DELEGATED DECISION REPORT

SMD/2020/0107 **Valid 12/03/2020**	**GLEN ROYD 68 FROGHALL ROAD CHEADLE**	**PROPOSED PAVEMENT CROSSING INCLUDING PROVISON OF DROPPED KERB** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Principle of development;
- Design and visual impact;
- Neighbour amenity;
- Highways;
- High Risk Area (Coal Development);
- Drainage.

DESCRIPTION OF SITE

The application site is number 68 Froghall Road, a semi-detached dwelling sitting within a rectangular shaped plot of land. The dwelling is orientated to face towards the north-west and directly onto Froghall Road. The dwelling is set back from the road and pavement and also what was presumably a front garden; at the time of the site visit the land surface had been removed and bare soil exposed. The property forms part of a well-established residential area. Land levels at the front of the site are generally flat. The crossing would be directly adjacent to a BT cover and STW stop tap cover.

For the purposes of planning policy consideration the application site is located within the Cheadle Town Development Boundary and is within an area defined as a High Risk Coal Development area.

PROPOSAL

Immediately to the front of the house there would be a lawn. The application is for the forming of an off-road parking area at the front of the dwelling and a dropped kerb to allow vehicular access to Froghall Road. The dropped kerb would span approximately 2/3rds the width of the site frontage

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

SS1	Development Principles
SS1a	Presumption in Favour of Sustainable Development
SS5c	Cheadle Area Strategy
DC1	Design Considerations
T1	Development and Sustainable Transport

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide.

Supplementary Planning Guidance

1. Design Principles for Development in the Staffordshire Moorlands.

Emerging Staffordshire Moorlands Local Plan

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 were held on 4th and 5th February.

On 27th February, the Inspector issued his post hearing advice. Key recommendations in the letter include:

- The proposed safeguarded land at Gillow Health, Biddulph should be removed. Neither should the site be allocated for housing as requested by the landowners as the case for exceptional circumstances has not ben met. The land will remain Green Belt as per the Local Plan Submission Version agreed by the Council in June 2018;
- No further housing allocations in Biddulph are required;
- No further amendments to the housing trajectory are required aside from pushing back the predicted commencement of the Wharf Road, Biddulph site (excluding BDNEW) until 2022/23.
- Monitoring of housing supply will determine if a full or partial Local Plan review is required within 5 years;
- Land at Ox Pasture (Cheddleton) and Dorset Drive (Biddulph) should revert back to the Local Green Space designations as per the Local Plan Submission Version as agreed by the Council in June 2018;
- Other modifications were considered during the recent hearings sessions are necessary to make the plan sound, including; updating neighbourhood area housing requirements (Policy SS4) to reflect the latest monitoring data, updating the employment land area for the Tunstall Road allocation to reflect the masterplan and other adjustments to the wording of Policy SS4 and Policy DC2.

No further representations will be sought by the Inspector. As such, the Local Plan policies as proposed to be modified in September 2019 along with the Inspector recommended revisions (February 2020) provide a strong indication of the final policies likely to be adopted in the Local Plan. The Inspector's final report is expected within 2 months and will reflect the post hearing advice. The Council will be able to consider the adoption of the Local Plan at this point. As such, the plan is at a very advanced stage of preparation with some of the key outstanding objections now having been resolved following the February 2020 hearing sessions.

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;

SS1	Development Principles
SS1a	Presumption in Favour of Sustainable Development
SS7	Cheadle Area Strategy
DC1	Design Considerations
T1	Development and Sustainable Transport
Appendix 8	Parking Guidance

National Planning Policy Framework

Including sections;

2:	Achieving sustainable development
9:	Promoting sustainable transport
12:	Achieving well-designed places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None.

CONSULTATIONS

Publicity

Site Notice expiry date: 09/05/2020.

Neighbour consultation period ends:06/04/2020

Public Comments: No representations received.

Cheadle Town Council: No comments to make.

Staffordshire County Council Highways: No objections subject to conditions.

BT: No representations received.

Severn Trent Water: No objections and no drainage conditions required. Informative notes needed due to STW apparatus within the area.

OFFICER COMMENTS

Principle of Development
The application site is located within the Cheadle Town Development Boundary where there is a presumption in favour of development subject to all other material planning considerations being satisfied. Therefore there are no 'in principle' objections to the creation of an off-road parking area and dropped kerb. Matters to consider are design, visual impact, amenity, highways, the site being located within a coal development area and the effect of the development upon BT and Severn Trent Water apparatus.

Design and visual impact
The submitted drawings show that the area to the front of the dwelling consisted of a garden and footpath. It was noted during the site visit that the turf and path had been removed, exposing the subsoil. The application provides no information regarding the finished surfacing of the parking area however it is recommenced that a 'prior to first use' condition can be applied to secure and clarify the details. There are examples of off-road parking facilities within the surrounding area and therefore there is unlikely to be any difficulty in securing suitable materials. Accordingly it is considered that the development would not harm the wider street scene.

Amenity (including neighbour amenity)
There is no doubt that the development will improve amenity for the occupiers of the dwelling in terms of easily being able to park a vehicle and improved safety/security. It is noted that there are no neighbour objections to the application. The application dwelling is one of a semi-detached pair and as such the neighbour has a principle window close to the shared boundary. The applicant's vehicles will be parked in close proximity to the neighbours windows but it is noted that this is already the case in respect of the applicants own principle window (neighbour parks vehicle(s) close to the boundary), in effect this is a like-for-like development. It is therefore considered that there would be no harm to residential amenity.

Highways
The County Highways Officer (CHO) raises no objections to the application but recommends a number of conditions and informative notes. In respect of highway safety the CHO comments that 'normally a turning area is required on a classified road. However, while one cannot be provided in this location, the benefit of formalising the off road parking outweighs any dis-benefit from manoeuvring in the carriageway.' It is also commented that 'visibility at the access is good. Drawings are not dimensioned but scaling shows that two vehicles can park on the parking area. Current records show that there were not any Personal Injury Collisions on Froghall road within 50 metres either side of the property access for the previous five years.'

Officer's consider that on the basis of the CHO comments the application is acceptable in terms of the safe operation of the highway.

Coal Area

Records show that the application site is located on the edge of a Coal Development High Risk Area and therefore there are coal mining features and hazards which need to be considered both within and surrounding the application site. A Coal Mining Risk Assessment would not be required for this application as the Coal Authorities' 'Exemptions List' for the Risk Based Approach to Development Management identifies a householder application as one instance where an assessment is not required. In the event of planning permission being approved it is recommended that a coal related informative note is added to the decision.

Drainage

Severn Trent Water (STW) have commented that they have no objections to the application and that no drainage conditions need to be applied. STW do comment that there may be a public sewer located within the application site and advise that they have apparatus in the area of the planned development. It is recommended that an informative note on the decision notice (in the event of planning permission being approved) would be required to inform the developer of their requirement to contact Severn Trent Water, New Connections team as to assess their proposed plans for diversion requirements.

CONCLUSION / PLANNING BALANCE

For the reasons outlined above it is recommended that the application is approved subject to conditions and informative notes.

OFFICER RECOMMENDATION : Conditional approval

Case Officer: Lisa Jackson
Recommendation Date: 11/06/2020.

X

Signed by: Jane Colley

On behalf of Staffordshire Moorlands District Council