

DELEGATED DECISION REPORT

SMD/2024/0303
Valid 26/06/2024

LAND AT BASFORD VIEW
CHEDDLETON

APPLICATION TO VARY
CONDITIONS 2, 3 AND 9 IN
RELATION TO SMD/2023/0407

(FULL - MINOR)

MAIN ISSUES

- The impact on the visual and residential amenities of the area.

DESCRIPTION OF SITE

The application site is in the countryside a short distance to the north of the development boundary of Cheddleton and comprises a vacant square shaped plot, perhaps a former paddock, but with two small detached single garage buildings/outbuildings placed together in the south-west corner of the site. It lies to the south of the end of a track which joins onto Leek Road (A520) a short distance to the west. The access is off the end of the track, which then becomes a public footpath which runs along the north boundary of the site. To the north of the access and to the other side of the track and public footpath is a row of five terraced Victorian dwellings which lie perpendicular to the track and path. There is a detached dwelling to the east of the site with an access off Station Road. There is a field to the west and south sides, with modern agricultural storage building next to the south boundary of the site. The access track has a number of other dwellings either side, closer to the main road. The site slopes downwards gently towards the east. The west, east and south boundaries are marked by rows of trees which are particularly large on the east and south boundaries. There is more scrubby vegetation on the north boundary. The site is in the Green Belt.

At the time of the site visit (9.7.24), all garages/outbuildings had been removed and some ground preparation works had been undertaken but no actual commencement of works in relation to previous planning permissions.

PROPOSAL

This is a Variation of Condition planning application to vary three conditions attached to the most recent planning permission for the replacement of garage blocks with a 1-bed bungalow, SMD/2023/0407.

The applicant wants to make changes to the consent which are as follows:

- The repositioning of the approved proposed dwelling a short distance towards the access road to the north, due to the presence of drains close to the south boundary, which he does not want to build over.
- Changes to the landscaping scheme which includes the provision of an

- additional boundary hedgerow, which would be placed along the north boundary of the site, adjacent to the site access.
- Changes to the external artificial lighting scheme, this has been submitted because the location of the dwelling has now changed.

As a result of these proposed amendments, the applicant will need to vary three of the conditions attached to the planning permission, which includes Condition 2, which refers to the approved drawings in which the development must be built in accordance with, Condition 3, which requires the development to be built in accordance with the previously agreed landscaping scheme and Condition 9, which requires the lighting to be installed in accordance with the previous approved details. This is the reason for the submission of this Variation of Condition planning application.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted Sep 2020)

DC1 Design Considerations

National Planning Policy Framework (Dec 2023)

Section 12 (Design)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2023/0407: Variation of Condition 2 of planning permission for one dwelling. Approved November 2023.

DOC/2023/0004- Discharge of conditions 3 & 9 relating SMD/2022/0465- approved April 2023.

SMD/2022/0465- Full application for proposed erection of a dwelling.- approved

CONSULTATIONS

Publicity

Site Notice expiry date: 30.07.2024

Neighbour consultation period ends: 30.07.2024

Press Advert: N/A

Public Comments

None.

Town / Parish Comments

The PC questioned why it was not consulted on the previous SMD 2023 0407 Variation of Condition planning application. The Council responded to state that this

must have been an error. However, no further comments from the PC were received. It is noted that the Councils planning applications system shows that an email was sent to the Parish on the 28th June 2024 consulting them on the plans.

Environmental Health

No objection to the revised lighting scheme.

OFFICER COMMENTS

The principle of the development in providing a 1-bed bungalow on the site was established under a full planning permission SMD/2022/0465. A Variation of Condition application was submitted in 2023 to make alterations to the approved scheme and therefore to vary Condition 2 of the full permission, which requires the development to be carried out in accordance with the approved plans. This was also approved.

This new application has been submitted to vary Conditions 2, 3 and 9 due to further changes proposed by the applicant as described above (relating to the bungalow siting, landscaping and external lighting).

The re-positioning of the dwelling a short distance further north, would not have any further impact on the visual or residential amenities of the area. It would result in a shorter driveway but it would still be possible to park at least two cars on it, in excess of the Council parking standards for 1-bed dwellings. There is no requirement for a turning space on the site as the access is off a private track and not a classified public highway and there is space to turn in an area in front of the site entrance.

The amended landscaping scheme is an improvement on that previous approved as it adds a hedgerow to the north boundary and would provide additional screening of the development from the access track and public right of way which runs along the north boundary and heads east and south-east.

The Environmental Health Section has no objections to the revised lighting scheme. The approved lighting scheme in principle has not changed, however because of the re-siting of the dwelling, it will be position closer to the northern boundary.

It is noted that BNG is not required in this case, because the original planning consent was granted before the 12th February 2024, and is therefore exempt.

CONCLUSION / PLANNING BALANCE

The proposed amendments to the previous approved scheme are acceptable and would not have any harmful impact on the visual and residential amenities of the area. The conditions attached to the previous permission can therefore be varied accordingly to refer to the amended drawings and details that the development must

be carried out in accordance with. The proposal would continue to comply with the Local Plan and NPPF and the application can therefore be approved.

OFFICER RECOMMENDATION : APPROVED

Case Officer: Chris Johnston
Recommendation Date: 21.8.24

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council