

DELEGATED DECISION REPORT

SMD/2022/0340
Valid 23/06/2022

158 THE MINERS REST
FROGHALL ROAD
CHEADLE

**APPROVAL OF ALL
RESERVED MATTERS IN
RELATION TO OUTLINE
PLANNING PERMISSION
SMD/2020/0413.
REDEVELOPMENT OF
FORMER PUBLIC HOUSE AND
ASSOCIATED CAR PARKING
TO EIGHT RESIDENTIAL
HOUSES AND THE
DISCHARGE OF CONDITIONS
5, 6, 7, 14, 15 AND 17 OF
OUTLINE CONSENT
SMD/2020/0413.**

(OUTLINE - MINOR APPS)

MAIN ISSUES

- Principle
- Scale
- Landscaping
- Layout
- Appearance
- Highways
- Ecology
- Drainage
- Neighbour Amenity
- Amenity of Future Occupier

DESCRIPTION OF SITE

The application site comprises the former Miners Rest public house and associated car park. The public house is boarded up and in a dilapidated condition. It is bounded by Froghall Road to the west, Hammersley Hayes Road to the north and dwellinghouses to the east and south. Open fields are located on the opposite side of Froghall Road. The application site is located in the Development Boundary of Cheadle.

For the purposes of planning policy consideration, the application site is located within the open countryside, it does not however have a Green Belt designation and the site does not form part of any Conservation Area. There are no Listed

buildings/structures or protected trees either within, or within the vicinity of, the application site.

Outline consent was granted in 2021 for the redevelopment of former public house and associated car parking to eight residential houses ref SMD/2020/0413

PROPOSAL

The proposal seeks reserved matters consent for matters of appearance, means of access, landscaping, layout and scale pursuant to outline consent SMD/2020/0413 approved on the 22nd June 2021. The submitted details follow closely the overall illustrative site arrangement submitted pursuant to the original outline consent with the now submitted details proposing the following:

The development proposes the erection of eight dwellings in the form of four sets of semi detached two storey dwellings that will all be two bedroom properties.

The dwellings are to be constructed in a mixture of Ibstock Alderley russet blend brick with Marley Ashmore grey tiles to the roof. The windows and doors will be marley grey upvc.

The site will be accessed off Froghall Road and each property will benefit from 2 parking spaces with a turning area. The road and parking areas will be surfaced with ultidrive porous fast draining asphalt or similar.

Each property will benefit from a front garden that are all open aspect as no dividing boundary treatments are proposed.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan

SS1 Development Principles
SS9 Smaller Villages Area Strategy
SS10 Other Rural Areas Strategy
SD1 Sustainable Use of Resources
E1 New Employment Development
H1 New Housing Development
DC1 Design Considerations
DC3 Landscape and Settlement Setting
NE1 Biodiversity and Geological Resources
NE2 Trees, Woodlands and Hedgerows
T1 Development and Sustainable Transport
Appendix 2 Parking Guidance

Space About Dwellings.

Design Principles for Development in the Staffordshire Moorlands. New Dwellings and Extensions to Dwellings
Staffordshire Moorlands Design Guide.

National Planning Policy Framework

Including sections;

2: Achieving sustainable development.

4: Decision-making.

5: Delivering a sufficient supply of homes.

6: Building a strong, competitive economy.

9: Promoting sustainable transport.

11: Making effective use of land.

12: Achieving well-designed places.

14: Meeting the challenge of climate change, flooding and coastal change.

15: Conserving and enhancing the natural environment.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2020/0413- Outline permission with all matters reserved for the redevelopment of former public house and associated car parking to eight residential houses-
Approved with conditions

CONSULTATIONS

Publicity

Site Notice expiry date: 11.08.22

Neighbour consultation period ends: 21.07.22

Press Advert: N/A

Public Comments

One letter of representation has been received with the following comments

I don't have a problem with the development of affordable housing, I would ask for the hedgerow running along the side of Hammersley Hayes Road to be kept in as it is always full of wildlife and is a good barrier for noise pollution. Before the public house was demolished there were bats and birds nesting in there so leaving the hedgerow in will house the remaining and existing birds. Unfortunately there was not a habitat put in place for the bats before the public house got demolished forcing the bats away.

Town / Parish Comments

None received within consultation period

Coal Authority

No objections

Environmental Health

Recommended that condition 14 and 17 can be discharged but condition 15 cannot be discharge due to the investigation being considered limited in samples.

AES Waste

No issues

Severn Trent Waters

No objections

Staffordshire County Council Highways

No objections subject to conditions

OFFICER COMMENTS

Principle of Development

The principle of the development has been accepted by the approval of the outline planning permission SMD/2020/0413 which accepted that the development met the policy restriction relating to providing an increase range of available and affordable house types and higher market housing, including for first time buyers and families. The application proposes the construction of 8no. 2-bedroom dwellings that will be starter homes.

Scale

The application site will provide 8no 2 bedroom starter homes and each dwelling will benefit from a small garden area to the front with a private garden area to the rear. In the immediate area the closest nearby buildings are a mixture of semi detached and detached dwellings two storey dwellings. In comparison to the closest nearby buildings the proposed dwellings would be of a similar scale albeit slightly smaller and would therefore look in keeping. The associated private amenity space with each residence would be similar to that of the neighbours and therefore overall the site is considered to form a similar pattern of development to existing dwellings on Froghall Road.

Layout

The overall site arrangements follow closely that of the previously submitted and approved illustrative layout. Whilst the previously submitted layout was illustrative only, with consent being sought with all matters reserved, the indicative layout provided a clear indication as to how the quantum of development proposed could be accommodated on site.

Due to the shape of the site and number of new dwellings proposed the options for site layout are limited. The proposed layout is considered to provide 8 dwellings with associated parking and amenity space that fits comfortably within the site.

Details of the bin store associated with the dwellings is indicated on the proposed site plan (condition 19 of the OUT) and landscaping plan with planting proposed around the store.

Appearance

In respect of the design of the proposed dwellings the submitted details are considered to represent an appropriate architectural response to the semi-rural character of the site that also responds positively to the inherent character of the settlement of Checkley. The proposed materials would result in the dwellings being of a similar appearance to the nearby buildings and therefore would look in keeping with the area. When viewed from Froghall Road the front row of dwellings would be set back from the highway and would benefit from front gardens and this would contribute to the amenity of the area. The allocated parking areas are also located behind this front row of dwellings and therefore contributes to the visual amenity of the area.

Landscaping

The proposal includes hard landscaping within the centre of the site to provide the parking spaces and turning areas associated with each dwelling. A pathway is also proposed from Froghall Road towards the dwellings at the back of the site. Adjacent to the bin store area a landscape strip is proposed to provide a grassed lawn.

The dwellings will benefit from a grassed front garden with planting on the boundary between the parking spaces to plots 5-8 and pavement on Froghall Road.

Impact on neighbour amenity

The proposal is for a new development on brownfield site adjacent to other residential dwellings. There is a separation distance of 35m between the dwellings on Froghall Road and neighbours and therefore these dwellings will not harm neighbour amenity. Following the submission of amended plans relating to plots 5,6,7 and 8 the new dwellings are considered to share an acceptable relationship with each other and the surrounding neighbours as an 18m separation distance is achieved which is in keeping with the other separation distances of the properties in the wider area. However, notwithstanding the submitted details on the plans, details of boundary treatment should be provided including screen fences between the adjacent rear gardens to ensure privacy for the future occupants.

Impact on amenity of future occupiers

Each dwelling will have a gross internal floor area of approximately 66sqm. This falls short of the minimum requirements set out within the DCLG Technical Housing Standards for a two bedroomed, three-person dwellinghouse as required by Policy H1. However the previously approved outline consent did not required the dwellings

to meet these minimum standards and therefore the application cannot be refused for this reason.

The occupants of the dwellings will benefit from a private amenity space that enables them to have reasonable enjoyment of their garden with a degree of freedom from unwanted social contact. In terms of the size of these gardens they are comparable with the gardens of other residential dwellings in the area and therefore they are considered acceptable despite being less than the minimum required in the SPD. Similar to the assessment on neighbour amenity the application property would not be unduly affected by any loss of privacy due to the separation distance between the proposed dwelling and the nearby residential receptors.

Highway Safety

The site proposes to be accessed off Froghall Road. The development provides a sufficient visibility splay as the development has been moved further within the site following highway concerns. The details submitted therefore meet the requirements of conditions 10-13 on the outline consent. In terms of condition 9 imposed on the outline consent, whilst the layout meets the majority of the requirements of this condition, the highway authority have requested that a condition be imposed relating to details for surface water drainage across the highway boundary. This is considered reasonable and related to the development. They also recommend a number of other conditions including the provision of visibility spays, parking and turning areas to be provided prior to first use and the submission of a CEMP. Conditions imposed on the outline consent require the provision of visibility splays to be provided before the development is brought into use and are therefore superfluous. A CEMP is also a requirement of condition 14 of the outline consent, so again is unnecessary.

Each property will benefit from two off street parking spaces and this meets the minimum requirements for 2 bedroomed dwellings. Therefore subject to the attachment of some of the recommended conditions by the Highway Authority, the development is considered to have an acceptable impact on highway safety.

Notwithstanding the above both Environmental Health and Highways consider the CEMP (condition 14 of the OUT) to be too vague. Therefore, this is not discharged.

Ecology

The outline consent condition 20 required that details of bat bricks should be incorporated into the dwellings. The proposed plans indicate the location of these bat boxes and therefore these details are considered sufficient.

Drainage

The plans indicate that all foul sewage is proposed to discharge to the public foul sewer and all surface water is proposed to discharge to on site soakaways. Severn Trent Waters have reviewed this and consider the drainage strategy to be acceptable. Therefore condition 6 of the outline consent can be agreed.

Noise

Condition 17 of the outline application sets out that development shall not commence until details of a site specific scheme for protecting the approved residential units from noise to be submitted. These details have been submitted and can be considered discharged as they have been agreed by the EH department.

Other outline conditions

Condition 5 – Details of existing and proposed levels across the site relative to adjoining land.

Details of the proposed finished floor levels and turning and garden areas levels have been submitted and shown on plan ref 18C. However, no information has been submitted on existing levels, or from any point on the adjoining land. Therefore, the LPA are unable conclude that that proposed levels are acceptable. This condition, therefore, cannot be agreed.

Condition 7 – Details of remediation works and/or mitigation works to address land instability arising from former coal workings.

The Coal Authority advise that:

In terms of providing comments in relation to this planning application, it is noted that the submission is a reserved matters application in respect of outline planning approval reference SMD/2020/0413 and that there are no coal mining legacy features to dictate any development layout.

*On the basis that the LPA are satisfied that coal mining legacy related issues could be addressed as part of the discharge of condition application, **the Coal Authority has no objection to this planning application.***

The applicant has submitted further information in respect of condition 15 below, which has been reviewed by the Council EHO who confirms that “the findings of the intrusive coal investigation, did not indicate the presence of any unrecorded voids. This is accepted.”

Accordingly, condition 7 can be agreed.

Condition 14 – Construction and Environmental Method statement

The Highway Authority in their initial comments stated that:

The CEMP is vague. 'The siting of temporary accommodation will be undertaken by the rental supplier' - gives no certainty over location. Contractors ... will park in designated on site parking areas. - where are these, will there be enough space. 'All materials will be delivered to the designated zone' - where is this? 'Wheel washing to prevent contamination of the public highway' - how will this be determined? what form will it take? where will water run off go? Road sweepers? Perhaps a more

detailed CEMP should be submitted at a later date. CEMP would normally be accompanied with a layout plan of site compound area.

Whilst some additional details have been submitted including the location of the car parking, wheel washing details in the form of a jet wash, and site storage and welfare facilities, the details continue to be vague, including a hand drawn plan, and without an accompanying document to address all matters identified in condition 14. This condition can therefore not be agreed.

Condition 15 – Site contamination and remediation strategy

In response to additional information submitted by the applicant, the EHO states that:

The applicant has submitted a second phase 2 intrusive investigation produced by [georisk management](#). The investigation essentially took a further 6 surface samples and confirmed the presence of contamination across the site. The author also dismisses the potential for ground gas to be present on site due to the findings of the intrusive coal investigation, which did not indicate the presence of any unrecorded voids. This is accepted.

In this document, the author proposes a tentative remediation strategy, which is essentially a cap of clean soil for garden areas. While this is accepted in principle it lacks significant detail regarding how this will be achieved and validated, and cannot be accepted fully in its current form.

This should be submitted a separate document in accordance with condition 15 of the outline condition:

ii. If the site risk assessment (i) indicates that potential risks exist, development shall not commence, until a detailed remediation strategy to mitigate the identified risks and ensure the site is remediated to a condition suitable for the intended use has been submitted and approved in writing by the Local Planning Authority.

Therefore, condition 15ii (onwards) of outline- SMD/2020/0413) cannot be discharged at this time.

Accordingly, this condition cannot be agreed.

CONCLUSION / PLANNING BALANCE

It is for the above reasons and having regard to all material considerations and matters raised that I recommend accordingly.

OFFICER RECOMMENDATION : Approve reserved matters / Discharge Conditions 6, 7 & 17

Case Officer: Rebecca Bowers

Recommendation Date: 16.10.2024

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council