

DELEGATED DECISION REPORT

SMD/2021/0658
Valid 13/10/2021

THE BUNGALOW
CARAVAN
CHEADLE ROAD
CHEDDLETON

PROPOSED NEW DETACHED
SELF-BUILD DWELLING
HOUSE

(FULL - MINOR)

MAIN ISSUES

- Whether the development complies with Local Plan housing policies.
- Impact on the character and appearance of the surrounding area.
- Impact on neighbouring amenity.
- Impact on highway safety.
- Impact on ecology.
- Impact on existing trees.

DESCRIPTION OF SITE

The application site comprises a dwellinghouse made up of a static caravan with various extensions that has been located on the plot since 1966. It is sited to the rear of the garage associated with the adjacent dwellinghouse, 'The Old Coal Yard'.

The application site is located within the '*smaller village*' of Leekbrook. A detached bungalow is located to the northwest, a recently constructed detached 2.5-storey dwellinghouse with a 1.5-storey detached garage is located to the northeast. Open fields surround the southern and eastern boundaries of the site. The application site is accessed from Cheadle Road, past a row of terraced cottages, where the access opens out onto a large yard area that it utilised by the 3no. dwellinghouses.

PROPOSAL

Full planning permission is sought for the demolition of the existing dwellinghouse and the erection of a replacement dwellinghouse.

This application is a re-submission of a recently withdrawn application (SMD/2021/0119). The application was withdrawn due to concerns regarding the scale of the replacement dwelling and its impact on amenity.

Amended plans have been received during the course of the planning application to amend the design of the dwellinghouse to increase the level of detailing, to reduce the overall height of the proposed garage, and to reduce the solid-to-void ratio.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

SS1 Development Principles
1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS9 Smaller Villages Area Strategy
H1 New Housing Developments
DC1 Design Considerations
T1 Development and Sustainable Transport
NE1 Biodiversity and Geological Resources
NE2 Trees, Woodland and Hedgerows

National Planning Policy Framework

Paragraph(s) 1 - 14
Section(s) 4, 5, 12, 15

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2021/0119 Proposed new detached self-build dwellinghouse
Withdrawn

CONSULTATIONS

Publicity

Site Notice expiry date: 16/11/2021
Neighbour consultation period ends: 04/11/2021
Press Advert: N/A

Public Comments: One comment was received that supports the proposed development. They state: *'This new build would visually enhance the area and also bring added value to surrounding properties.'*

SCC Highways: No objection subject to conditions.

Severn Trent Water: No objection to the proposals and do not require a drainage condition to be applied.

AES Waste: No issues regarding waste collections. Note: Bins may have to be presented at lane end on collection days.

Environmental Health: No objection subject to conditions.

Contamination: Part of the site has previously been used as a garage (between 1963 – 1990) and a coal merchants, and has a variety of previous building, therefore some residual contamination from these historic uses could be present.

Whilst it is not considered that any potential unknown material/contamination present is likely to be prohibitive to the proposed development, a contaminated land risk assessment be undertaken to ensure that any risks identified are remediated to ensure the site is suitable for the proposed use. A condition is recommended

Asbestos: A Demolition or refurbishment asbestos survey and risk assessment should be carried out prior to the demolition/renovation of the existing buildings. The enforcing Authority for this type of work is the Health & Safety Executive (HSE) and it is recommended that you contact them directly to discuss their requirements.

OFFICER COMMENTS

Five Year Housing Land Supply

Paragraph 11 of the National Planning Policy Framework (NPPF, 2021) 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.

The Council currently does not have a 5-year housing land supply. This means that the Council's policies in respect of housing are considered 'out-of-date'. The application site is not located within any of the areas mentioned within Footnote 7 of paragraph 11 of the NPPF (2021) and therefore the application should be approved unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Principle of Development

Paragraph 8 of the NPPF (2021) identifies three dimensions to sustainable development as being economic, social and environmental. In accordance with policies SS1 and 1a of the Staffordshire Moorlands Local Plan, 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 NPPF (2021).

The application site comprises a caravan that has been previously extended. The applicant has provided evidence that the caravan was sited on the land in 1966. The extensions to the caravan were constructed in 1972 to form an additional two bedrooms for the occupant's children. Council tax has been paid during all the years of occupation, so has gas, electric and TV licence. Therefore the caravan became a building/dwelling in 1972 when the extensions were constructed that permanently

fixed the caravan to the ground. It is therefore confirmed that the existing building is a dwellinghouse for the purposes of determining this application.

The dwellinghouse is located within Leekbrook; a '*smaller village*' as identified by Local Plan policies SS2 and SS9. Leekbrook is not defined by a Development Boundary and therefore the application site is located in the Open Countryside.

Part (2) of policy SS9 states that the smaller villages will meet community, social or economic need by (amongst others):

- Enabling limited new housing development, including small infill schemes in accordance with Policy H1;
- Allowing for rural exceptions housing in appropriate locations (in accordance with Policy H1). This will be additional to the housing provision for the rural areas.

The principle of the proposed development is therefore considered to comply with policies SS9 and H1 of the Local Plan (2020).

Housing Policy

The application site is located between an existing bungalow and a detached dwellinghouse, with a row of terrace cottages located to the north and other residential, commercial premises and surface car parks beyond. Paragraph 6.59 of the Local Plan (2020) states that '*boundaries are not defined for smaller villages, however, some are set within the Green Belt by virtue of the alignment of the Green Belt boundary*'. It is considered that the application site falls within the village of Leekbrook.

Part (4) of policy H1 deals with housing development within smaller villages and states:

'(b) outside the development boundaries, limited infill residential development of an appropriate scale and character for the Spatial Strategy will be supported provided that...the development is well related to the existing pattern of development of a smaller village and will not create or extend ribbon development or lead to sporadic pattern of development; and...the development will not lead to a prominent intrusion into the countryside or have a significant adverse impact on the character and appearance of the countryside.'

The proposed dwellinghouse will comprise infill development, being sited between an existing bungalow and a two-storey house. It will be well related to the existing pattern of development within the smaller village of Leekbrook, being sited centrally within the ribbon of development along Cheadle Road and a short walk from the village shop. The site is surrounded by residential and commercial properties to the north, east and west, whilst open fields are located to the south. The dwellinghouse will replace an existing dwellinghouse on the same footprint and therefore it will not lead to a prominent intrusion into the countryside or have a significant adverse impact on the character and appearance of the countryside. The proposal will therefore comply with part (4b) of policy H1 of the Local Plan (2020).

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 130 of the NPPF (2021) 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 Guide SPD outlines the Council's expectations in respect of design.

The existing dwellinghouse is of no architectural merit due to it comprising a static caravan that has been extended in a haphazard fashion over the years. It also detracts from the character of the area. There is therefore no objection to its demolition.

The proposed replacement dwellinghouse will comprise a 2.5-storey detached dwellinghouse. It will be constructed of brick to three walls, with the fourth (rear) wall rendered. The roof will be pitched and covered in Staffordshire Blue tiles. The dwellinghouse will have a single storey garage with a flat/parapet roof attached to the front elevation. Due to the difference in the height of the surrounding land levels, the southern (side) and eastern (rear) elevations will be partially below ground. Because of this, the living accommodation of the dwellinghouse will be positioned on the first floor, with access to a rear garden, whilst the 4no. bedrooms will be split equally between the ground floor and the roof space.

The dwellinghouses immediately surrounding the application site comprise a detached bungalow, a recently constructed 2.5-storey detached house and a row of terraced cottages. The houses are all individual in design and therefore there is no set character that the proposed replacement dwellinghouse should follow. The predominant walling material of the surrounding houses is brick and the proposed dwellinghouse has been amended so that its front and side elevations will be constructed of brick. The proposed rendered rear wall will not be visible from public vantage points and is therefore acceptable.

The replacement dwellinghouse will be sited approximately 50 metres from Cheadle Road to the west, however glimpses of the dwellinghouse will be visible. The reduced scale of the proposed dwellinghouse together with the use of brick, will ensure that it will not be highly prominent when viewed from the street scene.

To the south and east of the application site are open fields. The proposed replacement dwellinghouse will abut the southern boundary. Due to the difference in ground levels, a large proportion of the dwellinghouse's ground floor will be below the adjacent field. The dwellinghouse will therefore have the appearance of the 1.5-storey bungalow when viewed from the south. Although the height of the bungalow has been reduced from the previously withdrawn scheme, it will be higher than the existing dwellinghouse it will replace. Its impact on the surrounding countryside will

therefore be more prominent. However, the existing dwellinghouse detracts from the character of the surrounding area and the proposed dwellinghouse, although larger, will make a positive contribution to the character of the village and will improve its appearance.

It is for these reasons that the proposed development is considered to comply with policy DC1 of the Local Plan (2020), the Design Guide SPD and the NPPF (2021) in respect of design.

Amenity

Policy DC1 and paragraph 130(f) of the NPPF (2021) seek to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

To the northwest of the application site is a detached bungalow, known as 'The Bungalow'. The Bungalow has a sun room that faces towards the application site. Concern was raised in respect of the withdrawn application that the scale and siting of the proposed replacement dwellinghouse will have a detrimental effect on the amenity of this property.

To overcome this concern, the scale of the dwellinghouse has been reduced. The proposed replacement dwellinghouse makes use of the change in ground levels by containing the majority of the ground floor of the dwellinghouse below the level of the adjacent bungalow. The proposed dwellinghouse will therefore present as a 1.5-storey dwellinghouse when viewed from the bungalow's sunroom. In addition, the habitable windows of the proposed dwellinghouse will face south and east with secondary obscure glazed windows positioned in the first floor elevation facing towards The Bungalow. The drawings indicate that two of these windows will be side opening. It is considered that these windows should be non-opening or top hung to maintain privacy and should be conditioned accordingly.

Subject to the imposition of conditions in respect of:

- The 2no. first floor windows in the west elevation to either be non-opening or top-hung;
- The obscure glazing of all first floor windows in the west elevation;
- The removal of permitted development rights for alterations and extensions to prevent/control future development such as additional openings, rooflights, dormer windows and extensions that could pose a detrimental impact on the amenity of The Bungalow;

it is considered that the revised scheme has overcome the previous concerns in respect of its impact on neighbouring amenity.

The dwellinghouse to the northeast of the application site, 'The Old Coal Yard' comprises a recently constructed 2.5-storey detached dwellinghouse. The dwellinghouse's 1.5-storey detached garage is positioned between the application site and the house. Concern was raised in respect of the withdrawn application that the scale and siting of the proposed replacement dwellinghouse together with the siting of a raised rear garden, would have a detrimental effect on the amenity of this property.

To overcome these concerns:

- The proposed replacement dwellinghouse will comply with the 45-degree guideline;
- The northern elevation will contain only the front door and 1no. bedroom window within the ground floor, that will be screened by the neighbour's boundary fence;
- The raised rear garden has been reconfigured so that the land immediately adjacent to the neighbour's rear garden will be retained at the same level, with the raised section positioned further away. This will ensure that people using the raised garden area will not be able to overlook the rear garden of the neighbouring property.

It is considered that the revised scheme has overcome the previous concerns in respect of its impact on the amenity of The Old Coal Yard.

The rear garden of the proposed dwellinghouse will exceed the minimum garden size detailed within the Space About Dwellings SPG. The proposed replacement dwellinghouse will also exceed the minimum internal floorspace for a three-storey, 4-bedroom, 8-person dwellinghouse, as detailed within the Nationally Described Space Standards. The amenity of the future occupants of the dwellinghouse will therefore not be adversely affected.

It is for these reasons that the proposed development will comply with policy DC1 of the Local Plan (2020) and the NPPF (2021) in respect of amenity.

Highway Safety

Policies DC1 and T1 seek to achieve a level of parking and an access that is appropriate to the development it serves.

The proposed replacement dwellinghouse will have 4no. bedrooms and therefore, according to the Parking Standards contained at Appendix 2 of the Local Plan (2020), 3no. off-street parking spaces are required. The proposed dwellinghouse will include an attached garage with internal dimensions that will allow for the parking of 1no. vehicle, whilst further space is available to the front of the dwellinghouse.

The Highways Engineer has assessed the application, raises no objection on highways grounds and makes the following comments:

'Garage is stated in Planning Statement as being of internal dimensions of 5.4mx5.7m. This is inadequate to count as a parking standard for two vehicles. However, it may accommodate a single vehicle. There is space within the red line to accommodate vehicles parked in tandem, though this will be close to the adjacent property. Parking standards can be met within the red line. Turning will take place within the shared access yard, though outside of the red line.'

Subject to the imposition of conditions that require the parking and turning areas to be provided in accordance with the approved plans prior to the occupation of the dwellinghouse and the proposed garage restricted to the parking of vehicles, the

proposed dwellinghouse will not have a detrimental effect on highway safety. The development will therefore comply with policies DC1 and T1 of the Local Plan (2020) and the NPPF (2021).

Ecology

Policy NE1 outlines that the biodiversity of the District will be conserved and enhancement by positive management and the strict control of development by (1) protecting and enhancing habitats and species of principal importance for conservation; (2) ensuring development produces a net gain in biodiversity and; (3) any unavoidable impacts are mitigated.

A Preliminary Ecological Appraisal was submitted with the planning application. This report concluded that there was no evidence of protected species or habitats on the site and that subject to conditions, it would not adversely affect a Local Wildlife Site. The report recommends enhancement and avoidance measures and these should be conditioned accordingly.

Subject to a condition requiring the development to be undertaken in strict accordance with the recommendations contained in the '*Preliminary Ecological Appraisal*', it is considered that the development will comply with policy NE1 of the Local Plan (2020) and the NPPF (2021).

Trees

Policy NE2 of the Local Plan (2020) seeks to protect existing trees, woodlands and hedgerows from loss or deterioration. This will be achieved by requiring them to be retained and integrated within a proposed development unless the need for and benefits of the development clearly outweigh their loss. It goes on to state that the Council will refer to its adopted Tree Strategy in the consideration of proposals and will seek to retain as many trees and as much hedgerow on site as possible.

Policy 2.2.6 of the Council's adopted Tree Strategy states that '*the Council will not normally grant planning permission for development proposals which directly or indirectly threaten trees of significant amenity unless there is overriding justification to do so*'.

The application site contains trees, none of which are protected. A *Tree Survey Report & Arboricultural Impact Assessment* was submitted with the planning application. The report concluded that, '*one tree T6 should be retained and protected, the group of three should be retained but require no protection [they are located off-site in the neighbouring property's garden], three trees T3, T4, & T5 will require removal to allow for the proposed development and two [T1 and T2] are recommended for removal regardless of development.*'

Of the 3no. trees that require removal to facilitate the proposed development, all three have been classed as Category C trees. It is therefore considered that the loss of these trees will be acceptable. The remaining trees should be protected with tree protective fencing in accordance with the submitted report and the fencing should be in place prior to the commencement of the development (including demolition).

The *Preliminary Ecological Appraisal* does not raise an issue with the loss of the trees from an ecological perspective, but due to the site's proximity to a Local Wildlife Site, it recommends that at least five trees are planted within the site to offset the loss of the existing trees. This complies with policy NE2 that requires '*the on-site replacement of any trees that are removed with sufficient tree planting to replace or increase the canopy cover on-site as appropriate*'. This should be conditioned as part of the subsequent submission and approval of a landscaping scheme.

Subject to the imposition of such conditions, the proposed development will comply with policy NE2 of the Local Plan (2020) and the NPPF (2021).

CONCLUSION / PLANNING BALANCE

For the reasons outlined above, the proposed development is considered to accord with the relevant policies contained in the Staffordshire Moorlands Local Plan (2020) and the NPPF (2021). As such the application is recommended for approval.

OFFICER RECOMMENDATION: APPROVE subject to Conditions

Case Officer: Ailsa Berry

Recommendation Date: 31/03/2022

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council