiversity interests. The proposals will not lead to any adverse impacts on biodiversity.

2.2.9 **Policy EQ6 ‘Design and Place Making’** states that all development should be 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. The accompanying plans demonstrate how the bungalow will form a high-quality home, positioned to maximise living conditions, whilst also retaining as many trees as possible. The revised location of the dwelling provides more natural light and removes any concerns of living conditions.

2.2.10 **Policy EQ7 ‘Built and Historic Environment’** states that the Council will conserve heritage assets in a manner appropriate to their significance. This will take into account the desirability of sustaining and enhancing their significance and will ensure that development

¹ Para 10, APP/H1033/W/17/3169199

proposals contribute positively to the character of the built and historic environment. As set out under paragraph 2.2.7, the proposals have been altered significantly to address the Inspector's concerns. The proposals will not have an unacceptable adverse impact on the Conservation Area.

2.2.11 **Policy H1 'Location of Housing Development'** states that the Council will ensure provision is made for housing taking into account all other policies in this Local Plan, including:

- Promoting the effective reuse of land by encouraging housing development including redevelopment, infill, conversion of existing dwellings and the change of use of existing buildings to housing, on all sites suitable for that purpose.
- Supporting housing development on unallocated sites within defined built up area boundaries of the towns and larger villages.

2.2.12 The site located within the defined built-up area and therefore accords with the policy.

2.2.13 **Policy H3 'New Housing Development'** states that the Council will require all new residential development to address the housing needs of local people. The Council's latest Housing Land Supply Assessment February 2022 claims a 4.79 year supply². There is a clear significant shortfall of 1,086 homes.

² https://www.highpeak.gov.uk/media/7175/High-Peak-5-year-Housing-Land-Supply-April-2021/pdf/High_Peak_5_year_Housing_Land_Supply_April_2021.pdf?m=1645518690143

Year	Completions outside Peak District National Park (net)	Peak District National Park Completions within High Peak (net)	Adopted Local Plan Target	Shortfall Against Relevant Target
2011/12	102	14	350	-234
2012/13	207	7	350	-136
2013/14	36	1	350	-313
2014/15	100	9	350	-241
2015/16	160	1	350	-189
2016/17	330	2	350	-18
2017/18	498	4	350	152
2018/19	380	6	350	36
2019/20	305	3	350	-42
2020/21	249	0	350	-101
Total	2,367	47	3,500	-1,086

Table 3 Completions 2011-2021

- 2.2.14 Whilst the proposals will only make a modest contribution of 1 dwelling, the notable under-delivery is a material consideration in this case.

Accordance with the Local Plan

- 2.2.15 The proposals differ significantly to the 2 storey 229sqm dwelling dismissed at appeal. The revised proposal is now single storey at 168sqm. This significant alteration reduces the potential impact on the Conservation Area.
- 2.2.16 Further to this, only one small group of low quality (Category C and U) trees are required for removal to accommodate the proposals. The proposals have been amended to ensure Group G2 are now retained. This ensures that there is no adverse impact on the Conservation Area.
- 2.2.17 The proposals are located within an area identified for growth, in the context of persistent and significant under-delivery.

3. THE FRAMEWORK

3.1 Introduction

3.1.1 The revised National Planning Policy Framework was published in July 2021 and sets out the government's planning policies for England and how these are expected to be applied. This revised Framework replaces the previous iterations National Planning Policy Framework.

3.1.2 The section below addresses the key policies that are relevant to the planning application.

3.2 The Presumption in Favour of Sustainable Development

3.2.1 Paragraph 11 is clear that decisions should apply a presumption in favour of sustainable development. This means:

c) approving development proposals that accord with an up-to-date development plan without delay; or

d) where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission unless:

i. the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

ii. any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

3.2.2 It has been demonstrated in Section 2 that the proposals accord with the Development Plan.

3.2.3 In any event, the Council cannot demonstrate a 5-year housing land supply. The negligible harm at most does not **significantly** and **demonstrably** outweigh the benefits.

3.2.4 The Appeal Inspector cited paragraph 134 of the Framework. This has now been superseded by the 2021 Framework Para 201, which states:

Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss...

- 3.2.5 As a consequence of the changes to the proposal, the impact is no more than negligible. The benefits set out in in Section 5 demonstrate that the modest benefits associated with the proposals outweigh this negligible harm.

4. THE APEAL DECISION

4.1.1 The Inspector made a number of comments relating to the key material considerations.

The application design responds to these comments set out below:

Para	Inspector's Comments	Revised Design
7	<i>The removal of the trees would consequently be harmful to the character and appearance of the CA.</i>	Significantly less trees are being removed. Only 1 small Group of low quality trees require removing. The significant majority of trees will be retained.
10	<i>The proposed dwelling would be large in scale and would have a reasonably large and formal entrance off Talbot Road.</i>	The revised scheme is: • Only 1 storey • Significantly smaller footprint • Significantly smaller in mass
10	<i>The entrance and driveway would open up the site and would allow views of the proposed dwelling and the dwellings and gabion walling to the rear of the site.</i>	The access has been moved further northeast to mitigate this.
10	<i>The erection of such a large building visible from beyond the site boundaries would in combination with the associated loss of trees be harmful to the character and appearance of the CA.</i>	The change in mass and height in combination with the retention of trees ensures that the proposal does not have an unacceptable impact on the CA. The new dwelling is 168sqm, compared to 229sqm appeal scheme.
11	<i>In reaching my decision I have had regard to a previous appeal decision referred to by the main parties (Ref APP/H1033/A/05/1174864).... when considering the previous proposal, the Inspector noted that the Council</i>	It is clear that the material consideration in coming to a different conclusion is the "removal of significant trees" The revised proposals only require limited tree removal of low quality.

	<i>considered that the proposal would not result in the removal of significant trees (paragraph 16). The proposal therefore appears to differ from the previous proposal and I must determine the proposal before me on its own merits.</i>	
15	<i>Having regard to the position of the proposed dwelling and garden relative to trees on and off the site, the dwelling and garden would be dominated by the trees and would be significantly overshadowed by them and be affected by leaf fall to the extent that future occupiers of the proposed dwelling would not have satisfactory living conditions.</i>	The location of the proposed bungalow has been moved to the north-eastern corner, to increase natural light and where tree shadowing and leaf fall will be at its lowest.

4.1.2 From the table above, it has been demonstrated the proposals seek to address the issues raised by the Inspector.

5. CONCLUSION AND PLANNING BALANCE

5.1.1 The proposal for a new dwelling has been tested against the relevant policies of the development plan. Paragraph 11 of the Framework calls for decision takers to approve development which is consistent with the development plan without delay and to grant planning permission unless the harm of doing so would significantly and demonstrably outweigh the benefits. The proposal accords with the development plan.

5.1.2 There is no material harm associated with the proposals on a well contained plot. The proposals have been amended to:

- Reduce the height of the dwelling to one-storey;
- Reduce the scale of the dwelling from 229sqm to 168sqm;
- Retain tree Group G2;
- Reduce the impact on living conditions.

5.1.3 There are also other notable benefits associated with the proposal. the development would provide an additional dwelling in an accessible location and would bring some modest economic and environmental benefits through the use of local resources. It will also provide bungalow in the context of an ageing population, which has been designed to ensure the occupiers can live in their home for longer.

5.1.4 This development, as proposed, constitutes 'sustainable development', is viable and deliverable. The proposals accord with the development plan and the Framework. In accordance with planning law and policy guidance the application should be approved.