

DELEGATED DECISION REPORT

SMD/2024/0304
Valid 28/06/2024

**LAND REAR OF THE
ROYAL OAK HIGH STREET
DILHORNE**

**APPLICATION FOR
APPROVAL OF RESERVED
MATTERS FOLLOWING
OUTLINE APPROVAL
SMD/2022/0658,
APPEARANCE,
LANDSCAPING, AND SCALE
DETAILS COMPRISING
PROPOSED DETACHED
DWELLING.**

**(RESERVED MATTERS -
MINOR APPS)**

MAIN ISSUES

- The impact on the character and appearance of the area
- The impact on residential amenity
- Whether or not the proposed development is in line with the outline permission and conditions attached to it

DESCRIPTION OF SITE

The site is on the western edge of the small village of Dilhorne and comprises a grassy open part of the grounds of a public house, lying to the rear of the pub building itself and next to the rear car park for the pub and adjacent to the rear boundary of the pub. The pub faces High Street to the south-east, in the middle of the village but the vehicular access to it, leading to the car park to the rear of the pub to the north-west of the building, is from New Road, to the west side of the pub. The access drive forks with one side going to the car park and the other side, which forks towards the rear boundary (with an outdoor seating area in between where the access divides), leads to the plot and further on, to a separate parking area behind three terraced dwellings to the east side of the pub (and which also face the High Street). There is a two-storey detached dwelling to the north-east of the plot (a backland dwelling with an access off the High Street) and another two-storey detached dwelling to the south-east of the plot, another backland dwelling with a separate access of the High Street. The land to the north-west of the site is open countryside. The village including the application site and the adjacent countryside is washed over by the Green Belt. The site is also within a "High Risk" former coal mining area.

PROPOSAL

This is a Reserved Matters application which seeks approval of the scale, appearance/design and landscaping for a detached dwelling which was granted an outline approval which also approved the layout of development and the access arrangement for the site.

The Council refused the outline application in May 2023 on the grounds of inappropriate development in the Green Belt, encroachment into the countryside harming the character and appearance of the area and harm to residential amenity affecting the property to the east, due to an overbearing and intrusive nature. However, an appeal against the decision was allowed by the Planning Inspectorate on 29th February 2024 and outline permission granted. A standard condition was added requiring final details of scale, design/appearance and landscaping to be submitted for approval i.e. the "Reserved Matters". This is the purpose of this new application.

The designs put forward are for a part two-storey part single-storey cottage style dwelling on the approved footprint, with three bedrooms, one of which would be on the ground floor. The primary/front elevation would face the open fields to the north-west. The access, utilising the entrance to the pub car park, as approved, would lead to a parking area for at least two cars, to the front of the dwelling. There would be open garden areas around the dwelling on three sides. The main two-storey central part of the dwelling would have a render finish whilst the lower side additions would have a brick finish.

The plans were later amended. The changes include the removal of a rear-facing with half-dormer, two additional rear rooflights, repositioning of front and rear windows to give a more symmetrical appearance, front porch added, the two side additions placed more centrally against the side gable walls of the main part of the house, rear windows obscure glazed and fixed, small windows added to the south-facing gable end, replacement of 2m high close-boarded timber fence on the rear boundary with a hedge similar to one added to the front boundary and the removal of a sub-dividing fence running through the middle of the plot.

The site plans also show drystone walls added to the front and south side boundaries and the replacement of the north side-boundary fence with a 2m high close-boarded timber fence and the retention of existing trees adjacent to the rear boundary.

A detailed landscaping scheme is included with details of species, sizes and densities and other specific details.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (Adopted September 2020)

SS9 – Small Villages Strategy
SS10 – Other Rural Areas Strategy
H1 – New Housing
DC1 – Design Considerations

National Planning Policy Framework (July 2021)

Sections 5 (Housing), 12 (Design) and 13 (Green Belts).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

01/00301/FUL: Detached bungalow with garage. Refused.

01/01123/FUL: Detached dwelling. Refused.

SMD/2022/0658: Outline application with some matters reserved for Erection of a detached dwelling house. Refused on 19.5.23. Allowed on appeal on 29.2.24.

CONSULTATIONS

Publicity

Site Notice expiry date: 30.7.24

Neighbour notification expiry date: 30.7.24

Press advert: N/A

Public Comments

Letters of objection have been received from two adjacent dwellings. The points raised are as follows:

- Harm to residential amenity of a dwelling on the site combined with the approved glamping pods on a neighbouring site
- Rear windows are primary and conflict with the Council's Space About Dwellings SPG separation distances
- A two-storey dwelling is shown which contradicts the applicants information at the outline stage which states a 1.5 storey dwelling
- No demonstration that the dwelling will not infringe on 25 degree vertical lines measured from windows of neighbouring dwellings in accordance with the Space About Dwellings SPG
- Conflict with the SPG separation distances between the dwelling and approved glamping pods
- Design and materials out of keeping with the area
- The addition of rear windows makes this development even more intrusive than at outline stage
- A hedge should be provided along the rear boundary before construction commences
- If the approved glamping pods are not built then the dwelling cannot be classed as "infill"
- Lack of details in order to fully determine the impact on visual and residential amenities of the area
- The noise from a new dwelling will harm animals on an adjacent smallholding and the health of local residents
- Biodiversity or Arboricultural impacts have not been considered

Parish/Town Council comments

Dilhorne Parish Council object to this application on a design issue.

The previous outline application 22/0658 was refused by yourselves but went to appeal and the appeal was upheld.

The outline property on 22/0658 showed the dwelling would be a 3 storey dormer bungalow, this new application is clearly showing the dwelling to be 2 storey house. A 2 storey house would have substantially more visual impact to surrounding properties.

The sky lights and dormer window on south east side of the dwelling would be overlooking into the nearest property, obscure glazing should be used in these to give privacy to that property.

Highways Authority

No objection subject to a condition to retain the proposed parking and turning area for the dwelling.

Environmental Health

No objection subject to the previous conditions recommended by Env Health including further details of noise insulation.

Coal Authority

No specific comments to make on the Reserved Matters details.

SMDC Waste Collection Service

The waste collection point for this dwelling would be at the curtilage of the property - adjacent to the public highway. The waste collection team will not travel off the public highway to collect waste from this property.

OFFICER COMMENTS

A proposed dwelling on the site was approved via an outline planning permission following the decision of the Planning Inspectorate. Also approved was the siting/footprint of the dwelling and the means of access. Matters such as the impact on biodiversity, trees and ground stability were also considered at the outline stage and were deemed to be acceptable with the safeguard of the conditions attached to the outline permission. This new "Reserved Matters" planning application seeks approval solely for the scale of the dwelling, its particular design and appearance and the landscaping of the site. The impact of the development, based on the approved footprint, on the visual and residential amenities of the area must be considered.

The Planning Inspector in approving the outline application acknowledged that this would be a part two-storey part single-storey dwelling and the new plans do not show any departure from the indicative designs/drawings submitted with the outline

application. The Planning Inspector has not imposed any conditions which restrict the height of the dwelling. The new application gives sufficient details and information to allow the adequate assessment of the impacts of the development on the local area.

The dwelling would have a maximum eaves height of 4.0m and a max ridge height of 6.3m which is lower than an average conventional modern two-storey house (which typically would have a minimum eaves height of 4.5m and a ridge height of at least 7.5m). Design improvements have been made to the Reserved Matters proposal originally submitted in the form of a more balanced fenestration and the addition of a porch to give the dwelling a more coherent primary (front) elevation and add some character to the dwelling to compliment its rural or semi-rural setting.

The area comprises a sporadic mix of dwelling types and materials and the resultant cottage style design is not of keeping with the area and neither is its height and scale. There are larger and higher buildings a short distance away. I consider the proposed dwelling based on details put forward would not harm the visual amenities of the area. The boundary treatments include hedges (including one added to the rear boundary in the amended plans) and dry stone walls on the more visible boundaries. The north side boundary comprises a 2m timber fence but this is shared with a side boundary of an adjacent property and there is already vegetation at this boundary (a large tree). The cluster of small trees in the SE corner of the site would be retained.

Overall, it is considered based on the scale, design and landscaping that the development will not harm the character and appearance of the area.

With regard to residential amenity, a first-floor rear window has been removed from the scheme. The resultant rear elevation comprises, on the ground floor, a secondary bedroom window, a secondary living room window and a WC window and all three of those would have to be obscured glazing and be fixed. They would directly face a proposed rear boundary 2m high hedge to further prevent overlooking of the property to the east. On the first floor, there would be four small rooflights, two serving a bathroom and two serving a bedroom but this would already be served by a much larger front window. The rooflights are also secondary in nature and obscured glazing can be inserted into those by way of a planning condition. In any case, the lower edge of the rooflights would be placed at least 1.8m above the first floor level, a sufficiently high level to minimise overlooking. There would be no upper floor windows facing the other adjacent residential property which lies to the north.

There is no conflict with the Space About Dwellings SPG in respect of separation distances and lines measures from windows of adjacent existing dwellings (to help control overlooking and light provision to neighbouring properties) as the proposed dwelling would not be directly in front of the windows of adjacent dwellings.

In terms of the residential amenities and living conditions of the future occupants, the proposed floorspace would exceed the thresholds set out in the governments Nationally Described Space Standards (NDSS) applying to 3-bed two-storey dwellings. With regard to garden size, this would far exceed the required 65 sq.m

area set out in the Space About Dwellings SPG and in any case, the footprint of the dwelling has already been approved as part of the outline permission.

Overall, given the footprint of the dwelling was approved by the Planning Inspector, the impact on residential amenity based on the design details put forward with this Reserved Matters application, is acceptable.

The details of materials, lighting and drainage, required by the outline planning conditions have not been submitted with this new Reserved Matters planning application and would need to be submitted as Discharge of Condition applications to be approved before works commence. The outline conditions also require further ground investigations before works commence.

Although Env Health recommended a sound insulation condition, this was not imposed by the Planning Inspector.

The local highways authority recommended a condition to retain the parking and turning areas. This condition was already added to the outline permission. The parking area is a suitable size and design for the purposes of the parking of two cars (in line with Council parking standards) and there is space to turn on the access road.

Matters relating to the approved glamping pods are a matter for that application and any conditions which apply.

CONCLUSION / PLANNING BALANCE

The principle of a new dwelling on the site was accepted by the grant of an outline planning permission which also approved the layout of development i.e. the footprint/siting of the dwelling. The Reserved Matters details of scale, appearance and landscaping are within the confines of the outline approval and are acceptable in terms of their impact on the visual and residential amenities of the area and comply with the Local Plan and NPPF.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston

Recommendation Date: 19.9.24

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council