DELEGATED DECISION REPORT

SMD/2019/0669	**12 DAISY BANK**	**PROPOSED DRIVEWAY TO**
Valid 29/11/2019	**LEEK**	**FRONT OF PROPERTY**
		(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design, character and appearance;
- Impact on the amenity of neighbouring properties; and
- Highway safety.

DESCRIPTION OF SITE

No.12 Daisy Bank is situated on the southern side of a small residential cul-de-sac located within an area that is predominantly residential in character. The site comprises of a two storey semi-detached dwellinghouse that occupies an elevated position commensurate with neighbouring properties on the southern side of the cul-de-sac. A flat roof single garage is positioned forward of the dwellinghouse and is found within the north eastern corner of the site. A tiered landscaped garden and steps are located to the west of the garage. For the purposes of this assessment the application site falls within the Leek Town Development Boudnary.

PROPOSAL

Approval is sought for engineering works required to create a driveway to serve as off-street parking for 1no. vehicle.

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
DC1 Design Considerations
T1 Development and Sustainable Transport

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 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.

Emerging Policies:

SS1 Development Principles
1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS5 Area Strategy
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 - 14
Section(s) 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

There is no site history relevant to the determination of this application.

CONSULTATIONS

Publicity

Site Notice expiry date: 06.01.2020
Neighbour consultation period ends: 20.12.2019
Press Advert: N/A

Public Comments

No comments received.

Town / Parish Comments

No objection subject to the development not being unneighbourly.

Staffordshire County Council Highways

No objection subject to conditions that secure works within the highway limits to be completed prior to driveway being brought into use; and to protect the existing street lighting column.

OFFICER COMMENTS

Principle of Development

Paragraph 11 of the National Planning Policy Framework (NPPF) promotes a 'presumption in favour of sustainable development'. For decision takers this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless: i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 8 of the NPPF identifies three dimensions to sustainable development as being economic, social and environmental.

In accordance with policies SS1 and SS1a of the Staffordshire Moorlands Core Strategy the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protecting, and where possible enhancing the environment. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF).

The application site is located within the Leek Town Development Boundary where development of an appropriate scale and nature will be supported.

Design

Policy DC1 refers to design and seeks to secure development of a high quality which is designed to add value to the area and to respect the site and its surroundings. New development should promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance.

Paragraph 127 of the National Planning Policy Framework requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture.

The Council's Design SPD provides further guidance.

Daisy Bank is a small residential cul-de-sac comprising of two storey semi-detached dwellings and 2no. detached bungalows. The site is located on the southern side of the highway where properties are elevated. A detached single garage sits forward of the principal elevation and occupies the north eastern corner of the plot. Steps run alongside the western elevation of the garage. A tired landscaped garden occupies the remainder of the frontage.

Approval is sought for engineering works in order to create on-site parking for one vehicle. The development would involve cutting into the site frontage in order to create a level parking surface. Retaining walls are to be finished in natural stone and

a hard rail would be required to serve the stepped access and walkway to the front of the dwellinghouse.

The development would introduce a hard frontage that inevitably detracts from the character of the original housing scheme. However, it is acknowledged that on-street parking is limited and a number of other properties within the cul-de-sac have already benefitted from planning consent for engineering works of a similar ilk.

Amended plans have been secured which include a slight slope on the driveway of 1:10 which has reduced the height of the retaining wall structure. In addition provision has been made for a small planter which would allow climbing plants to be planted to break up the massing of the masonry. Details of the plants can be secured by conditions. With these measures, it is therefore considered that the development would not detract from the prevailing streetscene character as it exists today and as such accords with policy DC1 and NPPF.

Amenity

Core Strategy policy DC1 and paragraph 127f) of the National Planning Policy Framework seek to secure development that protects the amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

The application site is bound by residential properties to each side. Having considered the proposal within the site context, it is not considered that the development would result in significant harm to amenity. This view has been reached on having regard to matters of scale, layout, sunlight and day light, overbearing impact and shadowing.

Highway Safety

Policy DC1 and T1 seek to achieve parking and access appropriate to the development it serves. Staffordshire County Council Highway Authority have confirmed that they raise no objection to this application subject to conditions that secure the completion of works within the public highway prior to the use of the parking space; and to secure the retention of an existing street light.

CONCLUSION / PLANNING BALANCE

This application is considered to accord with the relevant policies of the Staffordshire Moorlands Core Strategy and National Planning Policy Framework. As such a recommendation of approval is provided.

OFFICER RECOMMENDATION : Approve

Case Officer: Lisa Howard
Recommendation Date: 18.08.2020

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council