

DELEGATED DECISION REPORT

SMD/2021/0566
Valid 24/08/2021

2 DYLAN ROAD
BIDDULPH

**PROPOSED MODIFICATIONS
TO BOUNDARY WALL AND
FENCE TO PROVIDE
INCREASED PRIVACY**

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design
- Amenity
- Highway Safety

DESCRIPTION OF SITE

The proposed site comprises a corner plot detached brick and tile dwellinghouse and its associated curtilage, situated in the Biddulph East Ward. The site is within the Biddulph Development Boundary, where the Staffordshire Moorlands Local Plan seeks to concentrate development. The proposed site is enclosed by neighbouring dwellings on Dylan Road and St Davids Way. No. 4 Dylan Road lies to the East of the proposed site and No. 28 St Davids Way is situated to the South. The Dylan Road highway runs adjacent to the Northern curtilage of the site, separating the site from No. 1 Dylan Road. Additionally, the St Davids Way highway also runs adjacent to the proposed site on the West.

It is noted that a number of properties within the estate have been extended and altered; however the established character of the original estate has been retained.

PROPOSAL

The proposed development comprises modifications to the boundary wall and fencing, in order to provide increased privacy to the dwellinghouse. The alterations include the raising of the brick wall below the fence panels to the North-East of the boundary, thus raising the height of the overall fence. Also, the addition of a brick pillar wall with sections of fence panelling on the Eastern rear boundary, in order to reflect the side boundary treatment. Lastly, a change in the ground level of the rear garden and alteration of the fence height between the site and No. 28 St Davids Way to reflect this. The proposed wall modifications would increase the height of the existing boundary wall / fence by 0.6 metres on the North-East side elevation and increase the height of the Eastern boundary wall from 2.15 metres to 2.85 metres. There would be no increase in height on the North-West side boundary wall. The boundary wall / fence alterations would be constructed from materials which would

harmonise with the existing boundary treatment, including red brick and existing fence panels.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (2020)

SS1 Development Principles

1a Presumption in Favour of Sustainable Development

SS2 Settlement Hierarchy

SS6 Biddulph Area Strategy

DC1 Design Considerations

T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 – 14

Section(s) 4 – Decision making, 12 – Achieving well designed places

Staffordshire Moorlands Design Guide SPD

Part 4 – Access Space and External Works

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/1994/1153 – Outline application for residential development – Squirrel Hayes Farm, Park Lane, Biddulph. Approved.

SMD/1997/0148 – Residential development of 163 dwellings (amended layout) – Squirrel Hayes Farm, Park Lane, Knypersley, Biddulph. Approved.

SMD/1997/0149 – Variation of conditions 4 & 5 of permission SM94-0498 – Squirrel Hayes Farm, Park Lane, Knypersley, Biddulph. Approved.

SMD/1998/1139 – Residential development amendment of house types on plots 16, 23, 65, 104-106, redesigned plots 24-64 and 137-164 – Land at Squirrel Hayes, Park Lane, Biddulph. Approved.

SMD/1999/0694 – Residential development of 54 dwellings (revision plot substitution of layout) (amended plans). Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 22/10/2021

Neighbour consultation period ends: 06/10/2021

Press Advert: N/A

Public Comments

No public comments were received.

Town / Parish Comments

Biddulph Town Council agreed to recommend approval.

Severn Trent Water

Severn Trent have commented that the proposal has minimal impact on the public sewerage system and can advise that they have no objections to the proposals and do not require a drainage condition to be applied.

OFFICER COMMENTS

Principle of Development

Paragraph 11 of the National Planning Policy Framework (NPPF) promotes a 'presumption in favour of sustainable development'. For decision makers 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 SS2 of the Staffordshire Moorlands Local Plan the Council expects all new development to make a positive contribution towards the sustainability of communities and to protect and where possible enhance the environment. A concentrated focus on future growth is to be directed to larger settlements, including Biddulph. 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).

In compliance with Policy SS6, new development should be directed to the most sustainable locations. The site lies within the town of Biddulph, which is one of the main urban areas where the focus of new development will be directed, with the aim of crafting all development to enhance the character and appearance of the town.

The proposed site is within the Development Boundary, thus the proposed

works are acceptable in principle, subject to conformity with other relevant national and local planning policies. The main issues which need to be considered as part of the assessment of the proposed works include design, neighbour amenity and highway safety.

Design

Policy DC1 seeks to ensure that all development is well designed and of a high quality, contributing to local distinctiveness and harmonising with sense of place. The proposed development consists of modifications to the boundary wall and fencing, in order to provide increased privacy to the dwellinghouse.

The alterations include the raising of the brick wall below the fence panels to the North-East of the boundary, thus raising the overall height of the fence. Also, the replacement of solid timber fencing with a brick pillar wall with sections of fence panelling on the Eastern rear boundary, in order to reflect the side boundary treatment. Lastly, a change in the ground level of the rear garden and alteration of the fence height between the site and No. 28 St Davids Way to reflect this. The proposed wall modifications would increase the height of the existing boundary wall / fence by 0.6 metres on the North-East side elevation and increase the height of the Eastern boundary wall from 2.15 metres to 2.85 metres. There would be no increase in height on the North-West side boundary wall.

For a development to be considered appropriate, the Councils' Design Guidance SPD states that they would universally expect to see landscaping which greatly enhances the setting and appearance of buildings, thus analysis of the site and its context as well as its wider landscape setting is essential. The design of the boundary wall / fence alterations is considered acceptable. Due to the height increase only being moderate as well as the change in design of specific areas of the fence sustaining the character of the existing design, the alterations are believed to be appropriate. I note that a number of dwellings amongst the overall street scene have the same boundary treatment as that of the proposed boundary treatment alterations. Higher rise brick walls incorporating sections of fence panelling can be seen on the dwellinghouse at No. 23 St Davids Way for instance. Thus, the addition of brick pillars to the rear boundary treatment would fit amongst the wider landscape setting of the area, maintaining the characterizable hard landscape feature in accordance with the Staffordshire Moorlands Design Guidance SPD.

Materials used in the construction of the proposed boundary alterations would match those used in the construction of the existing boundary treatment, as well as from surrounding boundary treatments in the area. Although the surrounding street scene is comprised of a varied selection of boundary treatments, a prominent feature of the street scene is the brick pillar walls and sections of fence panelling used in the construction of the boundaries. Red brick pillars and existing fence panels would be used in the construction of the proposed boundary alterations. Therefore, the materials are considered appropriate in relation to the existing dwellinghouse, as well as the surrounding street scene. Thus, the proposed materials would match the existing materials and harmonise with the surrounding street scene, not detracting from the character of the original estate.

The proposal, by virtue of its size, scale and siting maintains the character of the existing dwelling and area. The proposal would therefore accord with the provisions of local plan policy DC1 and section 12 of the NPPF in this regard.

Amenity

Paragraph 127 f) of the NPPF seeks to secure a high standard of amenity for all existing and future occupants. Local Plan Policy DC1 requires development to achieve a satisfactory relationship to adjacent development and to not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The application site is bound by No. 4 Dylan Road to the East and No. 28 St Davids Way to the South. Assessment of amenity impact will be required on the two direct neighbouring dwellinghouses to the side and rear of the site. As the proposed works consist of modifications to the boundary wall / fence, the amenity of the neighbour across the road at No. 1 Dylan Road should also be assessed.

The proposed boundary treatment alterations would not impact the amenity of No. 28 St Davids Way. As the neighbouring dwellinghouse at No. 28 St Davids Way is positioned to the South of the site and the majority of the works will be on the North and East boundaries, the works will be a substantial enough distance from this neighbour to mitigate any chance of light loss. Thus, the neighbour would not be impacted. Due to the East to West trajectory of the sun, the moderate increase in the height of the boundary fence would not result in a shadow being cast over the neighbouring dwelling, meaning that the boundary treatment would not be considered as overbearing. I note that an approximately 2 metre high timber fence creates the boundary treatment between the site and No. 28 St Davids Way (to be modified to suit proposed ground level). The proposed boundary fence, as well as the distance between the majority of the proposed works and the neighbouring dwelling would eradicate any chance of overshadowing which could be caused as a consequence of the moderate increase in height of the boundary fence, in particular on the Eastern rear boundary.

Consideration has been given to whether the proposed side extension might be seen to adversely affect the amenity of the neighbours at No. 4 Dylan Road, as the largest increase in height of the boundary fence to the rear of the site would face this neighbour. Although there would be a moderate increase in the height of the boundary wall / fence facing this neighbour as well as the addition of brick pillars which would create a more solid boundary wall, the East to West sunlight trajectory means that a shadow would only be cast over the front driveway of No. 4 Dylan Road later in the afternoon. Furthermore, an approximately 2.15 metre boundary fence is already in place between the curtilages of the two properties. Thus, as the boundary works will only increase the height of the boundary wall / fence by 0.7 metres, there would not be a substantial difference from the shadowing which already occurs over the drive of No. 4 Dylan Road from the existing fence. From this

observation, it becomes apparent that the amenity of No. 4 Dylan Road would not be adversely impacted by the proposed boundary treatment alterations.

There are no window openings on the neighbours' at No. 1 Dylan Road side elevation. A solid brick wall comprises the majority of the side elevation. Therefore, loss of natural sunlight through any windows would not occur as a result of the proposed boundary wall modifications and light amenity of the neighbour would not be compromised in this sense. To the rear of the dwelling at No. 1 Dylan Road is an existing conservatory, thus meaning that a substantial amount of fenestration will face the proposed boundary wall works. The Dylan Road highway separates the site from the neighbours at No. 1 Dylan Road, creating a substantial enough distance to eradicate any kind of overbearingness or overshadowing which the increase in the height of the boundary wall could cause.

Due to the moderate increase in the height of the boundary wall / fence as a result of the proposed works, the privacy of all neighbours would only be increased.

There are no dwellinghouses with curtilages which directly adjoin the North front curtilages of the site, thus no amenity impact will occur here.

It is noted that no neighbour objections have been received.

Highway Safety

Paragraph 102 of the NPPF states that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places. Policy T1 seeks to provide safe and sustainable access and ensure that development does not lead to an increase in on street parking.

The proposed works would not increase the number of bedrooms of the dwelling. Therefore, it is clear that no additional parking spaces will be required for the number of people habituating the dwellinghouse. Additionally, as the proposed works would be to the rear and sides of the dwelling, the available off road parking to the front of the dwelling would not be compromised, in compliance with Policy T1. Visibility would not be reduced from the front driveway, as the proposed fence alterations are set back from the principal elevation of the dwelling, on the rear and side elevations.

Thus, the proposed extension would have no impact on highway safety, in accordance with Policy T1.

CONCLUSION / PLANNING BALANCE

In consideration of all of the above, the application is recommended for approval. Due to the application having no adverse effect upon neighbour or street scene amenity and no overall impact on the highway, it is deemed acceptable under

planning policy. The substantial distances between the proposed works at the site and the neighbours would ensure that the increase in the height of the boundary wall would be unlikely to result in any meaningful harm to neighbour amenity in terms of loss of light or shading. Furthermore, the design of the proposed boundary treatment alterations is considered an appropriate fit for the existing dwelling and amongst the surrounding street scene, incorporating features of surrounding types of boundary treatment. Therefore, the proposed boundary treatment alterations are recommended for approval, subject to compliance with all conditions.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Hollins

Recommendation Date: 22/10/2021

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council