SAMMONS Architectural LIMITED
Chartered Institute of Architectural Technologists

Fountain Street
Leek, Staffordshire, ST13 6JP
Tel / fax 01538 386002
e-mail info@sammonsltd.co.uk

PLANNING, DESIGN & ACCESS STATEMENT

PROPOSAL : REPLACEMENT DWELLING

ADDRESS : OAKLEA, DIILHORNE ROAD, DILHORNE

APPLICANT : MR & MRS EDWARDS

DATE : JANUARY 2019 JOB No. : 2018-2334

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1.0 INTRODUCTION

Sammons Architectural Ltd have been appointed by Mr & Mrs Edwards to prepare and submit a full planning application for the erection of a replacement dwelling at Oaklea, Dilhorne Road, Dilhorne. This is a second attempt application following the grant of approval for a similar scheme under planning application reference number SMD/2018/0441 under delegated powers on 26th October 2018. A copy of the decision notice and delegated officer report has been appended to this report.

This application seeks consent for a revised scheme which includes the rebuilding of the single storey outrigger at the rear of the existing building. It is necessary for this element of the existing building to be retained as this currently houses the water supply to the existing dwelling. This application also seeks to frontload the application by providing details of the Coal Mining Risk Assessment and the proposed external materials to be used in the build in order to prevent any pre-development commencement conditions.

2.0 SITE DESCRIPTION

Oaklea is a modest detached pitched roof bungalow which occupies a large irregular shaped plot on the eastern side of Dilhorne Road, Dilhorne. The dwelling which is constructed from facing brickwork under an interlocking concrete tile roof has a L shaped footprint with a lower outrigger at the rear. It sits well back within the plot and at a slightly higher ground level than the adjacent highway. It has a lawned garden area to the front with a more screened patio area to the side. The roadside front boundary (western) and northern side boundary are formed by a mature hedgerow. To the south of the dwelling lies a large yard area which contains a number of single storey structures which are used in conjunction with the established use of the site as a Boarding Kennels. Vehicular access is provided directly off Dilhorne Road in the south western corner of the site. For the purposes of the Development Plan the application site occupies a relatively isolated location within the North Staffordshire Green Belt where restrictive development plan policies apply.

3.0 PROPOSAL

This is a full application which seeks consent for the demolition of the existing dwelling and its replacement with a two storey dwelling. The proposed replacement dwelling would comprise of a kitchen, lounge, dining room, study, w.c., utility, wetroom and cylinder cupboard at ground floor with a master en-suite bedroom and three additional bedrooms and family bathroom above. The proposed dwelling which would have a T shaped footprint would have an eaves height of 4.87m and an overall ridge height of 6.98m. It would have a simple double fronted design which is in keeping with the local vernacular and would be constructed from facing brickwork under a plain tile roof.

4.0 HISTORY

SMD/2018/0441 Replacement dwelling. Conditional approval.

SMD/2017/0782 Re-design of existing single storey dwelling to create a two storey dwelling to modern standards of thermal efficiency. Refused on grounds of inappropriate development.

5.0 POLICY

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The National Planning Policy Framework (NPPF) was published on 27th March 2012 and revised in July 2018. It is the Government's clear intention that the document should be considered to be a material consideration and as such carries particular weight where development is not addressed by planning policies in the existing Development Plan, which in this area comprises of the Staffordshire Moorlands Core Strategy DPD (2014).

Whilst the recently published NPPF does not change the statutory status of the Development Plan as the starting point for decision making it does provide guidance to LPA's and is a material consideration in determining planning applications. The NPPF confirms that at the heart of the guidance is a presumption in favour of sustainable development and that for decision making this means approving development proposals that accord with the Development Plan without delay unless material considerations indicate otherwise.

The most relevant policies of the adopted Core Strategy DPD are considered to be SO1 (Spatial Objectives), SS1 (Development Principles), SS1a (Presumption in favour of Sustainable Development), SS6c (Other Rural Areas), DC1 (Design Considerations), DC3 (Landscape), R2 (Rural Housing), 1 (Development and Sustainable Transport).

The following are also considered to be of particular relevance to the consideration of this application:-

- National Planning Policy Guidance
- Supplementary Planning Document Staffordshire Moorlands Design Guide
- Supplementary Planning Guidance Design Principles for development in the Staffordshire Moorlands.

6.0 ASSESSMENT

Principle of development

The application site lies within the North Staffordshire Green Belt, wherein new development is strictly controlled. Core Strategy policy SS1 Development Principles states that the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvements of the Staffordshire Moorlands and development should be undertaken in such a way that protects and enhances the natural and historic environment of the District and its surroundings both now and for future generations ...". In accordance with Policy SS1a, when considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF.

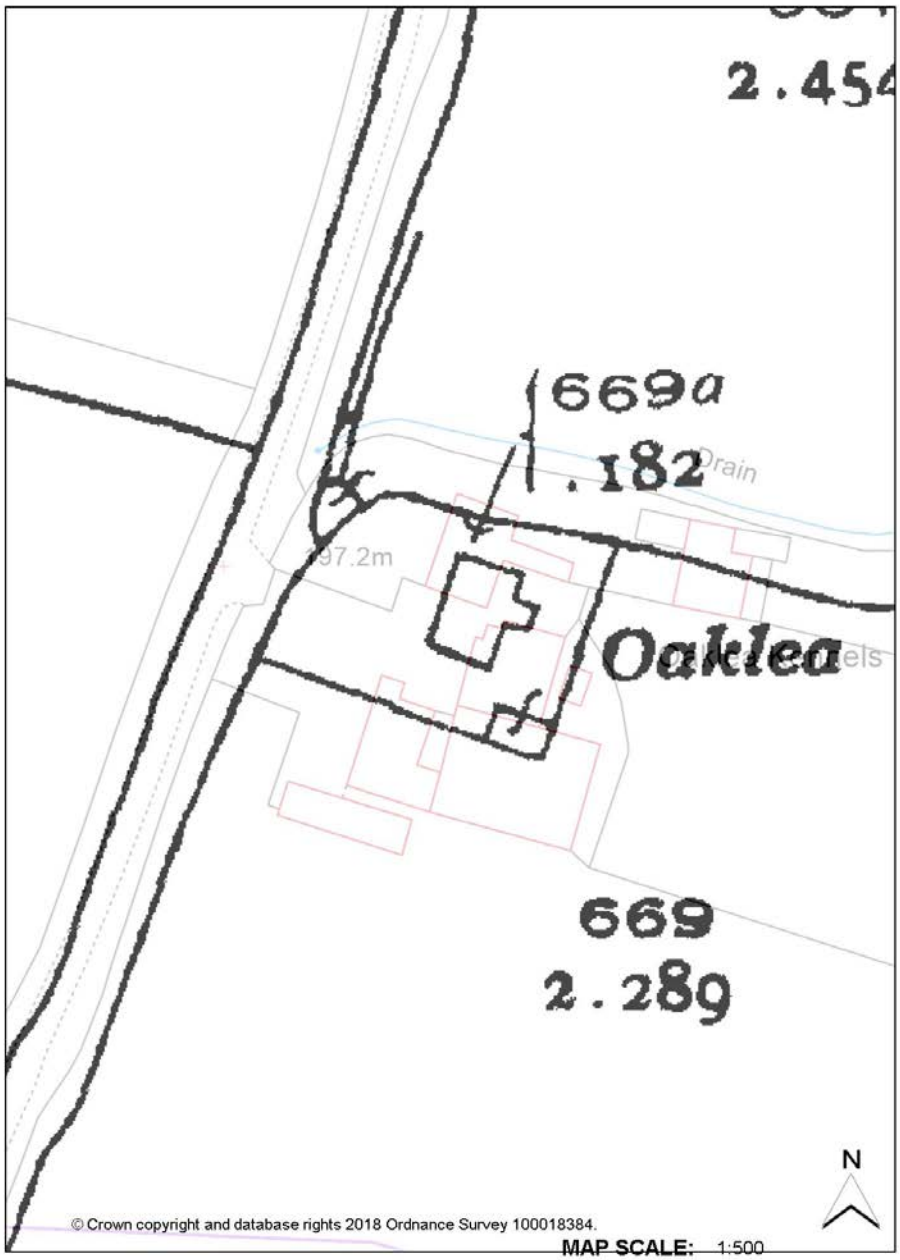
Core Strategy policies SS6c and R2 seek to restrict new housing within the rural areas to that which is essential to local needs. The policy goes on to list a number of categories of acceptable development, which includes "Proposals for replacement dwellings, provided they do not have a

significantly greater detrimental impact on the existing character of the rural area than the original dwelling or result in the loss of a building which is intrinsic to the character of the area".

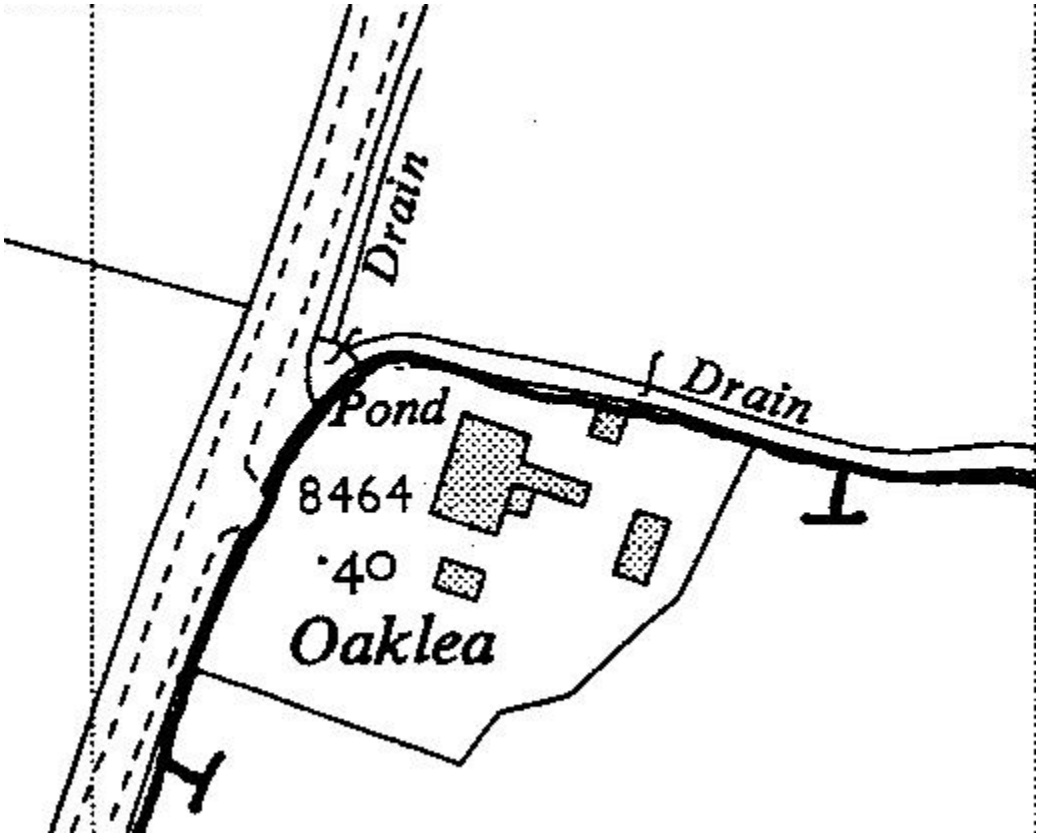
These provisions reflect national guidance with paragraph 89 of the National Planning Policy Framework setting out a number of exceptions to the usual presumption against the erection of new buildings within the Green Belt. The list of exceptions provides for " the replacement of a building provided the new building is in the same use and is not materially larger than the one it replaces".

The existing dwelling comprises of a 1930's building which does not encompass characteristics that are typical of Moorlands vernacular or other dwellings within the surrounding area and to this extent it appears as a somewhat alien and incongruous building. The proposed development would not therefore include the loss of a building which is intrinsic to the character of the area.

The original dwelling was constructed in the early 1930's. This is confirmed by the Council's records which show that it was not evident on a 1925 OS Map but was evident on a 1939 edition. In the assessment of the previous application the Council considered that the dwelling which stands on the site today has been extended however it is contended that this is not the case. For the purposes of planning the term original dwellinghouse means as it was first built or as it stood on 1st July 1948 (if it was built before that date). Whilst the 1939 map showed a small extension to the rear of the dwelling (see extract from Council below) this is 8 years prior to the date used to determine the original dwelling:-



The later 1956 edition (extract shown below) clearly shows the existence of a much deeper outrigger at the rear of the dwelling which would closely resemble the single storey element which exists today and which contains the existing kitchen, wet room and store. Whilst it is accepted that this survey is 8 years later than the date taken to determine the date of "original dwelling", no further revisions were provided within the intervening time frame due to the Second World War. A considered and reasoned view therefore needs to be reached.



It is clear from the external appearance of the building that this single storey outrigger element has been re-clad. This is evidenced by the thickness of the walls as shown on the plan view. This additional thickness is evident for the entire length of the outrigger which would indicate that this was part of the original rather than perhaps a shorter outrigger which encompassed a detached privy which if was the case would have a narrower wall thickness in parts. In addition it should be noted that this is the part of the dwelling where the water enters the property. Based on the above it is considered that for the purposes of this planning application the original dwelling should be taken as the dwelling as it appears today.

The principle of a replacement dwelling has already been accepted with the granting of the previous permission SMD/2018/0441. This extant permission is a material consideration which should be afforded significant weight in the assessment of this application. The existing dwelling on site comprises a total floor space of some 110.57 sq. metres and a volume of 454.76 cu. metres which is inclusive of the existing single storey outrigger and lean to porch. The approved replacement dwelling would have a floor area of 138.48 sq. metres and a volume of 490.61 cu. metres thereby resulting in an overall increase of 25% in floor area and 7% in volume respectively. The replacement dwelling currently being sought as part of this application would have a floor area of 157.38 sq metres and a volume of 568.11 cu metres thereby resulting in an overall increase of in 42% floor area and 25% volume respectively.

Whilst the replacement dwelling would by nature of the two storey replacement have a greater eaves and ridge height than the existing dwelling it is not considered that it would result in a building which would have a materially greater impact on the character of area than the existing bungalow. In fact it is argued for the reasons set out in the paragraph below that the submitted proposal would represent an enhancement to the area. Furthermore it should be noted that the additional increase to the form and massing of the building is single storey in nature and as such very much appears as a secondary and subservient element of the scheme. Due to the fact that the building would be set well back within the plot and the existence of the existing kennel

buildings to the south west and existing boundary treatment to the north east any public views of this element of the proposal would be extremely limited.

If the Local Planning Authority considers disagrees with the above assessment then consideration should be given to be given to the fallback position of permitted development. The Local Authority has accepted the fall back position on similar applications and therefore permitted development entitlements can be taken into account in assessing the scale and design of a replacement dwelling. Permitted development rights are intact at the application dwelling and an opportunity therefore exists to significantly increase the size of the existing property without the need for formal planning approval.

Under the provisions of the Town & Country Planning (General Permitted Development) (Amendment) (England) Order 2013 it is now possible to erect a single storey rear extension up to a depth of 8 metres without the need for planning permission. This is in addition to a single storey side extension (no more than half the width of the original dwellinghouse) on either side of the property. In order to benefit from an 8 metre extension there is a necessity to undertake a prior notification procedure with the Local Authority who will in turn notify immediate neighbours for their views of the development. Where a neighbouring occupier objects to the proposed development, the Local Authority is then required to assess the impact of the proposed development on the amenity of that property. This is the only basis upon which the Local Authority is permitted to intervene with such developments ie. they cannot take into account impact upon the character and appearance of the area, highway safety etc.

Oaklea occupies a relatively isolated location with its nearest neighbour Field House to the south west Callow Hill Farm due east and Orchard Cottage and The Croft to the north. As such the nearest residential property would lie some 200 m from the proposed extension and well outside the minimum interface distances that are used to assess impact on amenity. It is therefore suggested that if the applicant went through the prior notification process for such an extension there would not be any grounds for the LPA to resist it in the unlikely event of a neighbour raising objections.

It is of course recognised that the provisions referred to in the Town & Country Planning (General Permitted Development) (Amendment) (England) Order 2013 are for a limited period until the 30th May 2019. However any developments undertaken before that time will benefit from consent forever once erected. Accordingly to address concerns that these alterations to permitted development should not be taken into consideration when assessing the size of a replacement dwelling because they are temporary the applicant is prepared to commence the development before the 30th May 2019 . Doing so will ensure that no development is undertaken on site that doesn't reflect the legislative provisions in force at the time.

Taking the aforementioned considerations into account it is therefore submitted that it is appropriate to take the extended permitted development allowances into account when assessing the scale and massing of the proposed development. Permitted development allowances would allow a combined rear and side extensions to add a further 152.5 sq. metres to the dwelling and 597.57 cu. metres in volume. Whilst it is accepted that these would only be single storey and therefore limited in terms of their overall height the proposed extensions have the potential add significantly to the overall bulk and massing of the existing dwelling. Indeed both the floor area and the volume of the extensions alone would be greater than the replacement dwelling in its entirety.

Given the modest increase in size and scale of the replacement dwelling and having consideration to the fallback position available it is considered that the proposal constitutes an appropriate form

of development within the Green Belt that accords with the provisions of policies SS6c and R2 of the Core Strategy along with the provisions of paragraph 89 of the NPPF.

Size, scale, form and design
Policy H1 of the Council's Core Strategy requires that new housing development should be compatible with the character of the surrounding area. The specific design policies of the CS also seek to promote local distinctiveness and positively contribute to the area as is similarly reflected in the NPPF which confirms that the Government attaches great importance to the design of the built environment. It furthermore states that good design is a key aspect of sustainable development; is indivisible from good planning; and should contribute positively to making places better for people. Developments should function well and establish a strong sense of place creating attractive and comfortable places to live, work and visit. Proposals should also optimise the potential of the site to accommodate development and respond to local character and history including local materials and the use of good architecture and appropriate landscaping. Developments should also create safe and accessible environments where crime and disorder and the fear of crime do not undermine quality of life or community cohesion.

Core Strategy policy DC1 outlines that development should be of a high quality and add value to the local area. Development should be designed to respect the site and surroundings having regard to matters of scale, density, layout, siting, landscaping, character and appearance in line with the Council's SPG.

In accordance with policy DC3 the Council will seek to protect and where possible enhance local landscape and the setting of settlement in the Staffordshire Moorlands. This is to be achieved by resisting development that would harm or be detrimental to the character of the local and wider landscape.

Paragraph 56 of the NPPF advises that the Government attaches great importance to the design of the built environment. Paragraphs 63 and 64 go on to comment that in determining applications, great weight should be given to outstanding or innovative designs which help to raise the standard of design more generally within the area. Permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of the area.

The surrounding area exhibits a variety of architectural style and designs but it is noticeable that two storey dwellings predominate. The existing bungalow is of poor architectural merit and by virtue of its overall size, scale, form and design is somewhat discordant in this context and appears as an alien and incongruous element within the locality. The proposed replacement dwelling which adopts a double fronted cottage style design would sit on the footprint of the existing building and would be constructed from local natural materials and would result in a building which is much more in keeping with the local vernacular and character of the surrounding rural area. The replacement dwelling would result in a positive enhancement to the character and appearance of the site and surrounding area by replacing the existing poor quality bungalow with a high quality dwelling that more closely reflects the local vernacular. Accordingly the proposed development would accord with policies HC1, DC1 and DC3 of the Core Strategy.

Amenity
The National Planning Policy Framework (Chapter 7) emphasises that good design is indivisible from good planning and should contribute positively to making places better for people. The NPPF also states that developments should function well and add to the overall quality of the area. Core Strategy policy DC1 requires that all development proposals should ‘protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.’ The Council’s Supplementary Planning Guidance ‘Space About Dwellings’

details standards that should be considered and met to ensure privacy for existing and proposed residents.

Due to the relatively isolated location of the application site it is not considered that the proposed development would be prejudicial to the amenity of any of the neighbouring dwellings or surrounding land uses.

Highways
Paragraph 32 of the NPPF states: Plans and decisions should take account of whether: the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe is reflected in CS Policy T1 Development and Sustainable Transport.

The submitted application does not propose any alterations to the existing access which has previously been considered and held to be acceptable by the Local Highways Authority. Adequate parking provision would be retained on site. The proposed development would not therefore prejudice highway safety and is therefore in accordance with policy T1 of the Core Strategy and guidance in the National Planning Policy Framework.

Other Matters
The previous approval contained two pre-development commencement conditions. The first of these condition 3 required details of facing, roofing and hard surfacing materials to be provided. In order to front load the application and prevent such a condition being re-imposed details of all external materials have been included within the application.

The second pre-development condition number 4 required intrusive site investigation work to be undertaken and a report commissioned to establish the ground stability. To this end Telford Mining and Geological Services were commissioned to undertake a borehole investigation which was completed under permit from the Coal Authority on 11th December 2018. A copy of the completion report which concludes that the site is not underlain by shallow mine workings or shallow working coals and that the development can proceed without the need for any mining related remediation works has been submitted as part of this application.

7. CONCLUSION

The NPPF states that local planning authorities should approach decision taking in a positive way to foster the delivery of sustainable development.

The proposed development is acceptable in principle, as evidenced by the recent grant of approval for a similar development which is a significant and material consideration and the submitted scheme would result in a positive enhancement to the character and appearance of the site and the surrounding area by removing an existing 1930's bungalow which appears as an alien and incongruous building by virtue of its poor form, design and materials and replacing it with a more traditional two storey dwelling which is more in keeping with the local vernacular.

The proposal would not result in the loss of a dwelling which is intrinsic to the character of the surrounding area and the replacement dwelling would be of a high quality design. The additional single storey element of the current proposal is modest in terms of both its size, scale, bulk and massing and would not by virtue of its positioning and screening due to existing buildings and planting result in a disproportionate or dominate addition which would be prominent from public

vantage points. The proposed development is therefore considered to accord with the provisions of policies SS6c, R2, DC1, DC3 and T1 of the Staffordshire Moorlands Core Strategy and guidance contained within the National Planning Policy Framework. The Local Planning Authority is therefore respectfully requested to grant planning permission for the proposed development in accordance with the presumption in favour of sustainable development set out within policy SS1a of the Staffordshire Moorlands Core Strategy and the NPPF.

8.0 DESIGN & ACCESS STATEMENT

USE

The application proposes the use of the application site for residential purposes. This form of development is considered to reflect the nature and character of existing development which surrounds the site.

AMOUNT

The application proposes the erection of a single replacement dwelling. This amount of development is considered to comply with adopted development plan policies and is in keeping with the nature and character of existing development which surrounds the site.

LAYOUT

The proposed development would be located centrally within the plot as shown on the submitted drawings.

SCALE

The proposed replacement dwelling would have a footprint of 157.38 sq. metres and an overall volume of 568.11 cu. metres. It is considered that this scale of development would be in keeping with the nature and character of existing development which surrounds the site.

LANDSCAPING

The site is located within a mature garden which benefits from established planting. No additional landscaping is proposed as part of the application.

APPEARANCE

The submitted scheme, as shown on the attached drawings shows a traditional double fronted cottage of traditional proportions would be constructed from facing brickwork and plain clay tiles as specified on the submitted drawings. The overall design of the scheme is simple and in keeping with its rural setting.

ACCESS

Access would be via the existing gated access. Adequate parking provision would be retained on site.