

DELEGATED DECISION REPORT

SMD/2022/0260
Valid 19/05/2022

3 ROCHFORD CLOSE
LEEK

DETACHED HOUSE
(FULL - MINOR)

MAIN ISSUES

- Local Plan Strategy Approach to the supply of housing
- Impact on the character and appearance of the surrounding area.
- Impact on amenity.
- Impact on highway safety.

DESCRIPTION OF SITE

The application site comprises the western part of the garden associated with No. 3 Rochford Close. No. 3 Rochford Close comprises a two-storey detached dwellinghouse sited within a row of three dwellinghouses. It is located on an L shaped residential street that is a no-through road with a turning head at the end. The application site is located within the Development Boundary of Leek, within a predominantly residential area.

PROPOSAL

Second attempt application seeking a full planning permission for the demolition of the double width garage attached to the side of No. 3 Rochford Close, and to replace it with a new two-storey detached dwellinghouse within a new plot to be taken from the garden to the side of the existing dwelling. Parking spaces will be provided to the front of the proposed dwellinghouse, as well as at the end of the rear garden, adjacent to the existing turning head.

The application follows the refusal of a scheme proposed earlier this year (SMD/2021/0501), refused because the proposed dwelling would not comply with the Nationally Described Space Standards; it would be harmful to the character and appearance of the area, squeezed into a narrow plot that would not relate well to the existing pattern of development; and it was considered that these harms would significantly and demonstrably outweigh the benefits associated with the provision of a single dwelling and its contribution to housing supply, where the authority is currently short of a 5 year supply.

With this revised proposal the provision of floor space has been increased in an attempt to meet the space standards. The increase to floor space has been achieved by making the dwellings width another 0.5m wider and its depth another 1m deeper. This would have the affect of narrowing the gap to just a metre between the proposed and host dwellings.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan Development Plan Document (Adopted 2020)
SS1 Development Principles

1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS5 Leek Area Strategy
DC1 Design Considerations
T1 Development and Sustainable Transport
H1 New Housing Development

SMDC Design Guide

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/1981/0139 utility room, front porch and replacement garage. Approved
SMD/1992/0086 Garage and dining room extension. Approved
SMD/1996/0543 Extension to domestic garage. Approved
SMD/2021/0501 link detached dwelling. Refused.

CONSULTATIONS

Publicity

Site Notice expiry date: 22/06/2022
Neighbour consultation period ends: 22/06/2022
Press Advert: N/A

Public Comments

11 objections have been received. The following comments are raised:

- The proposed off-street parking spaces at the southern end of the site will displace the parking of existing cars along the road, resulting in vehicles having to park across both sides of the road and onto the pavements, causing the footpaths to become impassable.
- The development will make the Close feel enclosed.
- The house will obstruct the view around the bend for oncoming vehicles.
- There is already a problem with parking on the Close. The proposal will remove on-street parking spaces and add more vehicles to the Close.
- When the houses were built in the 1970s, if there was enough room for another house, surely the developer would have constructed one? There was obviously a reason why another house wasn't built there.
- All houses in the Close were built with a garage and a driveway for 1 vehicle, so reducing the garage by two thirds at No.3 to provide storage and squash another house with no garage in is not in keeping with the rest of the houses and surely will look strange and ruin the uniformity of the area.
- The addition of another property onto the existing site would not be in keeping with the layout and characteristics of the properties already in the close.
- Garden grabbing development.
- Disruption to residents during the construction of the dwellinghouse.
- Potential instability of the road due to the excavation of the bank and the potential to disturb the existing hedge that is home to wildlife.
- Flooding to properties below due to the removal of soil and an increase in hard surfacing.

- Impact on neighbouring privacy.

Town / Parish Comments

Leek Town Council: The Town Council do not object to the Application on Planning matters, but would ask the Planning Committee of SMDC to please take into consideration the local residents comments regarding parking and access as this is a heavily congested street and parking is already a problem for many residents.

Environmental Health

No objection subject to conditions.

Staffordshire County Council Highways

No objection subject to standard conditions

Severn Trent Water

As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.

AES Waste Services

No issues regarding waste collections

OFFICER COMMENTS

The published updated 5 year housing supply statement concludes that the Staffordshire Moorlands only has a supply of 4.21 years. As such, para. 11d of the NPPF now applies to applications for housing development i.e. grant permission unless covered by policy in the closed list at footnote 7 (e.g. Green Belt, Local Green Space, SSSI etc), or unless 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 “Tilted Balance”.

The dwellinghouse is located within a sustainable suburban residential area of the Leek Town settlement; a ‘town’ as identified by Local Plan policies SS2 and SS5. The Local Plan strategy SS5 applies to the provision of housing within the Leek Town Area which seeks to consolidate the role of the town as the principle service centre and a market town and support its regeneration. To do this, one of the policy’s aims is ‘Supporting the development of new housing on sustainable sites within the Development Boundary’. There would be benefits associated with the development, it would make a small contribution to housing supply in a sustainable, established residential area. There would be some economic and community benefit in those regards.

Housing Policy H1 of the Local Plan (2020) states that housing development, on sites not allocated for such purposes, will be supported within the Development Boundaries of the towns subject to compliance with the Spatial Strategy and wider Local Plan policies’. It is therefore necessary to determine whether the development would impose any adverse impacts that would cause conflict with other policies of the development plan and, indeed, whether they would amount to adverse impacts that would significantly and demonstrably outweigh the benefits, associated with the

proposed development, when assessed against the policies in the NPPF taken as a whole.

Design and Impact on Character and Appearance of the Area

Local Plan Policy DC1 requires all development to be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council's Design Guide SPD. 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.

In respect of new development, key points from the SPD guidance include:

The setting of any building should be carefully considered. Attention should be paid to its impact on views into, over and out of the site. The architectural style of new development should be guided through an assessment and understanding of the character and context of the area.

In this case the character and appearance of the area is made up of a distinctly 1970s housing development of two storey dwellings, built around an L-shaped close terminating at a turning head. The architecture and materials are typical of this age and character – a mix of buff and red brick, tile cladding, sections of render, and flat roofed garages and porches.

Opposite the site, there is a row of flat fronted semi detached dwellings with ridge lines parallel to the road. The applicant's host dwelling, however, is an example of the prevailing dwelling type on the close. It is a narrow gable fronted dwelling with a flat roof garage to the side. Where these dwellings form a row the garages dictate even spacing between the properties. All of the dwellings are set back from the roadside, consistently, behind a driveway parking space to the front.

3 Rochford Close occupies a corner plot, at the end of a row of three, with an extended garage and garden to the side. Where the road sweeps around the corner plot, on the higher ground, and flanks the side of the dwelling, it retains proximity from the building that is consistent with the distance that is maintained between the front and roadside of all of the other dwellings on the close. This creates a sense of openness and space within the streetscene and to the roadside that contributes to the quality of the environment.

Although the proposed dwelling would be of a similar form, design and size to the immediate neighbour, and it could be built using matching materials, there would not be a single width garage providing space between them. Limited plot size would dictate a gap of just 1m between dwellings.

The proposed dwellinghouse would erode the spacious and attractive character of the street scene. By building on the area of garden in close proximity to the road, the development would appear awkwardly cramped within a uniquely narrow plot, squeezed between the side of the host dwelling and its roadside garden boundary. At the end of a uniformly spaced row of dwellings, the development would appear

unusually close to the adjacent host dwelling, on one side, and the road, to the other.

In these regards the development would not represent good design and it would appear exposed, prominent and intrusive. It would relate poorly to the pattern and character of the existing development. There would be significant harm to the character and appearance of the area and the development would fail to preserve local distinctiveness. The proposed development would therefore be contrary to policies SS5, H1 and DC1 of the adopted SMDC Local Plan (2020), the Design Guide SPD and the NPPF (2021).

With consideration for paragraph 11d of the NPPF, where the authority has less than a 5 year supply of housing, the harm identified would amount to an adverse impact that would significantly and demonstrably outweigh the associated benefits that would include a very small contribution to housing supply, local economy and community.

Impact on the living conditions/amenity of neighbours

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.

The separation distances between windows in the front elevation of the proposed dwellinghouse and those on the opposite side of the road to the north would exceed the standard set out within the Council's Space About Dwellings SPG. At the rear the separation distance between the proposed dwelling and the front elevation of the nearest dwelling behind, would be about 45 metres from the dwellinghouse, well in excess of the standard specified within the Space About Dwellings SPG.

A first floor high-level window, in the proposed side elevation facing the front of the dwellings on the opposite side of the road to the west, would serve the landing and stairs. The separation distance would be approx. 17m and the window could be obscured glazed and non-opening, it does not raise an issue of unreasonable overlooking or loss of privacy. At that distance the side elevation of the proposed dwelling would not make unreasonable obstruction to outlook, particularly as it would set down below pavement level, behind retained ground.

The positioning and footprint of the proposed dwelling would be aligned with the immediately adjacent host dwelling. There would not be any staggering or projection beyond the rear elevation of the existing dwelling and, as such, there would be no breach of the 45-degree code normally applied to protect the rear outlook of adjacent dwellings. A first floor window in the side elevation of the host dwelling is non principal serving the landing/stairs and does not afford important outlook to the occupants.

Although local residents have raised concern regarding a loss of privacy, for the reasons outlined above, it is not considered that the proposed dwellinghouse would have an unreasonable effect on neighbouring amenity. This is not an issue that raises conflict with the Local Plan Policy DC1 in those regards, or amounts to an adverse impact that would significantly and demonstrably outweigh the benefits, associated with the proposed development.

Living conditions provided for future occupants of the proposed development

Local Plan housing policy H1, at 3(d), states that all new dwellings should aim to provide flexible accommodation by seeking to accord with the nationally described space standards. Outdoor amenity space would be provided within an ample rear garden area and would be compliant with the Council's Space About Dwelling's SPG with a mean garden length of more than 11m and an area in excess of 65 square metres.

Nationally described space standards require a new 3 bed room, two-storey dwellinghouse, to provide:

- Gross floor area of 84 sqm for 4 persons (or 93 sqm for 5 persons)
- 2.5 sq m of built in storage
- At least one bedroom should be a double
- A single bedroom at least 7.5 sqm and 2.15m wide
- A double at least 11.5 sqm and 2.75m (a second double at least 2.55m wide)

With the revisions included in this second attempt application the dwelling would provide a gross floor space of 84 sqm (increased from 74 sqm). Two of the bedrooms would appear to be doubles, each with 11.5 sqm (including the area of built in storage) one with a width of 2.85m and the other of a width of 2.55m. The third bedroom would appear to be a single bed with 7.5 sqm of floor area with a width of 2.2m (increased from 4.75 sqm and 1.735m). In total, two built in wardrobes and under stairs storage provides at least 2.5 sqm. This would all essentially comply with the standard for a three bed, two storey house provided for 4 persons.

However, the dwelling appears to be provided for up to 5 persons, it has two double bedrooms and a single. In those respects the gross floor area is some 9 sqm short of the 93 sqm required by the standard. It is not entirely clear whether a dwelling provided with two doubles and a single should automatically be assessed against the 5 person standard, after all the second double could just as easily be occupied as a larger single. It is noted that the Local Plan Policy H1 does not dictate strict adherence to the standards, but rather encourages developers to *aim* towards or *seek* to achieve compliance. In any event, if there is considered to be a breach of the standards, any adverse impacts associated with that, would not significantly and demonstrably outweigh the overall benefits of providing the dwelling.

Highway Safety

Policies DC1 and T1 seek to achieve a level of parking and an access that is appropriate to the development it serves. It is of note that local residents are concerned that on-street parking would increase on an already congested street. The Highways Engineer has assessed the application and made the following comments:

"The current garage would be demolished and replaced with a new 3-bedroom property; the existing property also has 3 bedrooms. Staffordshire Moorlands Parking Standards states; Detached/Semi Detached up to 3 bedrooms requires 2 spaces (2.4m x 4.8m each space). Drawing No. SANI /PP/01/003A supplied shows off highway parking for 3 vehicles for the proposed new dwelling, 1 to the front elevation of the property utilising part of the existing driveway and 2 new spaces to the rear. The existing property No. 3 Rochford Close will retain 2 spaces utilising the remainder of the existing driveway as shown in Drawing No. SANI /PP/01/003A. It would appear to

access the 2 spaces for the existing property (No.3) the current vehicle crossing to the front elevation of the property will require widening". A new vehicle access crossing will also be necessary to access the 2 new spaces to the rear". The highway officer consequently, subject to conditions, has no objection to the proposal.

In these regards the proposal would comply with policies DC1 and T1 of the Local Plan (2020) and the Council's Parking Standards appended to the Local Plan. An impact on highway safety therefore, cannot be identified as an adverse impact that would significantly and demonstrably outweigh the benefits associated with the development.

Other Considerations

Local residents have raised concern that the proposed development will lead to flooding due to the excavation of the bank adjacent to the road and an increase in the amount of hardstanding. The site is located within Flood Zone 1 and the application has been assessed by Severn Trent Water, who did not raise an objection to the proposed development. It is therefore considered that the proposed development will not lead to flooding issues.

Concern has also been raised regarding the potential instability of the road and the loss of the roadside hedge from the excavation of the adjacent land. Any damage caused to the highway will be a civil matter, should it occur. The existing boundary hedge comprises a conifer hedge. Whilst it offers a level of soft landscaping to the street scene, it is not protected and could be removed at any time by the landowner. However, the drawings indicate that the hedge is to be retained and if permission was granted, the application would be subject to a landscaping scheme condition. It is acknowledged that there would be some disruption to residents from the construction of a dwelling. However, this would be for a short period of time and timings for construction work/deliveries and noise generating sources could be controlled by condition. This is therefore not considered to adversely affect neighbouring amenity.

These concerns do not relate to impacts that could be reasonably identified as those that would significantly and demonstrably outweigh the benefits associated with the development.

CONCLUSION / PLANNING BALANCE

The development would provide a dwelling within an established, suburban, residential area within the settlement of Leek and would make a contribution to housing supply, where the authority has less than a 5 year supply of housing. The provision of floor space has been increased to meet nationally described standards and one of the reasons for refusing the previous application has essentially been addressed.

However, there would be significant harm to the character and appearance of the area and the development would fail to preserve local distinctiveness. The proposed development would therefore be contrary to policies SS5, H1 and DC1 of the adopted SMDC Local Plan (2020), the Design Guide SPD and the NPPF (2021). With consideration for paragraph 11d of the NPPF, where the authority has less than a 5 year supply of housing, the harm identified would amount to an adverse impact that would significantly and demonstrably outweigh the associated benefits that would include a very small contribution to housing supply, local economy and community.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Ben Hurst

Recommendation Date: 08/07/2022

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council