

DELEGATED DECISION REPORT

SMD/2022/0327
Valid 28/06/2022

32 WINDRUSH
WESTWOOD PARK
AVENUE
LEEK

PROPOSED DEMOLITION OF
EXISTING BUNGALOW AND
CONSTRUCTION OF NEW
DETACHED BUNGALOW

(FULL - MINOR)

MAIN ISSUES

- Impact on the character and appearance of the area
- Compatibility with Local Plan Housing Strategy for the Rural Areas
- Living conditions of existing and future occupiers of development
- Highway Safety
- Ecology

DESCRIPTION OF SITE

White rendered pre war bungalow on a plot between two 2 storey dwellings. The bungalow is on an L shaped footprint with a hipped tiled roof and a central brick chimney stack.

The dwelling is in a well-established residential suburb of Leek to the far western edge of the settlement boundary. To the rear north west of the plot the land is open rural Green Belt.

Westwood Park Avenue falls steeply from south west to north east, with the dwellings stepping down the falling land profile. The side wall of the adjacent semi-detached dwelling to the south west sits above the application plot, while the side wall of the dwelling to the north east steps down so that it is only the first floor and roof profile that is apparent from the side boundary.

PROPOSAL

The proposal is to replace the bungalow with a new detached red brick bungalow that would have a full pitch roof on a squarer footprint. The dwelling would present a gable projection to the front to provide shape and character.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan Development Plan Document (Adopted 2020)

- S01 Spatial Objectives
- SS1 Development Principles
- SS5 Leek Area Strategy
- H1 Housing supply
- DC1 Design Considerations
- NE1 Biodiversity
- T1 Development and Sustainable Transport

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 16.08.2022

Neighbour consultation period ends: 16.08.2022

Press Advert: N/A

Public Comments

None

Town / Parish Comments

Leek Town Council: No Objection

Staffordshire County Council Highways

No Objection

OFFICER COMMENTS

Principle of Development

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 Local Plan strategy for the market towns, SS5, is to provide within these areas housing to meet the majority of the Districts housing needs. The replacement dwelling would improve the quality of an existing dwelling within the settlement and would be compliant with the strategy.

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.

The new bungalow would have a character and appearance that would be reflective of the pre-existing dwelling and two other bungalows on the opposite side of the road at the end of Warrington Drive. Although it would occupy a squarer footprint to that of its predecessor, it would retain shape and character with a front gable turn and projection. Otherwise, the development would be positioned between two storey dwellings in a residential area of largely two storey pre-war properties, built from brick with hipped roofs. The replacement bungalow would have a full pitch roof like those

opposite and the late 20th Century dwelling on the low side of the plot. The new dwelling would be built from brick to match those of the surrounding properties.

The proposal would not be overly large for the plot or include dormer accommodation that might involve significant size increase to the roof. In this context the new dwelling would be of relatively quiet appearance with architecture that is reflective of its neighbours, with some detailing and features that adds visual interest and some vernacular merit.

In these regards the development would be reasonably designed and there would be no damage to local distinctiveness there would be no conflict with the criteria of policies DC1 of the Local Plan.

In respect of para. 11d of the NPPF, where permission should be granted for housing development 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 design of the dwelling and its impact on character and appearance of the area would outweigh the benefits of providing a dwelling.

Amenity and impact on living conditions of existing neighbours

The new dwelling would be built between two storey side elevations on each side. On the low side the neighbour's side elevation is blank, save for a first floor, obscured, bathroom window that would face two small two storey toilet windows in the side wall of the development. Toward the rear of the dwelling the plans detail the inclusion of a small, second living room window – the window would face the blank brick of the neighbour's side elevation and is set back from the garden boundary which is enclosed by hedgerow under the neighbour's control, restricting outlook over their garden. The side elevations of both dwellings would essentially line up, neither property would project beyond either the front or rear elevations of the other. There would be no conflict with policy DC1 of the Local Plan in these regards.

On the high side of the plot the rear elevation of the neighbour backs onto a small garage built on the boundary. The side wall of the pre-existing dwelling spans and flanks the gap on the boundary between the neighbour and their garage. Currently the side wall angles away from the boundary and it has a shallow hipped roof. The side wall of the replacement dwelling would be square to the boundary and present the taller profile of the side gable to a full pitched roof.

The neighbour, however, is on a much higher plot level. The proposed study and utility room windows in the new side elevation would have limited outlook toward the rising earth bank and the close boarded fence that would be 2.5m away. These windows would not have outlook into the neighbour's property and would not be overlooked. These new windows would be non-principal, as opposed to the kitchen window that already presents to the side in the existing dwelling.

The extent to which the side elevation of the new dwelling would flank and affect the light and outlook available to the neighbour's rear facing adjacent window would not alter significantly from the existing situation. The bungalow and plot is set down at a much lower level and there would be a total of 5m between elevations. The additional height of the replacement dwelling would rise to a central peak of 7m, but drop each

side from that peak to an eaves height, each side of just 2.8m. Whereas, the existing dwelling has a hipped roof ridge height of 4.3m that spans, more consistently, the full width of the side elevation.

The living conditions of the neighbour on the high side would not be unreasonably affected. There would be no conflict with policy DC1 of the Local Plan in these regards. However, given the extent to which the development potential of the plot has now been maximised it is considered prudent to remove permitted development rights in order to exercise control over future development which has the potential to adversely affect the amenity of neighbouring occupiers.

Ecology

Prior to the application being submitted the applicant had cut away hedgerow and small trees from within the garden area and carried out intrusive works and alterations to the dwelling. He has been into the roof space and removed insulation, copper piping and large sections of tile. There is no evidence that he has disturbed any roosting bats or habitat and that an offence has occurred and the applicant is keen to alter the dwelling further by removing the whole of the roof and stacking the plain clay tiles – works that would not seem to require permission. In terms of the site's potential to provide bat roost or habitat, meaningful structure and habitat has been diminished and the merits of a survey would seem now to be limited. The walls of the bungalow are tightly rendered meaning that there are no gaps within the brick work to provide access and the roof has tight soffit details and was felted.

However, it does seem that prior to the applicant's actions there would have been some potential to provide habitat and roosting habitat – the garden was enclosed by mature hedgerow, had tree cover and backed onto open countryside, the roof was covered by plain clay tile and there are gaps and crevices. With that in mind, the best approach here is to require, by condition, bat roost mitigation before the development is completed and occupied on the recommendation of an ecologist, an approach to maximise the potential for bio diversity throughout the future life of the development.

Highway Safety

The development would make use of existing driveway arrangement which provides two spaces and access with the highway. There is no objection from the highway officer, the dwelling would have three bedrooms and provide, with the internal garage, at least 3 parking spaces.

The paved surface would be replaced with tarmacadam and surface water can be drained sustainably to soakaway.

CONCLUSION / PLANNING BALANCE

The housing development would be compatible with the Local Plan 'Leek Area' strategy for the provision of housing. With consideration of impacts on character and appearance, the living conditions of existing and future occupiers, and highway safety, there are no adverse impacts that would significantly and demonstrably outweigh the benefits associated with the provision of a new dwelling. There would be no conflict with the local plan policies listed above or the terms of the NPPF.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst

Recommendation Date: 23rd August 2022

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council