

DELEGATED DECISION REPORT

SMD/2024/0025
Valid 18/01/2024

LAND ADJ KNOTT INN
STATION LANE
RUSHTON SPENCER

ERECTION OF NEW
DETACHED DWELLING AND
ASSOCIATED LANDSCAPING
WORKS.

(FULL - MINOR)

MAIN ISSUES

- Principle
- Impact on Green Belt
- Impact on neighbour amenity
- Amenity of future occupier
- Highway safety
- Trees
- Drainage and ground water protection
- Ecology
- Heritage

DESCRIPTION OF SITE

Agricultural grassland. The site occupies a 0.2ha 'neck' of land which leads from Station Lane into a more expansive area of open field to the south east. There is currently a vacant modern open-sided portal frame agricultural store set back some 30m from the road along the south westerly edge of the site. The field entrance from Station Lane is reinforced with hardcore mainly now grassed over.

Standing prominently against Station Lane to the immediate west of the entrance is the Grade II Listed Knott Inn. Rear of this building the pub car park and, beyond that, a large grassed area forming a pub garden stretches south east along the full length of the application site boundary.

A sinuous brook course well lined with mature trees such as Alder forms the north easterly boundary of the site. Across the brook is a detached modern 20thC dwelling with a large rear garden lying in parallel alongside at least some of the length of the application site.

An access to the former Churnet Valley Line (opened 1849) of the North Staffordshire Railway lies to the immediate west of the pub and now functions as a linear green way running south to Leek and managed by Staffordshire County Council as a walking and cycling amenity route. The green way emerges on to Station Lane on the west side of the inn between the inn and the former Station House, also Grade II Listed standing next west.

The inn and station house are significant and prominent buildings at the westerly end of Station Lane.

Consent was allowed at appeal in 2022 for outline consent for the erection of a detached dwelling with all matters reserved except for access following the demolition of the existing agricultural building on site.

Consent was granted 4th December 2023 for 'Erection of new detached dwelling and associated landscaping works' reference SMD/2023/0067.

PROPOSAL

The application is a free-go re-submission of the approved SMD/2023/0067 scheme. The proposal is broadly similar in comprising a large detached four double-bedroom two storey dwelling with single storey side element providing a one-bedroom / two-room annex (with no through link); detached garage and landscaping.

The scheme mainly involves stylistic changes but at first included reversal of some elements which had been specifically negotiated as part of the first approval. In the course of dealing with this re-submission, revised plans have been submitted largely returning to the first approved scheme. The plans being considered are the package 02 E to 05 E dd 25th March 2024.

There is significant additional documentation, in part attempting to in effect discharge or avert a number of highly technical and detailed conditions of the previous scheme.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS2 Settlement Hierarchy
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
DC3 Landscape and Settlement Setting
H1 New Housing Development
NE1 Biodiversity and Geological Resources
NE2 Trees, Woodland and Hedgerows
T1 Development and Sustainable Transport

National Planning Policy Framework (Dec 2023)

Paragraph(s) 1 – 14;
Section(s) 4 – Decision making; 8 Promoting healthy and safe communities; 11 – Making effective use of land; 12 – Achieving well designed places and beautiful places; 13 – Protecting Green Belt Land; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

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

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

Local Plan Supporting Evidence Documents:

- Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2018/0570 – outline planning application for residential development of up to 3 houses with all matters apart from access reserved – refused

SMD/2020/0295 – outline planning application for residential development of a detached dwelling with all matters apart from access reserved and demolition of existing agricultural building – refused – allowed on appeal

SMD/2023/0067 – erection of new detached dwelling and associated landscaping works – approved

CONSULTATIONS**Publicity**

Site Notice expiry date: 04.03.2024

Neighbour consultation period ends: 13.02.2024

Press Advert: 13.03.2024

Public Comments

None

Town / Parish Comments

None

Environmental Health

Contamination: In support of this application the applicant has submitted an initial contaminated land investigation by soil-technics. The report is considered suitably robust and identifies some potential contamination in the North of the site in particular that requires remediation. This is agreed and an appropriate condition is recommended.

Noise: the proposed dwelling is adjacent to a public house and car park. Noise caused by normal pub operations, cars, plant and customers may impact future amenity. We would recommend the following condition is imposed on any permission granted to ensure sound insulation is installed into the development. It is noted the planning inspector did not recommend a noise condition on the appeal permission but we would continue to recommend this condition is imposed in order to protect future amenity and the operation of the public house from complaint in the future.

Lighting Condition: Any artificial lighting installed into the proposed dwelling should not cause adverse impacts to pre-existing residential properties. Condition advised.

Construction Impacts: The development is adjacent to nearby commercial and residential properties. We would advise the following conditions are imposed to reduce adverse impacts caused during the construction phase.

Staffordshire County Council Highways

The proposal is for the construction of a 5-bedroom dwelling and a garage.

The site appears to be disused with a previous agricultural use. Access to the site will be via an existing gated access.

It is noted on submitted plan titled Proposed Site Plan (DWG NO 002) the access (rear of the gates) and parking areas are to be constructed in permeable material which is acceptable to the Highway Authority. Proposed landscaping will be to the rear of the existing boundary wall.

The proposed garage at 3.5m wide (section of garage allocated for parking a vehicle) x 5.3m long is substandard in dimension – Manual for Streets (MfS) and Staffordshire Moorlands Parking Standards state the minimum internal dimensions for a garage should be 3m wide x 6m long.

Staffordshire Moorlands Parking Standards state: Detached/Semi-detached property of 4 or more bedrooms - 3 spaces (2.4 x 4.8m) for residents and visitors within the curtilage of the dwelling. Although the garage is under the recommended dimensions, having scaled off the submitted plan it is considered there is sufficient space to park the required 3 vehicles.

The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved drawing titled Proposed Site Plan (DWG NO 002). The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.

The garage associated with the proposed new dwelling and indicated on the approved drawing titled Proposed Site Plan (DWG NO 002) shall remain ancillary to the new dwelling and shall be used for domestic purposes only and shall not be used for commercial operations, sold, let, or occupied independently without the prior approval of the Local Planning Authority.

United Utilities

The site overlies the sandstone rock, in a Groundwater Source Protection Zone (SPZ) 1. This forms an aquifer, abstracted at depth by United Utilities for local public drinking water supply at the nearby Rushton Spencer borehole, located 27m to the north. The raw water is pumped to Hug Bridge for treatment.

United Utilities considers this development footprint, taking place within SPZ1, as the most sensitive location from a groundwater protection viewpoint. Notwithstanding our strong preference for development to not take place in locations within SPZ1, if the proposed development in this location is accepted through the planning process, we draw your attention to the advice of the Environment Agency on development in such locations 'The Environment Agency's approach to groundwater protection'.

United Utilities' strong preference would be for a new private Wastewater treatment plant to be sited as far from the Borehole as possible. If the proposal were to be located within Source Protection Zone 1, pipework and site design will be required to adhere to a higher specification to ensure that leakage from sewerage systems is avoided. This can include secondary containment, such as clay lining sewer trenches. There is a potential risk of wastewater pollution affecting the UU drinking water abstraction, from any current septic tank or future wastewater treatment plant, installed in strata overlying the Groundwater Protection Zone 1 (GPZ1).

Following UU review of the submitted document referenced L-00149-002, dated 12th January 2024 by SEA Consulting Engineers, we can confirm the proposals are acceptable in principle. Conditions recommended and request that the UU response and attached appendix be forwarded in full to the applicant.

Environment Agency

No objection. We have previously commented on an application for development on this site (your ref: SMD/2023/0067) where we had initially objected but subsequently provided a conditioned response). The current application has provided further information to cover some of the points and conditions we had raised in our previous response. As previously stated the site lies partially within Source Protection Zone (SPZ) 1 for an adjacent public water abstraction. SPZ1 is the area of highest sensitivity for groundwater. The site also falls within a Principal Aquifer. Our approach to groundwater protection is set out in the following document [see web link in the consultation response.]

The reports show that the applicant intends to install a package sewage treatment plant with a discharge to the neighbouring surface watercourse. There are no proposals to discharge foul effluent to ground. The applicant has committed to supplying the upgraded drainage that has been previously requested for the pipework specification, and the drawings show that the trenches are to be lined with 0.6mm HDPE membrane along with the Package treatment plant and inspection chambers. The pipework is to be integrity tested and CCTV surveyed post

installation. The information submitted provides us with confidence that it will be possible to suitably manage the risks posed to groundwater resources by this development.

The proposed foul drainage scheme will be subject to the General Binding Rules (GBR's) General binding rules for small sewage discharges (SSDs) with effect from 2 October 2023 - GOV.UK (www.gov.uk). The applicant will need to demonstrate compliance with the GBR's. It will need to be demonstrated that the discharge point to the surface watercourse is at least 50m away from the permitted discharge at the Knot Inn (NGR SJ 93629 62496).

OFFICER COMMENTS

Principle of Development

Acceptance of the development in principle has now been established by the grant of the previous permissions.

Design

A series of concerns in response to the initial submission was relayed to the applicant by e-mails dated 7th February and 8th February 2024 – attaching an annotated plan with the latter. A reply dd 12th Feb added the applicant's responses in red (on file).

The comments and revised drawing received in response represented a compromise and initially the drawing was still found problematic. A further revision, drawings 02 E to 05 E received 25th March are the ones now under consideration.

Two chimneys in the approved scheme were removed but one has been re-instated.

Further main issues of concern were:

- i) Re-introduction of a wrap-around hipped roof slope to the single storey element where a half gable had specifically been negotiated with the first approved scheme.
- ii) Enlargement of the right hand ground and first floor windows of the front elevation reducing the 'brick to void' ratio.
- iii) Loss of cohesion in the rear elevation to the point that this had become chaotic.
- iv) Partial eliminations of design detailing especially in the end elevations eg at verge lines, eaves, string courses and plinth. Though arguably small scale, individually these had been introduced to overcome otherwise greater objections to the overall sense of massing in this large profile building.

The applicant has sought a hipped wrap around for the single storey but officers have insisted on the half gable to relate the scheme to its rural location. Simple and straight forward angles and junctures are needed whereas the hipped roof is a much more common styling of 20th C suburbia. There are also risks and indeed likelihood of the SW end elevation and the rear being seen from the wider surroundings

including from the public access amenity line of the Rushton to Leek former railway and from the curtilage grounds to the adjacent Listed Knott Inn thereby 'colouring' its historic setting. This view is reached notwithstanding the possible tree cover at times or in part but which cannot be wholly relied upon as trees and cover come and go over time and /or with the seasons.

The 'futuristic' and somewhat schematic theme to the rear as first submitted was judged wholly unsuitable for this location.

On certain roof slopes the proposal includes 'integrated' solar panels in place of roof tiles. The amounts are reasonably limited and not unduly prominent and on balance may be accepted.

Although a materials schedule has been submitted this remains unspecific referring for example to either clay tiles or slate. A 'dreadnought' genuine clay tile in 'blue' would be ideal. Slate should probably be avoided for a brick building in this location. The Listed Knott Inn adjacent is roofed in original old clay tiles. It will be important that the bricks are in 'standard' format and a red-brown colour would be correct but the LPA will need to have specific samples as, although 'old clamp blend' may be suitable, it appears a too pale orange in one of the photos.

Amenity

No new issues arise relative to the approved scheme. The previous consent considered the EH recommendation of a noise condition but noted that the location of the public house adjacent to the site had not been raised by the Planning inspectorate and therefore it was considered unreasonable to attach this condition.

Highway Safety

Condition as recommended in the consultee response.

Heritage

With the revised plans of 25th March no new heritage considerations arise.

Ground Water Protection

Conditions will be needed to ensure the assumed measures noted by UU will be implemented and enforceable. EA refers to its previous conditioned response but has not specified what, if any, conditions can be varied or omitted.

CONCLUSION / PLANNING BALANCE

Subject to comprehensive conditions the scheme in its revised form following LPA request can be supported. Conditions may need to be repeated as per the previous scheme since although there is a DOC application in progress the applicant has recently been un-amenable to allowing any additional time on some of these matters. Conditions should largely follow as per the previous consent.

OFFICER RECOMMENDATION : **Approve subject to detailed conditions**

Case Officer: Arne Swithenbank

Recommendation Date: 10th April 2024

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council