

DELEGATED DECISION REPORT

SMD/2024/0023
Valid 16/01/2024

BLAKELEY
REACLIFFE ROAD
RUDYARD

APPLICATION FOR REMOVAL
OR VARIATION OF A
CONDITIONS 1, 2, 3, 5, 6, 8, 9,
10 AND 15 OF SMD/2022/0304

(FULL - MINOR)

MAIN ISSUES

- Consistency with the previous approval
- Green Belt
- Heritage – Rudyard Conservation Area
- Design
- Amenity
- Drainage
- Trees – Woodland W2 under TPO LR8

DESCRIPTION OF SITE

The site is a steeply sloping plot of some 522m² bounded on its upper western edge by Reacliffe Road and on its lower edge by the shore margin of Rudyard Lake. Reacliffe Road is a single track gravel lane along the western edge of Rudyard Lake with the status of Public Footpath. The site is just short of half way along the Lake or 1.2km from the dam at the south end.

Consent was granted under SMD/2018/0023 for a replacement dwelling and was commenced including by demolition of the original dwelling. The later SMD/2023/0304 was for Variation of conditions 2 and 3 and removal of condition 6 relating to SMD/2018/0023 and was approved 21st Dec 2022.

The site is within the Rudyard Conservation Area and a Woodland Tree Preservation Order encompasses trees within and around the site.

PROPOSAL

Condition 1
amended to reflect updated drawings submitted as part of this application

Condition 2
amended to reflect updated materials as set out on amended drawings and within material schedule submitted as part of this application – NB revision C (29th May 2024)

Condition 3

amended to reflect details which have already been submitted as part of condition 2 above and sample panel which has been provided on site

Condition 5

amended to reflect updated drainage details submitted as part of this application noting the depth of the plot means it is not possible to locate the previously approved soakaway more than 10m from the edge of the adjacent lake – NB amended in drawing 09C site plan to show only rain water draining to the lake; foul water harvested in 'cesspool' for periodic pumped removal by tanker.

Condition 6

amended so that it is positively worded as tree protection measures have already been erected on site

Condition 8

amended so that it is positively worded as site landscape finishes have been submitted as part of this application

Condition 9

amended so that it is positively worded as joinery details have been submitted as part of this application

Condition 10 amended so that it is positively worded as details of rainwater goods have been submitted as part of this application

Condition 15 deleted. The applicant says "This condition should never have been included on this [SMD/2022/0304] consent as the application building was demolished on 16th December 2022 under the original application SMD/2018/0023 which was five days prior to the granting of this consent. A copy of the email and attachments which were forwarded from the previous agent, Andrew Schofield at Oldfield Design, to the case officer on the 16th December 2022 in respect of this has been submitted as part of this application."

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; 6 – Building a strong and competitive economy; 7 – Ensuring the vitality of town centres; 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/2016/0423 – Lawful Development Certificate for an Existing Use as a dwelling house (C3) – granted

SMD/2018/0023 – Replacement Dwelling – approved with conditions

DOC/2022/0082 – Application for approval of details reserved by Condition 7 in relation to SMD/2018/0023 [this in part concerned demolition method statement and was discharged in relation to that]

NMA/2022/0025 – non-material amendment in relation to SMD/2018/0023 [sought to re-word condition 7 so that part of the condition could be discharged before the demolition of the existing building was carried out, leaving the second part of the condition to be discharged AFTER the existing building was demolished, but prior to any other works on site commencing.

SMD/2022/0304 – variation of conditions 2 and 3 and removal of condition 6 relating to SMD/2018/0023 – approved with conditions

CONSULTATIONS

Publicity

Site Notice expiry date: 04.03.2024

Neighbour consultation period ends: 07.02.2024

Press Advert: 21.02.2024

Public Comments

None

Town / Parish Comments

Horton Parish Council – no objection

Staffordshire County Council Highways

Reacliffe Road is a private road. Any amendment or removal of condition to planning permission ref. SMD/2022/0304 will not impact the local highway network.

Severn Trent Water

The response has assessed the application as an 'extension' for which Building Regulations will govern any requirements.

Canal and River Trust

The application site adjoins Rudyard Reservoir which is owned and maintained by the Canal and River Trust to provide a water supply to the Leek Branch of the Caldon Canal.

The new proposed level of 162.793m AOD for the basement level appears slightly lowered but remains above the 10,000-year flood level of 162.38m AOD and therefore does not significantly increase the risk of flooding of the proposed dwelling from Rudyard Reservoir.

The main issue for the Trust as owner of the Rudyard Lake reservoir is that dwg 2023-2779-09 Rev B indicates both storm water and treated effluent from a proposed bio-disc treatment plant would be discharged into Rudyard Lake. They say that any proposed discharge flows into the Lake would require prior consent of the Canal and River Trust as Lake owner and such discharges are not granted as of right. Rudyard Lake already suffers from water quality issues and algal blooms which a discharge of this nature would likely only exacerbate; it is therefore very unlikely that any application to discharge from the bio-disc to the lake would be accepted. Should the Applicant wish to discuss matters further, they should contact the Trust's Utilities Team (contact details provided).

The proposed site plan appears to indicate that the existing mature trees in the north-east corner of the application site are to be removed. Previous planning permissions on this site did not appear to permit their removal and we ask for clarification of whether this is in fact proposed, as these trees appear to be covered by a Tree Preservation Order and should not therefore be removed without clear justification. As the trees make a positive contribution to the wider character, appearance and setting of Rudyard Lake, we would not wish to see their removal unless it could be demonstrated that it was absolutely necessary.

OFFICER COMMENTS

Principle of Development

In principle the development is supported by grant of the preceding approvals. However as first submitted here the site red edge was extended to include a considerably larger area than previously. This has now been amended in revised drawings received 29th May 2024 from the agent.

The NMA/2022/0025 application (on behalf of the current applicant) was expected to and indeed did leave part of the original 2018 condition 7 outstanding so far as relating to construction of the dwelling was permitted, including in relation to the design and means of constructing the foundations and any other proposed earthmoving and excavation works required in connection with its construction and for which a further method statement would be required. This NMA appears not to have been taken into consideration however in the assessment and granting of SMD/2022/0304 and no further version of the 2018 condition 7 was included.

With regard to the overall size and scale of the development the building shown in dwg 2023-2779-17 rev A is not found to differ from the approved dwg 2070-07-A of SMD/2022/0304.

The main issues are therefore the remaining condition responses which are essentially matters of design. Particular consideration must be given with regard to drainage – noting the Canal and River Trust comments and also to trees.

Design

A materials schedule was submitted and further amended as of 29th May 2024 to specify the stone which at first was described only as 'locally sourced'.

Roof – Marley Hawkins Clay Plain Roof Tile in Staffordshire Blue – acceptable.
Eaves fascia boards – Timber fascia board painted with a RAL 7031 Blue Grey finish – acceptable.

Rainwater goods – Black finish Marley Alutec aluminium half-round gutters with circular downpipes – acceptable.

Walls – outer leaf to comprise “locally sourced” coursed natural stone to where indicated [on the drawing] and confirmed as of 29th May 2024 to comprise a blend of pink Birchover gritstone and light Hollington sandstone. Upper portion of wall to comprise vertical timber boarding, “type of which will naturally weather over time when exposed to daylight” – again to where indicated.

Windows shall be 'Smart Architectural Aluminium - Alitherm 300' finished in Blue Grey RAL 7031 – acceptable.

Bi-fold door sets constructed from aluminium and complete with a RAL 7031 Blue Grey finish – acceptable.

Front door and framing to be finished in Blue Grey RAL 7031 with pre finished aluminium door set – acceptable.

Parking area – Wienerberger Blue Dragfaced Squared Edge Baggeridge clay pavers – acceptable.

Patio – Indian Sandstone Riven Slabs in Grey Multi – this would be in an area largely out of public view in the Conservation Area – acceptable.

Drawings 11C; 12C; 13C; 14C and 15B each provide detailed 'joinery' specifications for the window constructions. The last of these also shows the timber 'boat-house' doors to the outside of the basement glazed bi-folds. The details in all of these drawings are found to be acceptable. The frame widths shown are for the most part suitably slim in the exterior view though inevitably where there are opening door units a thicker frame is used.

The submissions also include a proposed bin store and details for boundary fencing in timber railings – both acceptable.

Amenity

No issues of neighbour amenity arise with this amendment application.

Highway Safety

Noting the SCC response, no issues arise.

Other matters

Drainage – the submitted details have been amended at the LPA's instigation noting the Canal and River Trust comments so that no foul water nor residual treated foul water flows are proposed for release to the lake. Instead, all foul drainage will run to a collection tank for periodic pumped removal by tanker. Rainwater drainage is shown delivered to the lake. It will be for the applicant / developer to ensure they comply with all CRT requirements and an informative should be added to this effect.

Trees – amended drawing 09C shows the position of trees within the site which are not proposed to be removed. The previously discharged condition for their protection during development needs to be secured as necessary in relation to this new permission.

CONCLUSION / PLANNING BALANCE

In consideration of all of the above the variation in conditions can be accepted subject to amended conditions.

OFFICER RECOMMENDATION : **Approve variations as amended**

Case Officer: Arne Swithenbank

Recommendation Date: 18th June 2024

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council