DELEGATED DECISION REPORT

SMD/2022/0062 **Valid 07/02/2022**	**LAND BETWEEN BROOK COTTAGE AND SNEYD ARMS ASHBOURNE ROAD WHISTON**	**VARIATION OF CONDITION 2 RELATING TO SMD/2017/0148 - APPEAL REFERENCE - APP/B3438/W/17/3187025** **(FULL - MINOR)**

MAIN ISSUES

The impact on the character and appearance of the area.
The impact on residential amenity.

DESCRIPTION OF SITE

The site is within the small village of Whiston and lies between a dwelling (Brook Cottage) to the west and the former Sneyd Arms pub to the east which face Ashbourne Road to the south. It comprises an empty plot with no buildings. There are also dwellings a further distance away to the rear (north). The site and surrounding land slopes steeply up from the road towards the north.

PROPOSAL

This is a Variation of Condition application which seeks to alter Condition 2 of a planning permission for one new dwelling (allowed on appeal) which requires that the development shall be undertaken in accordance with the drawings submitted with the application. The applicant wants to make alterations to the scheme and therefore would need to substitute the approved drawings listed in Condition 2 with new drawings which show the amendments which comprise the removal of a side lean-to, the "handing" of a chimney and rear projection from one side of the house to the other and the addition of a small rear lean-to next to the rear projection. The reason for the changes given by the agent is as follows:

"The amendments have been made following a topographical survey which showed slightly less room at the boundary so necessitated a small change in the scheme."

As the drawing numbers would change, the wording of the Condition would also therefore need to be varied, hence the reason behind the submission of the application.

Extraction works for the dwelling have commenced.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffs Moorlands Local Plan (adopted September 2020)

DC1 – Design Considerations

NPPF (Revised July 2021)

Sections 12 (Design).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2017/0148: One dwelling. Refused by the Council but allowed on appeal.

CONSULTATIONS

Publicity

Site Notice expiry date: 3.3.22
Neighbour consultation period ends: 3.3.22
Press Advert: N/A

Public Comments

None.

Town / Parish Comments

"The present application is at variance with the appeal conditions and should be refused."

Local Highways Authority

No objection

Severn Trent Water

No objection.

OFFICER COMMENTS

The principle of development has already been established by the grant of planning permission, on appeal, for a single dwelling in 2018. As works have commenced, and therefore this consent remains extant, this application does not present the opportunity to reconsider the principle of development.

The only noticeable change from the road would be the swap in the chimney position from the right to the left hand side of the house when viewed from the road and this would not harm the appearance of the proposed house. All other alterations would be at the rear and screened from the road.

The siting would not be changed although it looks closer to the neighbouring house, Brook Cottage on the new plans compared to the approved plans. This is because the rear projection of Brook Cottage, next to the side boundary, is shown to be larger

on the new plans than it is in reality and the side boundary position has been slightly re-aligned. There would be no additional impact on the neighbours. Although the swapping over of the proposed rear projection of the new house has given a larger and deeper flank wall next to the Brook Cottage side boundary, there are no primary rear windows at Brook Cottage close to the boundary (the main windows of this dwelling face the front and sides including the rear projection of Brook Cottage) and therefore the neighbouring dwelling would not experience any further loss of light provision as a result of that change. The other changes would also have no impact on Brook Cottage or the property to the east of the site. The finished floor levels in relation to the ground levels would also remain the same as the approved scheme.

CONCLUSION / PLANNING BALANCE

The changes to the approved development would not lead to any harm to visual or residential amenity and therefore the planning condition attached to the planning permission for the new house can be varied accordingly to refer to the new drawings showing those changes. The amended proposal would still 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: 4.4.22

X

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council