

DELEGATED DECISION REPORT

SMD/2021/0406
Valid 21/06/2021

THE CROWN INN TEAN
ROAD
CHEADLE

ERECTION OF 5NO
DWELLINGS

(FULL - MINOR)

MAIN ISSUES

- Whether or not this is a sustainable location for new dwellings.
- The impact on the rural character and appearance of the area.
- The impact on the heritage value of the site and surroundings.
- The loss of a community facility.
- The impact on biodiversity.
- The impact on residential amenity including that of proposed residents of the site.

DESCRIPTION OF SITE

This is a triangular piece of land bounded by the A522 and two more minor roads. The existing public house only occupies the south west corner of the site; the rest of the site is open consisting of the former car park and associated open space. As noted in the recent appeal it has the character of an isolated public house on a main road in the countryside. Although there is some isolated development nearby the character of the locality is that of the countryside.

PROPOSAL

This is a resubmission application following the lapse of time to commence works for 5 dwellings on site.

The scheme consists of two pairs of semidetached dwellings and one detached dwellings, five in total, all two storey in height. The detached dwelling has an attached single garage with parking space in front. There are eight parking spaces at the rear of the site. The dwellings each have three bedrooms, one with en suite facilities.

The design, access and layout remains the same as the original application approved under SMD/2016/0344 and subsequent reserved matters

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

SS2 – Settlement Hierarchy

DC1 – Design Considerations

T1- Development and Sustainable Transport

NE1 - Biodiversity and Geological Resources

RELEVANT PREVIOUS APPLICATIONS

NMA/2021/0005	Non-material amendment to conditions 9, 10 and 24 to change the trigger points from "shall not be commenced until" to "shall not be occupied until" in relation to SMD/2016/0344	Approved
DOC/2018/0052	Discharge of Conditions: 1, 6, 8, 9, 10, 11, 12, 13, 15, 16, 20, 24 to planning permission SMD/2016/0344	Spilt decision
SMD/2018/0153	Reserved matters for appearance, scale landscaping and layout	Spilt decision
SMD/2017/0686	Reserved matters for appearance, scale landscaping and layout	Withdrawn
SMD/2016/0344	Erection of up to 5 dwellings (Outline)	Approved
SMD/2015/0150	Proposed demolition of building and development of site for housing	Refused. Subsequently dismissed at appeal dated 17 th December 2015 (ref APP/B3438/W/15/3 134980)
SMD/2014/0652	Proposed demolition of building and development of site for housing	Refused

CONSULTATIONS

Publicity

Site Notice expiry date: 21/09/21

Neighbour consultation period ends: 31/08/21

Public Comments

One neighbour representative received

- Objection, no main sewer and connecting to the existing drainage system would not be adequate for the proposed development
- Proposed housing numbers, too many

Consultees	
Archaeology	No objection
Highways	No objection subject to parking and turning areas being provided, garages to be used for vehicle and cycle storage only, off-highway works shall be constructed/ installed prior to any units being occupied, permanent closure of existing site access onto the A522 Tean Road and access from Freehay Road remaining ungated.
Staffordshire Wildlife Trust	No objection subject to pre-occupation conditions to submit revised landscape plans

Environmental Health	Noise- no objection subject to condition restricting times of operation Contamination- no objection subject to condition relating to top soils, disposal of waste materials
Severn Trent Waters	No objection
Tree Officer	No objection subject to condition for existing hedgerows to be retained, temporary protective fencing for the protection of existing hedgerows, implementation of landscape scheme, provision of open space and securing future maintenance and management of areas of public open space.

OFFICER COMMENTS

Principle of Development

As with all applications, the LPA is required to determine this application in accordance with the Development plan, unless there are material circumstances which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations.

Policy SS1 establishes a 'Presumption in Favour of Sustainable Development' in line with the National Planning Policy (herein referred to as the NPPF) where: (1) planning applications that accord with policies within the Core Strategy will be approved without delay and (2) where there are no relevant policies or they are out of date, the Council will grant planning permission unless material considerations indicate otherwise considering:-

- I. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or,
- II. Specific policies in within the NPPF indicate that development should be restricted.

The site is a situated outside a settlement boundary in open countryside. There was a public house on site however, this has since been removed.

The principle of development including the loss of the public house has been established under the previously approved outline application SMD/2016/0344, which members of the Planning Committee approved in the 3rd November 2016. The previous scheme is no different than what is currently being proposed.

It should be noted that while this scheme is to be considered under a fresh new application, the background to its approval remains relevant. The principle of development was established when the Planning Inspectorate considered the refusal of the application for 6 dwellings and 2 flats. The inspector noted that the effect of the demolition of the public house on the local community would be negligible as it had not served the local community for 9 years at the time of appeal, there were others nearby and there was a lack of notable community concern over its loss. The inspector

was more critical of the scale of the housing dwelling and therefore, subsequently dismissed the Appeal on character and appearance. Since this appeal, the development has been reduced to 5 dwellings and the public house is no longer there following demolition. As such, it is considered that the current benefits to use the part brownfield/part greenfield site for dwellings outweighs the original concerns which was the retention of a community facility and thereafter, is no longer there.

From this, there is no reason to take a difference stance with this full application.

Accordingly, the principle of development is considered to be acceptable subject to other materials considerations including design, highway safety and other matters.

Layout, scale and appearance

The current application is identical in appearance, scale landscaping and layout to the previously approved application SMD/2018/0153.

When considering the site layout and the designs of the dwellings, the dwellings have utilised the area in an effective way that sees the southern boundary being more open following the introduction of some hedge planting along this boundary.

In terms of the design and appearance of the dwellings, seen from Tean Road, the front elevations are proportioned in scale and, windows and simple open porches are appropriately sized. Brick soldier detailing is shown below the windows to provide some interest and deemed visually acceptable. The dwellings sit behind a low wall with railings providing suitable enclosure to the site and softens the built up development. The materials are brick with a clay tiled roof which is typical of a new housing development and not out of the ordinary.

The dwellings are each provided with a small rear garden area. It is recommended that permitted development rights are withdrawn for classes A - E to allow the Council to maintain control over any extensions to the properties, roof alterations and provision of outbuildings (sheds etc) in order to safeguard the character and appearance of this rural area given the prominent location of the site and to protect the private amenity space of the individual dwellings. Given that the proposed dwellings are arranged in a single row there will be no overlooking between the proposed units. The minimum separation distances to neighbouring dwellings will be significantly exceeded and therefore no other amenity issues are raised.

A condition for details of the windows and doors prior to the construction of any of the dwellings will be applied as this was not submitted by the agent; This condition was required under a previously approved application SMD/2018/0153. This was an opportunity to address the matter under the current application nevertheless, will be added subject to approval.

The layout, scale and appearance is considered to be acceptable and complies with Policies DC1 of the Local plan and the NPPF.

Landscaping

Policy NE1 in the local plan expects that 'all development where possible seeks to deliver a net gain in biodiversity proportionate to the size and scale of the development.

The scheme incorporates the two areas of open space with new tree and hedge planting. It was considered by Staffordshire Wildlife Trust minor changes to the landscaping and long-term maintenance were needed to maximise biodiversity and accord with Policy NE1. As such, a pre-occupation condition has been suggested to ensure this is provided. The application accords with Policy NE1 in the Local Plan.

Impact on highways

A single point of access is proposed on Freehay Road. It shows a frontage terrace of 5 small cottage style 2/3 bedroom units, 14 car parking spaces and two areas of open space.

No objection is raised to this, a view shared by the Local Highway Authority who raises no objection subject to conditions ensuring parking and turning areas are provided, garages to be used for vehicle and cycle storage only, off-highway works to be constructed/ installed prior to any units being occupied, permanent closure of existing site access onto the A522 Tean Road and access from Freehay Road remaining ungated.

The application accords with Policy T1 in the Local Plan.

Drainage

The application states that drainage will be to existing mains drains. The application has been considered by Severn Trent who raise no objection to the scheme. They have also previously approved drainage proposals under conditions attached to the previous approval.

However, third parties have provided evidence that STW do not have any sewerage infrastructure in the area. Therefore alternative proposals will be required for foul and surface water, details of which can be secured by condition.

Other Issues

No issues are raised in respect of ecology and, archaeology subject to conditions.

CONCLUSION

Accordingly, the application is to be considered to be in accordance with the NPPF and the Local Plan. It is therefore recommended for approval subject to conditions.

OFFICER RECOMMENDATION : **Approve subject to conditions**

Case Officer: Lisa Li

Recommendation Date: 6/06/22

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council