DELEGATED DECISION REPORT

SMD/2019/0671 **Valid 31/10/2019**	**SOUTH VIEW** **68 THE GREEN** **CHEADLE**	**PROPOSED CHANGE OF USE OF PART SINGLE RESIDENTIAL PLOT INTO BUILDING PLOT WITH ACCESS ALTERATIONS TO EXISTING** **(OUTLINE - MINOR APPS)**

MAIN ISSUES

- Amenity
- Highways

DESCRIPTION OF SITE

Within the Cheadle Development Boundary the site for the proposed detached dwelling is a side garden to the double fronted detached two storey and previously rear extended dwelling known as South View. The width of the side garden is about 12m and immediately adjacent to the north east is 66 The Green with a narrow side path of c.1m and a characterful and original brick boundary wall. No.66 has its gabled two storey end wall overlooking the site with a series of likely 'secondary' windows.

The overall site red edge takes in South View and its entire garden curtilage. The part of the application site adjacent No.66 has garden towards the front but is mainly laid to a centrally aligned concrete drive and hardstanding with a garage at the rear all serving South View. There is a c.3.5m wide space to the SW side of South View with a pedestrian gate from the road.

PROPOSAL

To provide for a new vehicular access to South View alongside its SW elevation with turning space and parking to the rear. To provide for a detached dwelling in the side garden adjacent to No.66 served by the existing vehicular access. Consent sought for access only. An indicative plan is submitted suggesting a 7.5m wide x 9.5m dwelling set back c.12m into the plot from the road with parking and turning within the frontage. This layout would allow an 11m deep rear garden.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS5c Cheadle Area Strategy

DC1 Design Considerations
NE1 Biodiversity
T1 Development and Sustainable Transport

Local Plan Submission Version (February 2018)
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
NE Biodiversity and Geological Resources
T1 Development and Sustainable Transport

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 is ongoing in order to determine whether the Local Plan is sound and legally compliant. Hearing sessions were conducted in October 2018 and the Inspector issued his initial post-hearing advice in January 2019 which set out some actions for the Council and a range of modifications that would be necessary to make the plan sound. The full schedule of modifications was agreed by the Council and the subject of public consultation between 18th September 2019 and 31st October 2019. The schedule consisted of modifications that the Inspector has deemed necessary to make the Local Plan sound. Following the consultation, the Inspector concluded that further hearing sessions were necessary to consider; proposals for safeguarded land at Gillow Heath in Biddulph, housing land supply, Local Green Spaces in Cheddleton (Ox Pasture), Biddulph (Dorset Drive and implications for the emerging neighbourhood plan) and Blythe Bridge. They will be held on 4th and 5th February. The Inspector will outline the timetable for next steps in the process at the close of the hearings.

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 considered below:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the main modifications have been subject to consultation
- The extent to which there are unresolved objections to relevant policies this varies depending on the policy in question – the Inspector wishes to explore outstanding objections on a limited number of issues at the February hearing sessions further before drawing conclusions.
- The degree of consistency of the relevant policies in the emerging plan to this Framework – policies have been modified to address soundness issues identified by the Inspector to date. It is the Council's view that the policies (as modified) are

consistent with national policy. The Inspector has yet to draw final conclusions, particularly on the matters subject to further hearing sessions.

Given the above, the majority of policies (as modified) can be given substantial weight. However, policies that are subject to the February hearing sessions can only be given moderate weight as they are subject to outstanding objections and scrutiny.

National Planning Policy Framework July 2018
Paragraph(s) 1 – 14;
Section(s) 4 – Decision making; 11 – Making effective use of land; 12 – Achieving well designed places; 13 – Protecting Green Belt Land; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS
None

CONSULTATIONS

Publicity
Site Notice expiry date: 24th December 2019
Neighbour consultation period ends: 26th November 2019
Press Advert: N/A

Public Comments
None – ILAP checked.

Town / Parish Comments
Cheadle Town Council – no objections

Staffordshire County Council Highways
No objections – subject to conditions (8 listed) and informative.

OFFICER COMMENTS

Principle of Development
Within the development boundary therefore acceptable in principle. The main considerations are the vehicular access points, amenity implications in terms of garden space for the existing and proposed dwellings and amenity implications for No. 66 in terms of outlook (whether overbearing), light and privacy.

A new single garage shown in the indicative layout to serve South View could be built under PD subject to not exceeding 2.5m in height.

The single garage at the rear of the site appears to be c.55m3 in volume and therefore its demolition would require prior notice to the LPA (due to exceeding 50m3) if not dealt with under this planning application. See TCPA (Demolition – Description of Buildings) Direction 2014 and PPG para. 065 Reference ID: 13-065-

20190722. Removal of the lesser building proposed to be demolished (described as a lean-to) can be considered below the threshold of 'development'.

Design
Other than in so far as the above referenced amenity issues are covered by policy DC1 design is not a consideration at this Outline application stage. Impacts on street scene are a consideration but the plot between South View and No.66 is not dissimilar to other plot widths of detached dwellings on The Green where also the houses are set back a similar distance from the road as that suggested by the indicative drawing. A dwelling in this gap would not seem out of place despite likely being set back relative to both of its neighbours. Setting back would likely be necessary to maintain amenity for No.66 and possibly for the NE side elevation of South View.

Amenity
Although there is the potential for adverse impact on the amenities to both South View and No.66 it can also be concluded that an appropriate size and position could be achieved. The indicative plan shows that by setting the dwelling back light and outlook to side windows of adjoining properties could be protected whilst given the depth of both neighbouring houses there would be no infringement of the 45 degree line from principal windows in their rear elevations ,despite the degree of set-back. A design could be achieved that would avoid side windows which would overlook rear gardens / windows.

Sufficient garden space rear of both South View and the new dwelling well in excess of the 65m2 minimum could be achieved.

Highway Safety
Give the advice of SCC Highways the scheme in terms of access can be supported subject to the conditions recommended.

CONCLUSION / PLANNING BALANCE
In consideration of all of the above the application is recommended for approval. Removal of PD rights is advised in order to ensure adequate amenities are maintained.

OFFICER RECOMMENDATION : approve

Case Officer: Arne Swithenbank
Recommendation Date: 22nd January 2020

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council