

DELEGATED DECISION REPORT

SMD/2021/0539
Valid 13/08/2021

20 LANCASTER AVENUE
LEEK

**OUTLINE PLANNING
PERMISSION WITH DETAILS
OF ACCESS & LAYOUT (ALL
OTHER MATTERS RESERVED)
FOR PROPOSED CHANGE OF
USE OF PART DOMESTIC
GARDEN TO RESIDENTIAL
BUILDING PLOT FOR
BUNGALOW**

(OUTLINE - MINOR APPS)

MAIN ISSUES

The principle of the development
The impact on the character and appearance of the area.
The impact on residential amenity.
The impact on highway safety

DESCRIPTION OF SITE

The site is within the development boundary of Leek and lies to the north-east of the town centre. It comprises part of the back garden of a 1930's semi-detached house at the end of a small narrow cul-de-sac and which faces the turning head to the south. Access to the plot is down the side of the house. The rear garden is largely paved and scrubby in appearance. Fowlchurch Road runs along the rear boundary of the site and there is also another access into the plot of this road. To the east of the site is the other part of the rear garden which is directly behind the house. To the south of the site is a semi-detached dwellinghouse which has a side wall facing the site. There are also other dwellings to the east (including the neighbouring house attached to the dwelling at the property) and to the other side of the cul-de-sac further to the south. To the other side of Fowlchurch Road to the west lies Brough Park and there is scout hut a short distance further along this road to the north almost opposite the plot. To the north of the site is extensive rear gardens belonging to the houses on the other cul-de-sac at Lancaster Avenue.

PROPOSAL

This is an outline planning application for a detached 2 or 3-bed bungalow on the plot. Details of access and siting are to be determined along with the principle of the development with the particular scale and design of the house along with the landscaping of the site left for a future "Reserved Matters" application in the event of outline permission being granted. The rear access of Fowlchurch Road would be used for the new access with the existing side drive for the house blocked off for use

for the existing house only. The bungalow would face Fowlchurch Road with the front just 1.5m behind the road-side boundary of the site. There is a grass verge along the road in front of the plot so the distance between the front of the bungalow and the edge of the road carriageway would be approx. 3.0 metres. A rear garden area would be formed on the other side towards the rear of the existing house. The remainder of the garden outside of the red line which defines the new plot would be retained for use as a back garden for the existing house. A Design and Access Statement has been submitted.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffs Moorlands Local Plan (adopted September 2020)

SS5 Leek Area Strategy
H1 – New Housing
DC1 – Design Considerations

NPPF (Revised July 2021)

Sections 5 (Housing) and 12 (Design).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

86/00587: Outline application for a dwelling. Refused.

CONSULTATIONS

Publicity

Site Notice expiry date: 5.10.21
Neighbour consultation period ends: 5.10.21
Press Advert: N/A

Public Comments

One letter has been received from a nearby neighbour neither objecting to or supporting the proposal. The points raised are as follows:

- Does the new fence “comply” with the boundary between nos 20 and 21?
- New access arrangement could cause parking problems on Lancaster Avenue
- Possible impact on “principal window” at side of No.21 which serves a kitchen
- Drainage plans not clear. More drainage through No.21 would be a concern

Town / Parish Comments

Not unneighbourly.

Local Highways Authority

No objection subject to a standard parking condition.

Environmental Health

No objection subject to standard conditions including one requiring a site specific sound insulation scheme as the site is adjacent to an access road which is used by bin collection and street cleansing vehicles in the early hours of the morning.

Tree Officer

There is a large beech tree to the side of the site within the grass verge forming part of Brough Park. The tree roots would encroach into the site by more than is shown in the drawings. However, the siting of the dwelling is not objectionable although some pruning of the crown of the tree may be required. It may be preferable to move the siting of the bungalow away from the tree slightly. No objection subject to Tree Protection conditions.

SMDC Waste Collection Service

No issues

OFFICER COMMENTS

The principle of new dwellings on individual plots within the development boundaries of towns and villages in the District is not unacceptable and although the Local Plan aims to deliver the vast majority of new dwellings for the plan period via major land allocations, small windfall sites can still make a contribution towards overall housing need. Furthermore, the proposal is for a small bungalow and there is a particular demand for more small units or accommodation and bungalows (often required for a growing elderly population) in the District. the site is in a sustainable location within walking distance of the town centre shops and services and public transport provision. However, such proposals would also need to comply with other policies in the Local Plan which seek to protect the character and amenities of the area and highway safety.

With regard to the character and appearance of the area, the proposal involves placing a new dwelling within the garden of one of the small semi-detached houses that characterise the housing estate. However, this particular garden is larger than average being a "corner plot" and would be accessed from an entirely different road to the cul-de-sac serving the site. The dwelling would address the road to the rear and would not appear as a new dwelling squeezed into a gap between houses facing a street. The plot is large enough to accommodate a small bungalow without it appearing overcrowded within the plot and the siting shows there would be adequate gaps maintained between the bungalow, the existing side boundaries, the existing dwelling on site and existing neighbouring dwellings. In this respect it would comply with the distances set out in the Council's Space About Dwellings SPG. Enough space is shown for a parking area and rear garden. It would be placed just 3.0m behind the edge of Fowlchurch Road but I do not consider this would harm the character and appearance of the area as there is typically forms of housing development in the town which directly front roads (Victorian terraced houses for example). There are green open areas of adequate size either side of the site on

Fowlchurch Road which prevent the bungalow from appearing overcramped when viewed from this road and the single-storey nature of the building would prevent it from appearing intrusively prominent in the street scene. The scout hut a short distance along the road to the north on the other side of the road is also a single-storey structure placed close to the road.

There is a breezeblock wall alongside the road-side verge with a height of approx. 1.0 to 1.25m which is shown to be retained in the drawings as a front boundary wall for the bungalow. This is a feature which does not contribute positively to the open and green edge-of-parkland street scene but a condition can be added requiring its removal and replacement with a more sympathetic front boundary treatment (if any is needed at all). The applicant's agent has agreed to such a condition.

In 1986 an outline application for a dwelling on the plot was refused for being an "overdevelopment" within the site. The site area and plot shape has not changed since then but I consider the new proposed bungalow would avoid appearing as an overdevelopment. The 1986 scheme appeared to be for a two-storey house and would have been placed in the middle of the plot, much closer to existing dwellings off Lancaster Road and I consider this would have had a more detrimental overcramped visual impact than the new scheme for a single-storey structure placed much closer to Fowlchurch Road and away from neighbouring dwellings.

There are a number of trees close to the site on the road-side verges and green spaces which are operationally part of Brough Park and contribute positively to the open and green character and appearance of the street scene along Fowlchurch Road. This includes a beech tree close to the south-west boundary of the proposed plot. The crown spread does overhang the site but the bungalow would not harm the roots or cause the demise of the tree and at most, careful pruning of the crown is all that would be required to accommodate the bungalow. Tree protection conditions can be added.

Overall, I do not consider a proposed bungalow of the size of footprint and siting shown and associated residential curtilage development would potentially harm the street scene more than the current site which is an untidy mostly grey paved garden area that does not appear to be well used. However, this comment is subject to the determination of the specific details of the form and design of the bungalow which would be decided at the future Reserved Matters stage in the event of an outline approval being granted.

With regard to residential amenity, the bungalow would not affect the light provision of neighbouring dwellings due to the single-storey form and the separation distances from them. The 45 degree lines from the primary windows of those houses, if applied, would in any case not be broken by the bungalow and in this respect the bungalow would comply with the Space About Dwellings standards. The bungalow would not directly face the rear walls of the nearest dwellings but would face the side walls to a greater extent where there are no primary windows and this would be at an angle. The "principal" window referred to in the neighbour letter at the side of the neighbouring house and which does face the site, is a secondary window to a kitchen and the main window to the kitchen is on the rear elevation facing away from the site. The window positioning of the bungalow has not been decided as this is a

reserved matter but due to the siting and orientation of the bungalow, there is unlikely to be any overlooking concerns or loss of privacy caused by this proposal and appropriate boundary treatment can also restrict views into neighbouring windows and garden areas.

With regard to the living conditions of the occupants of the bungalow, they would equally not be affected by overlooking due to the position of primary windows of the nearest dwelling and overlooking would result only at an acute angle. An outdoor amenity space of adequate size would need to be created. The rear garden would be 9.0 metres in length which is 1.5m short of the standards in the Space About Dwellings guidance. However, it would exceed the 65 sq.m standard for overall area of rear garden and I consider the overall shape, form and area of the garden would be sufficient to provide a usable garden space for the enjoyment of the occupants. The existing residents of the dwelling on site would also be left with a garden of adequate size despite the reduction. The Environmental Health Section state that the Fowlchurch Road can be noisy due to large vehicles travelling along at anti-social hours from the depots at the end of the road. It is noted the bungalow would be just 3.0 metres from the edge of the road. However, noise problems can be diminished by way of an adequate noise insulation scheme which can be achieved by way of a condition.

Finally with regard to highway safety, the visibility to the south of the Fowlchurch Road access is deemed to be substandard but the dead-end nature of the road means that vehicle movements are relatively infrequent and speeds are low due to the bends. There is no significant concern with the level of safety of the use of the access and visibility can be improved via the removal of the breezeblock wall.

The site plan shows just one car parked for the bungalow whereas the Council parking standards require two spaces. However, this sufficient hard-standing area to the side of the bungalow to allow two cars to be parked in a tandem arrangement and reversing onto the road would not be hazardous. The parking provision can be achieved by way of a planning condition as recommended by the local highways authority which does not object to the application. There are two spaces shown for the existing dwelling on the existing driveway.

With regard to other points raised by the neighbour, the matter with the fence is a legal or civil matter that would need to be resolved between the two parties. The drainage for the site would comprise the use of existing foul drains and for the surface water, soakaways, as stated on the application forms and this is acceptable as it would ultimately be a matter to be dealt with under the Building Regulations. .

CONCLUSION / PLANNING BALANCE

The proposal is acceptable in this location in principle and would not harm the open and green nature of Fowlchurch Road or lead to an overcrowded form of development harming the character and appearance of the area in general, subject to the particular scale and design of development to be determined at the Reserved Matters stage. The residential amenity of the area would also not be harmed and the level of highway safety would not be compromised. The proposal would

therefore comply with the Local Plan and the government planning guidance in the National Planning Policy Framework (NPPF).

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston

Recommendation Date: 8.10.21

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council