DELEGATED DECISION REPORT

SMD/2018/0535 **Valid 17/08/2018**	**71 CELLARHEAD ROAD** **CELLARHEAD**	**PROPOSED NEW DWELLING (INFILL) ON THE RESIDENTIAL CURTILAGE AT 71 CELLARHEAD ROAD** **(FULL - MINOR)**

MAIN ISSUES

- Whether or not the proposal amounts in inappropriate development in the Green Belt
- Whether or not it amounts to sustainable development
- The impact on the character and appearance of the area
- The impact on residential amenity
- The impact on highway safety

DESCRIPTION OF SITE

The site is immediately outside the southern development boundary of Cellarhead, which together with Werrington is classed as a "large village". It is within the Green Belt and the A52 main road which runs along the front boundary to the north, separates the site from the development boundary. It comprises a semi-detached bungalow with garden space to the front, side and rear. The dwelling is one of a row of eight dwellings forming "ribbon development" on the south side of the main road (Cellarhead Road) lying directly opposite Moorside High School. Open fields within the Green Belt lie either side of the row of dwellings to the west and east and to the rear to the south. The row includes a mix of semi-detached and detached dwellinghouses and bungalows mainly 1930s-built in plots of varying widths but similar long lengths towards the open Green Belt land to the south.

PROPOSAL

This is a full planning application for a detached 2-bedroom bungalow to the side of the existing semi-detached bungalow within the site. It would have a fully hipped roof and a height of 5.6 metres up to the apex, a short roof ridge. It would have a brick and tile finish. The existing access and drive would be used as a shared drive and the parking area would be extended slightly to provide two additional parking spaces in front of the proposed dwelling. To the rear there is already a hedge separating the existing garden into two and one half would be used as the private rear garden for the proposed. There would be small gaps maintained between the existing hedge forming the new side boundary and the dwelling and to the other side a gap between it and the existing side boundary of the property. An existing detached garage would be removed.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

SS6a Large Villages Strategy
SS6c Other Rural Areas
H1 – New Housing

National Planning Policy Framework (Revised July 2018)

Sections 5 (Housing), 13 (Green Belts).

Emerging Staffordshire Moorlands Local Plan

National Policy Guidance

Paragraph 48 of the newly adopted NPPF states that:

> *"…decision-takers may also give weight to relevant policies in emerging plans according to:*
> - *the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
> - *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
> - *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

Local Plan process

The Council agreed to publish the Local Plan Submission Version for representations in February 2018. At this point, the Council agreed that the Local Plan was "sound". Formal representations were then invited from residents, businesses and other stakeholders to provide them with the opportunity to support or challenge the soundness or legal compliance of the Local Plan. This stage in the process followed three previous public consultations since 2015 which had informed the preparation of the Local Plan alongside a comprehensive evidence base.

In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public will now be held this Autumn in order to determine whether the Local Plan is sound and legally compliant. Subject to the findings of the appointed inspector, the Local Plan is expected to be adopted in the Spring of 2019. At his point, it will supersede the adopted Core Strategy and become part of the statutory development plan for the District.

In this context, the Council's position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is as follows:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the Council has submitted it to the SoS for examination
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question. The Officer Comments section of this report identifies the level of outstanding objections to each policy and recommends the amount of weight to be given to them at this stage in the process
- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

Emerging Policies

The following policies are considered to be relevant to this application:

SS8 Large Villages Strategy
SS10 Rural Areas strategy
H1 New Housing

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

There have been a number of applications in the late 1980's and early 1990's for a dwelling on the plot and these have been refused or withdrawn. The last refusal was under application ref. 90/00207.

CONSULTATIONS

Publicity

Site Notice expiry date: 10.10.18
Neighbour consultation period ends: 10.10.18
Press Advert: N/A

Public Comments

Letters have been received from an adjacent resident who does not object to the proposal but raises a number of concerns including primarily drainage problems affecting his property and neighbouring properties that could be worsened if the drainage from the proposed house runs to existing shared drains (presumable private) within the properties. It is claimed drainage from the existing dwelling runs into a ditch at the bottom of his garden causing maintenance problems. The Green Belt status of land and also the access being opposite a school access/exit are other points raised (the latter causing highway safety issues). The potential to extend the property resulting in a demand for more than two car parking spaces is another concern raised.

Town / Parish Comments

None.

Local Highways Authority

No objection subject to conditions.

Environmental Health

No objection subject to conditions.

Severn Trent Water

No objection

OFFICER COMMENTS

The site is in the Green Belt despite the close proximity to the built-up part of a large village. The NPPF allows development in the Green Belt under limited criteria in order to protect the openness of the Green Belt. New dwellings are not normally allowed but "limited infilling in villages" is listed as development which is not inappropriate in the Green Belt. It is reasonable to deem the existing row of eight houses to the south of the main road as being part of the village and being on the edge of it and adjacent to the built-up part of the village.

The Council's current large villages strategy, Policy SS6a states that where development is required to be met outside the built-up area, this will only be of a small scale and on sites which relate well to the built-up area, can be assimilated into the landscape and have good access. I consider the proposal broadly complies with this as the site is an infill plot between existing houses (and therefore can be assimilated into the landscape) and the row of houses relate well to the built-up area being adjacent to and facing the built-up area and not encroaching significantly into the open land to the south. The access is existing and of a safe standard with good visibility.

The Core Strategy is due to be replaced by a Local Plan and this is emerging but not yet adopted. Policy SS8 allows new dwellings in the large villages either on land allocations (the site is not included in any proposed allocations) or on the "edge" of a settlement boundary in accordance with Policy H1 which states that the site must "adjoin" a large village development boundary. The development boundary is not proposed to be changed in this part of Cellarhead and would remain to lie on the northern edge of the main road. The site, however, is to the other side of the road and therefore is not, in the literal meaning of the word, not adjoining the development boundary. There is therefore some conflict with the emerging Local Plan as a result of the proposal. However, the Local Plan has limited weight in the determination of planning proposals at this stage as it has not been adopted and does not as yet replace the Core Strategy. The particular policy, SS8, is also deemed to be "limited".

The Core Strategy is deemed to be out of date due to the lack of a five-year land supply. The NPPF therefore gives significant weight to allowing sustainable new houses in areas of undersupply where there is no conflict with other parts of the NPPF and where no adverse harms are identified which outweigh the benefits of providing much needed new dwellings. There is no significant conflict with other parts of the NPPF including Green Belt policy (as discussed above) and no adverse harms have been identified with the scheme. The site is in a sustainable location adjacent to a large village and a secondary school and is also on a bus route and within walking distance of shops and services.

There were previous refusals of permission for a dwelling on the plot due to the Green Belt status but these were a considerable time ago and refused under different policies in operation. The proposals were considered contrary to Structure Plan and North Staffs Green Belt Local Plans which had a more restrictive approach to Green Belt infill development. It was considered at the time the schemes would "represent an undesirable consolidation of this small isolated group of dwellings which is not regarded as a village or settlement". There is no longer any specific Local Plan policy for Green Belt infill development. The NPPF allows infill in villages but does not specify what this is. Regardless of this, I consider the group of dwellings is not isolated as it is adjacent to a built-up area. Also, I consider the inclusion of a small dwelling within a gap of sufficient size in the middle of an otherwise closely grouped row of eight dwellings would not represent an undesirable consolidation and that changes to the form and density of the row of dwellings would not be immediately noticeable or harmful to the character and appearance of the area. At the time of the previous refusals the housing supply situation was different. Today, the government guidance places significantly greater weight on new housing in sustainable locations were there is an undersupply and I consider the benefit of the proposal in providing a new house, particularly a small 2-bed bungalow, which are particularly in short supply, would tilt the balance in favour of allowing the new dwelling in this location.

With regard to the overall character and appearance of the area, the proposed design, size, height and form of the proposed dwelling, together with the siting in relation to the plot and eventual plot width would not be out of keeping with the existing row of eight dwellings.

With regard to residential amenity, there would be ample outdoor amenity space for the proposed occupants. In terms of residential amenity of existing residents, the nearest dwelling outside of the property is a small semi-detached bungalow (No.69) which would be 5.5 metres from the proposed bungalow. The bungalow would not be visible from the front and rear windows. There is a window on the side elevation of No.69 which is the sole window to a small kitchen. The proposed bungalow would certainly be visible from the kitchen at a distance of 5.5 metres away. However, this window already looks out onto a garage building and the side elevation of the existing bungalow at No.71. Although the new bungalow would be considerably closer, its single storey form and roof sloping away from the side of No.69 would not lead to an overall harmful loss of light provision to No.69 particularly as the main habitable rooms are to the front and rear. There would be no main side windows proposed for the new bungalow other than a bathroom window but obscured glazing

can be inserted into this window by way of a planning condition in order to minimise a loss of privacy.

With regard to highway safety, the existing access is sufficiently safe for the use as a shared access with another dwelling and good visibility along both sides of the road and school accesses exists. The provision of two spaces is sufficient for a 2-bed unit and the parking and turning area is adequate to allow vehicles to turn and leave the access onto the main road in forward gear. There would be no significant harm to highway safety as a result of the scheme.

With regard to the comments of neighbours particularly regarding drainage, the impact on drains appears to be a private or civil matter. A condition will be attached requiring the surface water and foul drainage to connect to the public mains drains unless otherwise approved in writing by the Council.

CONCLUSION / PLANNING BALANCE

The proposed dwelling represents acceptable village infill development in the Green Belt and would not harm its openness. The proposal is compliant with Policy SS6a despite being outside of the development boundary. The proposed development would not harm the character and appearance of the area, residential amenity or highway safety. The benenfits of the scheme in providing a small bungalow in an area of undersupply and in a sustainable location would outweigh any significant harms of which none have been identified and the proposal is therefore in line with para.11 of the NPPF. The proposal would also be in line with the social, economic and environmental strands of sustainable development which is the key aim of the NPPF.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 12.10.18

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council