

DELEGATED DECISION REPORT

SMD/2023/0604
Valid 10/01/2024

**LAND ADJACENT TO 5 THE
PLAIN BLACK LANE
WHISTON**

**ERECTION OF A SINGLE
DETACHED TWO STOREY
DWELLING AND THE
PROVISION OF VEHICLE
ACCESS AND SHARED
PARKING AREA FOR A TOTAL
OF 4 CARS INCLUDING CAR
PORT**

(FULL - MINOR)

MAIN ISSUES

- The proposed dwelling's impact on the vitality of the community and economy relative to its location within this smaller village and would there be any harm to the character and appearance of the area or amenity of neighbour's that would outweigh any identified benefit.

DESCRIPTION OF SITE

The development plot is to the side of the applicant's existing stone cottage in an area of garden. The existing cottage adjoins to the north a very similarly sized and built cottage in a semidetached arrangement. Each cottage has a uniquely long and narrow footprint with a steep roof pitch and three storeys to the rear where the land falls away in a split level arrangement. These were the worker's cottages for those responsible for operating the 'plains' level to the industrial tram way to Froghall works.

The applicant's property and the garden to the side and rear are within, and closely associated to, the existing development forming the Local Plan designated 'smaller village' of Whiston. The plot and the two cottages are at the eastern end of the village which follows a rather narrow linear form along the main road. On the land behind and to the east of the applicant's dwelling the four terraced cottages, granted planning permission in 2019, have now been built, their front elevations face the rear of the applicant's property. Immediately to the west the dwellings front and overlook a modern cul de sac development of stone detached houses.

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PROPOSAL

Application to build a single detached dwelling to the side of the applicant's property in an area of garden. A shared parking area of four spaces would provide two spaces each for existing and proposed dwelling under an open carport/garage building. The new dwelling would be located upon a more consistent ground level where the land would not fall away to the rear, meaning that the dwelling would be conventionally two storey front and rear.

Planning permission has previously been granted to build this house (outline with reserved details approved). However, the permission has expired before work commenced, this application for full permission is essentially to renew the approval.

The application is for the construction of a dwelling that would be of the same size and design as that which was previously approved – the dwelling would be a small, narrow gabled, three bedroom cottage with linear form that would be positioned to the end, and side of, the existing cottages. The notable difference with this application is that the parking area would be provided under a carport covering – the carport would be open fronted it would have a full pitch roof and timber clad rear and side elevations.

Like the dwelling type approved at reserved matters stage, an additional 600mm of width at the far end of the dwelling, beneath a catslide roof at the rear, would provide for a small third bedroom.

The plans submitted with this application confirm internalised chimney breasts on both gables and position the small single bedroom at the back with a larger double at the front. This is because that front bedroom must have a non-opening window with obscured glazing to the front elevation and rely on a narrow second window in the gable to protect the existing dwelling to the west from overlooking.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan Development Plan Document (Adopted 2020)

- S01 Spatial Objectives
- SS1 Development Principles
- SS9 Smaller Village Strategy
- DC1 Design Considerations
- DC2 Historic Environment
- T1 Development and Sustainable Transport

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

Applicant's adjacent dwelling

99/00513/FUL – three storey extension

SMD/2019/0122 – Outline Application for erection of dwelling.

SMD/2020/0732 – Reserved Matters Approval for erection of Dwelling. APPROVED

Dwelling adjoining applicant's (4The Plain)

SMD/2020/0129 Erection of a side extension. Approved.

SMD/2020/0328 Certificate of Lawfulness for permitted rear extension (GPDO).
Approved.

Site to the rear/east

SMD/2019/0005 – erection of four dwellings. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 9th Feb 2024

Neighbour consultation period ends: 9th Feb 2024

Press Advert: N/A

Public Comments

One letter of objection has been received stating that the development proposed with this application is different to the one previously approved because:

- The proposal is for a three bedroom house, the previous approval was for a two bed
- The proposal includes the provision of a car port
- The terrace of dwellings to the rear of the site have now been built and would suffer loss of amenity, the proposed dwelling would also be overlooked
- There are protected trees within proximity that overhang the access
- The area has not been surveyed to assess the impact of the development on ecology and biodiversity
- The authority has previously rejected housing development adjacent to Whiston Hall because it would not be sustainable
- No need for further development, the 6 adjacent houses are empty and not attracting interest on the open market

Town / Parish Comments

Kingsley PC: No Objection

Staffordshire County Council Highways

Awaited

OFFICER COMMENTS

The site is located within the Local Plan designated 'smaller village' settlement of Whiston. It is closely related to the existing form and pattern of development within the development and is essentially closed on four sides by buildings. The Local Plan strategy for the smaller villages at policy SS9, provides generally for housing that would amount to limited village infilling. While the dwelling would not specifically meet an identified local need or provide an affordable home, it would make for appropriate limited infill to the edge of the village.

Additionally, the Council does not currently have a 5 year supply of housing and in these circumstances, paragraph 11 of the NPPF requires planning permission to be granted for housing on sites that do not fall within an area that is protected by the

NPPF and where there would not be significant and demonstrable harm that would outweigh the benefits.

Overall the development would be well located in association with the rest of the village settlement where it could be considered to be limited infill that would contribute to the vitality and viability of the village community and economy without undue loss of countryside resource. There would be some social, community and economic benefit associated with the provision of a new dwelling and a contribution to the Council's housing supply.

Design and impact on character and appearance

The new dwelling would sit to the side of a row of two stone worker's cottages. The new dwelling would replicate the unique form and character of the cottages and sit neatly with an appropriate arrangement and relationship. The workers cottages have a uniquely narrow footprint with steep roof pitches they have some heritage interest relative to their industrial history and the tramway. To that extent they might be considered non designated heritage assets. With consideration of that, their significance is limited, diminished somewhat by the modern development to the west and east that has already affected their setting.

The new dwelling would not further detract from any heritage value of the workers cottages. The chimney stacks at each end of the dwelling would have internal breasts to conform with the vernacular and to retain very simple lines and form. The detailing proposed – matching stone, coursing, window lintels and cills, and cornicing would be of appropriate quality to respect the character and appearance of the area and the heritage value of existing buildings. The dwelling would largely retain narrow linear form, however, with a modest projection of 600mm at the rear beneath a catslide roof, the applicant would achieve a third bedroom. The effect of this, against the dwellings otherwise narrow linear form, would be of much less impact, than a similar lean to rear extension that has been added to number 4 The Plain that extends from its rear elevation more considerably. There would be no discernible harm in these regards.



The carport structure to the side of the new dwelling would be obviously subordinate and light in structure but possess quality facing material oak frame, larch boarding on three sides, and plain tiles on full pitch roof. From the side and rear the car port would

appear as a garden shed distinct and subordinate to the stone of the adjacent dwellings.

Amenity

The front elevation of the dwelling would be within 5-6 metres off the boundary that is shared with a large detached dwelling. The detached dwelling is at a lower level below a retaining and boundary wall and is orientated so that its rear elevation is angled away from what would be the front of the proposed dwelling. The first floor window to the left of the proposed front elevation would not have any direct window relationship and would simply look onto the blank side or corner of the dwelling.

A first floor window on the right side of the front would have more of a sight line with a bedroom window in the neighbour's dwelling and generally overlook their garden. With this application plans originally detailed the provision of a second double bedroom that would be served by this first floor window in the front elevation (as its principal window) and a narrow window in the gable. If that front window was to be non-opening and have obscured glazing, to protect the amenity of the neighbour, this would not be a satisfactory arrangement for such a sizeable, principal room. That bedroom would not have any rear outlook because there would be, with this proposal, a third smaller bedroom behind it. The scheme has been revised therefore, to swap these two bedrooms around. Meaning that the smallest, third bedroom would be at the front, and the larger bedroom at the rear. The smaller, non-principal, bedroom would therefore, more reasonably be provided with the limited, less conventional, window arrangement of an obscured front window and small gable window.

The larger bedroom would then have principal outlook to the rear through a normal clear glazed window that would be some 23m (space about dwelling compliant) from the front of the new dwelling behind that, which has planning permission, and has now been built. The separation distance between the rear, principle outlook, of the proposed dwelling and the front elevation of the newly built terraced dwelling would include a large rear garden and the driveways to the front of the dwellings opposite. The relationship between the two dwellings would not be unreasonable and acceptable living conditions and standards of amenity would be available for both dwellings.

Highway Safety

The comments of the Highway Authority are awaited. However, matters of access and parking were considered at the time of the previous application. Access and parking provision is proposed in the same manner as the previous approval- conditions and circumstances have not changed in these regards.

The dwelling would consume an area of garden and parking to the side of the applicant's dwelling. The proposal is to provide a shared parking area of four spaces with two retained for the applicant and two provided for the new dwelling. Each pair of spaces would be provided end to end on side by side driveways, now to be covered by an open car port. There are appropriate areas for turning and manoeuvring to make this parking arrangement work. The applicant's dwelling is a three bedroom property and the proposed dwelling would also have three bedrooms. Two parking spaces each for dwellings of these sizes would comply with the Council parking standards.

Other Considerations

One detailed letter of objection has been received. Taking each of the points in turn they can be addressed accordingly.

The current application proposes a three bedroom house, this is the same as the previous approval. Indicative plans at outline suggested a two bed, but it is clear that at reserved matters stage revision provided a slim single bed third bedroom. There is no difference here.

The proposal does include the provision of a car port structure, the impact of which is discussed above.

The terrace of four dwellings to the rear of the site have now been built. When the previous planning permission was granted there was an awareness that plans and proposals had been submitted and by the time reserved matters were approved permission had been granted for the four dwellings and work was commencing. The relationship between the proposed dwelling and these four terraced cottages is discussed above. It is not considered that the new dwellings would be unreasonably overlooked or that the proposed dwelling would have compromised living conditions from the introduction of the new dwellings.

The tree protection order applies to a group of trees to the south west of the development site, the other side of a large established stone wall and the pre-existing access track that serves the existing dwellings. There is no proposal to alter the wall or the surface of the access track. The proposed dwelling would be more than 15m away from the nearest tree within the order. Given the remote relationship and the intervening wall and track, it's not considered that the development would adversely affect the trees and the additional dwelling would not dramatically increase the use of the access track over and above those existing dwellings.

The application site has not been surveyed to assess the impact of the development on ecology and biodiversity. However, it forms part of the garden to the side of the dwelling. It essentially provides existing concrete hardstanding and lawn enclosed by stone wall. The land is considered to have low ecology value and the development would not adversely affect protected species.

CONCLUSION / PLANNING BALANCE

The proposed design of the dwelling would not adversely affect the character and appearance of the area or the amenity of the neighbour to the west or east.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst

Recommendation Date: 6th March 2024

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council