

DELEGATED DECISION REPORT

SMD/2021/0224
Valid 29/03/2021

FAIRVIEW COTTAGE 76
LEEK ROAD
STOCKTON BROOK

**OUTLINE APPLICATION WITH
DETAILS OF ACCESS (ALL
OTHER MATTERS RESERVED)
FOR A PROPOSED
DETACHED DWELLING ON
LAND ADJACENT TO 76 LEEK
ROAD, RETAINING AND
USING EXISTING ACCESS TO
76 LEEK ROAD**

(OUTLINE - MINOR APPS)

MAIN ISSUES

- Principle of development
- Design and Layout
- Impact on amenity and future occupiers
- Highways

DESCRIPTION OF SITE

The site is located just outside the Endon Development Boundary in a predominantly residential area with open countryside located to the East of the application site. Alton.

The site is located within the grounds of No. 76 Leek Road, which is currently a dwelling. Currently the site is used as amenity land.

PROPOSAL

Outline consent is sought for proposed for a proposed detached dwelling on land adjacent to 76 Leek Road, retaining and using existing access to 76 Leek Road with details of access (all matters reserved).

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan

SS1 Development Principles
SS2 Settlement Hierarchy
SS10 Other Rural Areas Strategy
DC1 Design Considerations
H1 New Housing Development

NE1 Biodiversity and Geological Resources
NE2 Trees, Woodland and Hedgerows
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 – 14;

Section(s)

4 – Decision making;
6 – Building a strong and competitive economy;
8 Promoting healthy and safe communities;
11 – Making effective use of land;
12 – Achieving well designed places;
15 – Conserving and enhancing the natural environment;

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Space About Dwellings SPG
- Design Principles SPG
- Design Guide SPD adopted 21st February 2018

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

N/A

CONSULTATIONS

Publicity

Site Notice expiry date: 27/05/2021
Neighbour consultation period ends: 30/04/2021
Press Advert: N/A

Public Comments

No representations have been received.

Town / Parish Comments

Recommend refusal as the site is within the Green Belt.

AES Waste

No objections.

Severn Trent

No objection.

Staffordshire County Council Highways

Application drawing states that existing access is to remain. However, gate posts are over 1.1m high, wall is crenelated with crenelations ranging from a minimum 0.75m to 0.975m above adjacent carriageway level. Driveway slopes away from the carriageway. Taken together, visibility splays are obstructed. Intensification of use of the existing access would not be in the interests of highway safety. Wall will need to be demolished and rebuilt behind the visibility splay.

Note on drawing states 'Existing access to serve no 76 and proposal.....' There is nothing to demonstrate that adequate parking and turning can be provided for both the existing and proposed dwellings. Access is off A53 Leek Road. Turning area for both is important. No 76 is not included within the red line. What is to prevent developer acquiring just land edged red and deciding not to provide parking for no 76.

Existing footway on the site frontage is very narrow. This is not conducive to pedestrian safety. Footway should be widened to minimum 1.8m on the frontage of land edged red and land edged blue. Wall will need to be demolished and set back and rebuilt such that it does not obstruct visibility.

Driveway slopes away from the carriageway. A driver at 2.4m back from the edge of carriageway is at a lower level. There is no information on what the gradient of the driveway is or if this meets current standards.

Access must be a maximum gradient of 1 in 10. Slope must be accounted for in provision of visibility.

It is noted that the application is in outline with only access to be determined. However, provision of adequate parking and turning for both existing and proposed dwellings is of fundamental importance. It must be demonstrated that these can be provided and safeguarded at this stage in the interests of highway safety.

Environmental Health:

Potential Areas Of Environmental Concern.

1. Unexpected Contamination (Condition)
2. Construction Impacts (Condition)
3. Lighting (Condition)
4. Noise (Road traffic & Play Area)

General Comments

Nuisance: In order to protect the night time and week end amenity of the area all noisy workings should be restricted to the time set out in condition.

Noise: The proposed dwelling is adjacent to an A road and a recreation area. The developer should install enhanced glazing to mitigate road noise. Noise from the recreation area should not adversely impact future amenity. There is no record of complaint on file against this recreation area and any future occupier should expect noise consistent with this community space.

If consent is granted conditions are recommended.

OFFICER COMMENTS

Principle of Development:

The site is within the Green Belt where the NPPF says “inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances.

When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special Circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.

A local planning authority should regard the construction of new buildings as inappropriate in the Green Belt. Exceptions to this are: limited infilling in villages.

Even though the proposed development would meet the definition of infilling, the proposed application site is located outside of the development boundary and built form of Endon and therefore would not be classed as limited infilling in villages.

It is considered that the proposed development would be classed as inappropriate as it is located on Green Belt land and would have a negative impact on the openness of the Green Belt. Furthermore, no Very Special Circumstances have been put forward to outweigh the harm on the Green Belt.

As no Very Special Circumstances have been put forward with the application it is considered that the principle of development is unacceptable.

Tilted Balance

The current housing land supply situation with Staffordshire Moorlands which currently stands at 3.71 years supply. In this circumstance the ‘tilted-balance’ is normally applies (as outlined within paragraph 11d of the framework) which sets out that permission should be granted unless; 1. Having a green belt designated the site is protected from development through policies in the Framework. Therefore, the tilted balance is not engaged.

As such, the principle of development is unacceptable.

Design:

As an outline application with all matters reserved (except layout and access) consideration of design would mostly fall to a later reserved matters application. However, the application form states details of the proposed materials which include red/ brown facings and blue clay roof tiles, this would be considered acceptable and harmonise with other dwellings within the vicinity.

Policy DC1 of the Local Plan states that all new development should be of a high quality and be designed to respect the site and its surroundings; having regard to matters of siting, scale, density, character, and appearance. NPPF paragraph 126 states that 'the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. Good design is a key aspect of sustainable development'.

Impact on Residential Amenity and Future Occupiers:

The application is submitted in outline with all matters reserved apart from access. As such, a definitive assessment of the potential for detrimental impacts upon existing/future residential amenities cannot be determined or assessed at this stage. However, there is nothing to suggest that a dwelling could not be accommodated on the site without affecting the amenity of neighbouring occupiers.

Highway Safety and Access:

Access has been considered as part of this application and Highways have been consulted on the application and have stated that the application should be refused for a number of the reasons stated above within the consultee comments section of the report.

In the light of the highway authority comments it is considered that the proposal fails achieve safe and suitable access and to comply with Local Plan and NPPF policy with regard to highway safety.

CONCLUSION / PLANNING BALANCE

The principle of development is not acceptable as it would be classed as inappropriate development in the Green Belt. It is considered that the proposed development is unacceptable due to Highways Safety and Parking. Accordingly it is recommended for refusal.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Nicole Quinn

Recommendation Date: 19/06/2023

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

