DELEGATED REPORT

FILE REFERENCE : 08/1613/FUL	DECISION : APPROVE / REFUSE TOWN/PARISH COUNCIL LETTER : YES/NO

PUBLICITY/REPRESENTATIONS :

Town/Parish Council:
Neighbours: None Received

CASE OFFICER ASSESSMENT :

For the purposes of the Staffordshire Moorlands Local Plan this site lies within the Special Landscape Area, occupying a relatively prominent position within its surroundings, with the surrounding landscape sloping away at all sides. Planning permission is sought for the erection of a replacement dwelling comprising kitchen, dining room, lounge, shower room, utility, office, porch and w.c. at ground floor with 4 bedrooms and bathroom at first floor. A detached double garage is also proposed. The main issues to consider are the principle of development, the scale and massing of the proposed replacement dwelling, impact on neighbouring amenity and highway safety.

Policy H11 of the Local Plan permits the replacement of existing dwellings provided that the dilapidation of the property is not so far advanced as to be considered as ruinous. Whilst the existing property is in a poor state of repair and would not comply with modern construction standards it has been occupied until recently. Its level of dilapidation is not therefore so advanced as to be considered ruinous and as such the principle of a replacement dwelling on this site is considered acceptable.

Policy H12 states that where a replacement dwelling is considered appropriate in the countryside it should be of no greater size or mass than that which it replaces. Some modest increase in size may be acceptable having regarded to the overall appearance and empathy with its landscape setting. The proposed replacement dwelling, whilst occupying a differing position from the existing property, is broadly commensurate in scale and appearance to that which it is replacing, with no significant increase in size or mass. It does, nevertheless, represent a significant design improvement, with the resultant dwelling comprising more traditional Moorlands vernacular. The proposal will evidently be visible within the surrounding area, but is considered unlikely to detract from the character and appearance of the Special Landscape Area owing to the above considerations.

In terms of neighbouring amenity and highway safety it is considered unlikely that any adverse impact will arise as a result of this development, since the replacement dwelling will be sited further away from the neighbouring occupier than the existing dwelling, and the access arrangements will remain the same. The proposal is accordingly considered to meet the requirements of policies N8, N9, H11, H12 and B13 of the Local Plan.

PLAN NOS : UFB2007 OO – 09 inclusive.

RECOMMENDATION :

GRANT planning permission subject to conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
   Reason:- To comply with Section 5 of the Town and Country Planning, Planning and Compulsory Purchase Act 2004

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (As Amended) (or any order revoking or re-enacting that order with or without modification), no development as specified in Part 1, Class(es) A, B, C, D, E, F, G, H and/or Part 2, Class(es) A, B and C, other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority.
   Reason:- To enable the Local Planning Authority to control the development and so safeguard the character and visual amenities of the area, including the character and appearance of the area and to ensure that adequate private open space is retained within the curtilage of the building.

3. No development shall take place until a sample panel of proposed external materials to be used in the construction for the dwelling, including facing materials, glazing, window frames and doors, and a detailed method of construction to include details of all sustainable construction techniques as indicated in the supporting Design and Access Statement, have been submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be undertaken in accordance with the approved details.
   Reason:- To ensure a high quality finish to the development and to secure the use of sustainable means of construction.

4. The development hereby permitted shall not be commenced until full details of the landscaping proposals have been submitted to and approved in writing by the Local Planning Authority. Details should include (where relevant) –
   - Existing and Proposed finished levels/contours
   - Means of enclosure
   - Car parking layouts
   - Hard surfacing materials

   Reason:- To ensure the satisfactory appearance of the development.

5. The development hereby permitted shall not be commenced until details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed building have been submitted to and approved in writing by the Local Planning Authority. There shall be no variation in these levels without the written approval of the Local Planning Authority.
   Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties and to clarify the levels details for the avoidance of doubt as to what is approved.

6. All hard and soft landscaping works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard [4428 : 1989]. The works shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed in writing by the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter.
   Reason:- To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved designs.

7. No development shall be commenced until drainage details, incorporating sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development have been submitted to and approved in writing by the Local Planning Authority, and the scheme shall subsequently be implemented in accordance with the approved details before the development is completed/occupied.
   Reason:- To ensure that the development is provided with a satisfactory means of drainage as well as to reduce the risk of creating or exacerbating a flooding problem and to minimise the risk of pollution.

Footnote:

Policies N8, N9, B13 and H12 of the Staffordshire Moorlands Local Plan together with national planning policy in the form of PPS1: Delivering Sustainable Development, PPS.3: Housing and PPS.7: Sustainable Development in Rural Areas, have been taken into account during the determination of the above application. The principle of residential development on this site is considered to be acceptable given that it relates to a replacement dwelling. It is considered that the proposed development is of an acceptable and appropriate design and appearance, will have no material adverse effects on the character, quality and appearance of the Special Landscape Area and countryside in general, and there are no material planning considerations which outweigh the provisions of the Development Plan.

DATE 29.10.08 SIGNED .....
CASE OFFICER

DEVELOPMENT CONTROL MANAGER COMMENTS :

DATE 29/10/08 SIGNED .....