

DELEGATED DECISION REPORT

SMD/2021/0720
Valid 08/11/2021

LAND AT 58 UPLANDS
CROFT
WERRINGTON

RESIDENTIAL DEVELOPMENT
FOR THE ERECTION OF 2 NO
DETACHED SINGLE STOREY
DWELLINGS WITH GARAGES

(FULL - MINOR)

MAIN ISSUES

- Principle
- Impact on visual amenity
- Neighbour amenity
- Amenity of future occupiers
- Highways
- Drainage
- Ecology/trees

DESCRIPTION OF SITE

The application site is a parcel of land to the rear of number 58 Uplands Croft Werrington. The application states that the land area measures approximately 0.18 hectares. The site appears to form part of the garden area at the rear of number 58; a site inspection revealed that only the upper portion was maintained as such with the lower part of the site having been left unattended and overgrown. Land levels slope gently downwards from the highways towards the dwelling before a further drop to the tended garden and then a more significant slope beyond and towards the rear boundary. Vehicular access to the proposed building site would be along the northern site boundary between numbers 58 and 60 Uplands Croft, the existing vehicular access being widened to accommodate the new drive. The main section of the site is broadly rectangular in shape, a narrow section linking to the highway. It projects quite some distance rear of the curtilages of the domestic properties to the south. This site and number 60 (to the north) have large plots which do sit within the development boundary.

For the purposes of planning policy consideration the application site is located within the Werrington and Cellarhead Village Development Boundary and is identified as a Coal Development Low Risk Area. The application site lies on the very edge of the Development Boundary and to the north, south and west the land is designated as Green Belt. The site does not form part of any Conservation Area and there are no Listed Buildings either within or in close proximity to the proposed development area.

PROPOSAL

Consent is sought for the erection of two detached three bedroomed bungalows within the rear garden of no 58 Uplands Croft. Each dwelling would benefit from a private garden to the rear as well as a garden to the front. The dwellings would benefit from a single garage with a private driveway for 2 vehicles providing a total of three parking spaces for each dwelling. The bungalows are proposed to be constructed in facing bricks with a concrete tile roof. However specific details haven't been supplied.

During the determination of the application, it had been agreed to extend the red edge boundary to include no 58 Upland Croft due to changes required to the access/parking area. The alteration to number 58 also includes infilling the secondary window on the side elevation that currently serves bedroom 2.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan

SS1 Development Principles
DC1 Design Considerations
T1 Development and Sustainable Transport
SS 8 Larger Villages Areas Strategy
H 1 New Housing Development
NE 1 Biodiversity and Geological Resources

Supplementary Planning Guidance

Space About Dwellings
Design Principles for Development in the Staffordshire Moorlands

Supplementary Planning Document

Staffordshire Moorlands Design Guide

National Planning Policy Framework

Including sections;

2. Achieving sustainable development
5. Delivering a sufficient supply of homes
8. Promoting healthy and safe communities
9. Promoting sustainable transport
11. making effective use of land
12. Achieving well-designed places
14. Meeting the challenge of climate change, flooding and coastal change
15. Conserving and enhancing the natural environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2019/0533-Proposed outline application for residential development for maximum 3No. dwellings with all matters reserved-REFUSED

SMD/2020/0353- Outline application with details of access (all other matters reserved) for a residential development - 3 no. additional dwellings- Withdrawn

CONSULTATIONS

Publicity

Site Notice expiry date: 7/12/21

Neighbour consultation period ends: 22/2/23 (revised plans)

Press Advert: N/A (*Add date if applicable)

Public Comments

15 Letters of representation have been received from 6 addresses objecting to the development with the following concerns

- safety of pedestrians/unsafe access
- location of bins on collection day
- loss of trees
- impact on ecology
- lack of amenities in local area
- parking disruption during construction
- impact on neighbour amenity relating to disturbance/loss of privacy from use of access.
- damage to neighbouring dwelling during construction
- flooding

Town / Parish Comments

Werrington Parish Council object to the application due to concerns regarding the suitability/safety of the access and the impact on the development on the amenity of the neighbouring dwelling.

Environmental Health

No objection subject to conditions

Severn Trent Waters

No objection and do not require a drainage condition to be attached.

Staffordshire Wildlife Trust

Holding objection as further information and amendments are required

SMDC Planning Officer and Ecologist

Recommends conditions

Staffordshire County Council Highways

No objections subject to conditions

OFFICER COMMENTS

Principle of Development

The application proposes the erection of two dwellings and the site is located within the Werrington and Cellarhead Village Development Boundary with Local Plan Policy SS8 identifying Werrington and Cellarhead as a 'larger village.'

The Local Plan states that within larger villages, the settlements 'shall retain and enhance their role as rural service centres, providing for the bulk of the local housing needs.' Policy H1 includes the requirement for increasing the range of available and affordable house types and allocating a range of deliverable housing sites primarily within the built-up area in locations across the village with good accessibility to services and facilities.

Objectors have raised concern about lack of amenities in the area. However, the site is within easy walking distance of a school, library and community centre, convenience store and a parade of other local shops as well as a church and health centre. High School, public house and other shops are a little further away but still within walking and cycling distance.

It is clear that this is a sustainably located site, it is within reach of a range of services and facilities and the area is served by public transport (bus) which links the settlement with surrounding areas including Wetley Rocks, Cheddleton, Leek and Hanley/Stoke-on-Trent. For these reasons it is concluded that the development is acceptable in principle.

Impact on Visual Amenity

Policy DC 1 states that all development shall 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 Design Guide requires that the architectural style of new development should be guided through an assessment and understanding of the character and context of the area. A new building should respect the scale of those surrounding it and the facing materials shall either match or complement those of the surrounding buildings.

The proposal when compared to the previously refused development has been reduced from three new dwellings to two within the rear garden of number 58 Uplands Croft. The plot size and size of the new dwellings are of a similar size to the surrounding dwellings and in terms of their scale are considered to reflect the neighbouring bungalows. The development proposes to be constructed in facing brick, but no specific details are submitted. A condition would be attached for materials to be submitted.

When viewed from Upland Croft the proposed dwellings would not be viewed as prominent or incongruous additions as they are to be located behind no 58 Uplands and at a slightly lower ground level. The dwellings would not be readily visible from the south due to the trees on the southern boundary screening the site. On entrance to the site a landscape border in the form of a laurel hedge or similar to proposed and no 58 Uplands croft proposed to retain an area of soft landscaping. As such the access to the site is considered to have an acceptable impact on the visual amenity of the area.

The eco habitat is to be located to the west of the site and although it would not be visible from Uplands Croft, it is considered that this contributes to the visual amenity of the area.

Overall the proposal is deemed to be acceptable in terms of character and appearance as well as visual impact.

Neighbour Amenity

Policy DC 1 states that all development shall 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. Specifically protecting the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution.

Although number 58 is identified within the red edge any amenity impact must be considered in the same way as any other neighbouring dwelling. Concerns have been raised regarding the disturbance to no 58 and 60 because of the use of the new driveway. This has formed a previous reason for refusal. When compared to the existing garden area some disturbance to neighbouring occupiers is inevitable. However, due to the width of the driveway the access is single track with passing places and therefore it is to be expected that vehicles would drive at a low speed resulting in moderate disturbance. Compared with the previous refusal the number of

dwelling has also been reduced to 2 additional dwellings reducing the number of trips. Previous appeal decisions have found that the vehicle movements associated with larger numbers of dwellings than the current proposal, passing at closer proximity to the gable than is the case here, are acceptable and whilst there would be a change to living conditions that change would be acceptable. It is further noted that no.60 has a garage separating it from the proposed access which serves to reduce the impact. Furthermore, it was considered appropriate to introduce some screening to mitigate this disturbance. As such a laurel hedge (width 1.2m) is proposed on the boundary between the site and this neighbour. In addition to providing a natural sound barrier the hedge also screens the rear garden of this neighbour.

Due to the single storey nature of the proposed development the proposed boundary treatment should prevent any overlooking of the rear garden on no.60 from the windows in the front elevations. The windows in the rear elevations will overlook an open field. None of the principal windows of the new dwellings would directly face the principal windows in the rear elevation of either no.60 or no.58. Again, due to the single storey nature of the development no significant overshadowing of the rear garden of no.60 is anticipated, especially given the separation distance provided by the access road. Furthermore, no.60 benefits from a large curtilage and the proposed dwellings are sufficiently far from the dwelling itself to avoid any loss of light to windows. Overall, due to the orientation and separation distance between the new dwellings and no.60 it is not considered that the development would have a significantly detrimental impact in terms of loss of light or privacy.

In terms of the impact on the other closest neighbours such as no.62, due to the orientation the separation between it is not considered that the development would have an unacceptable impact on the residential amenity of any other properties.

Amenity of Future Occupier

Policy H1 e) states that all new dwellings must be of sufficient size to provide satisfactory levels of amenity for future occupiers of the dwellings whilst respecting the privacy and amenity of occupiers of existing dwellings.

Each dwelling will have a gross internal floor area of no less than 124sqm and therefore meets the minimum standards set out within the DCLG Technical Housing Standards for a four bedroomed, eight-person dwellinghouse as required by Policy H1.

The occupants of the dwellings will benefit from a private amenity space that enables them to have reasonable enjoyment of their garden with a degree of freedom from unwanted social contact. Similar to the assessment on neighbour amenity the application properties would not be unduly affected by any loss of privacy due to the separation distance between the proposed dwelling and the nearby residential receptors.

In terms of the development's relationship with no.58 Uplands Croft, this dwelling is included within the red edge boundary for the site. The new access is proposed to continue behind no.58 and due to the orientation of the dwelling an existing habitable room window on the side (north) elevation is likely to be overlooked when

vehicles/pedestrians are using this access. For this reason, the development proposes to infill this window. As this window is a secondary window this is considered acceptable. Due to the fact that the gable of the first plot faces towards the rear of no.58 and that the dwelling itself is angled slightly to the south west, no overlooking or overshadowing impacts on the principal windows in it's rear elevation are anticipate. The Council's recommended separation distance of 13m is exceeded.

Overall, therefore, whilst neighbour comments are noted it is considered that the reduction in the number of units has overcome the previous reason for refusal and that the proposal is now acceptable in terms of residential amenity

Highway Safety

The dwellings will be served by an existing access off Uplands Croft. This access is currently a driveway for no 58 uplands Croft. The previous application was refused on the basis that the proposed access was of inadequate width to allow two vehicles to pass. The development proposes amendments to the access and existing driveway serving the existing bungalow. The amendment to the access includes the removal of the lighting column as required by SCC highways. This allows the driveway to be constructed to 4.2m in width which the highway officer has confirmed is sufficient to serve the proposed development and overcome his previous objection. The number of dwelling has also been reduced from 3 to 2. The new driveway serving the existing bungalow and proposed dwellings will be redirected along the northern boundary of the site and a turning circle is proposed to the west of the site adjacent to the proposed swale and eco habitat. The new driveway serving 58 Uplands Croft will be located to the front of the existing dwelling.

Although concerns have been raised regarding the suitability of the access in the absence of a highway objection the development could not be refused for this reason. Each plot would benefit from 3 parking spaces which is sufficient for 3 bedroomed dwellings. As such the development is considered to have an acceptable impact on highway safety subject to conditions.

Neighbours have raised concerns about parking disruption during construction. A Construction and Environmental Method Statement condition is proposed which can include details of contractor parking. However, this can only be enforced within the application site. If vehicles are parked dangerously on the highway or cause an obstruction the police have powers to deal with it.

Concern has also been raised about location of bins on collection day. This can also be addressed by condition.

Drainage/Flood Risk

The application is supported by a Flood Risk Assessment and Drainage Strategy with confirms that surface water would be disposed of via suds system in the form of an open swale and that this connects to outfall drain that drains into the water course. Severn Trent Water (STW) have no objections to the application and comment that they would not require any drainage conditions (in the event of an

approval). STW do comment that there is a public sewer located within the site which have statutory protection and 'may not be built close to, directly over or be diverted without consent.' Foul Sewage is proposed to be connected to the mains sewer.

Whilst residents concerns are noted, on the above basis it is considered that flooding issues have been adequately addressed.

Ecology/Trees

Policy NE1 in the Staffordshire Moorlands Local Plan Adopted September 2020, expects that 'all development where possible seeks to deliver a net gain in biodiversity proportionate to the size and scale of the development.

Local residents have raised concerns about loss of trees and ecological interest within the site.

The application site forms part of the garden belonging to 58 Uplands Croft, its lower portion is currently overgrown and wild but does not contain any protected trees. There are a number of mature trees on the site boundary.

The application has been subject to verbal discussion with the Council's Trees and Woodlands Officer. As originally submitted he had concerns regarding the position of the proposed garages and proximity to retained trees on the boundary. Revised plans have been submitted which have relocated these further orward which has addressed this concern. He now has no objection subject to tree protection conditions. Temporary protective fencing and advisory notices for the protection of the existing trees along the southerly and westerly margins of the site as shown in the submitted tree report August 2021 will also be provided and conditioned.

The previous application was refused on the basis of insufficient information to assess the impact of the proposals on habitats or species. The application is supported by the submission of a Bat Transect Survey which concluded that no bat roosts are within the proposed site or on any feature immediately adjacent to the site. During the survey a minimum of three species were foraging and commuting around the site and the majority of bat activity was along the northern, southern boundaries and towards the west of the site, around the trees and hedgerow. The survey recommended that the hedgerow to the south and trees along the western boundary remain in situ and that two eco bat boxes should be installed for bat enhancement.

A biodiversity net gain report was submitted which concluded that the development would result in a new loss and Staffordshire Wildlife trust objected to the development. Amendments were sought to increase the size of the proposed eco habitat by reducing the turning area. The LPA's ecology officer has commented on the proposal reviewing the amendments to the scheme and has recommended conditions based on the amended plans. As the turning area is required for practical purposes it is considered that on balance the development has an acceptable impact on ecology subject to conditions.

In the light of the above, whilst resident concerns are noted, the scheme is found to be acceptable in terms of ecology and trees.

Other Matters

A condition will be attached to the permission removing permitted development rights for Part 1 Classes A; B; C; D; E; F; and G. This is to ensure the minimum amount of acceptable amenity space for the occupier, a maintained level of amenity for neighbours and to ensure that any future additions to the property have an acceptable impact on the visual amenity of the area

Objectors have raised concerns about damage to neighbouring dwelling during construction. However, this would be a private civil matter and not a material planning consideration.

CONCLUSION / PLANNING BALANCE

It is for the above reasons it is considered that the reasons for refusal of the previous application have been overcome. The proposal therefore complies with all the relevant local plan policies as set out above. Having regard to all material considerations and matters raised, including third party objections, the application is recommended for approval.

OFFICER RECOMMENDATION : Approve with conditions.

Case Officer: Rebecca Bowers

Recommendation Date: 02.05.2023

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council