

DELEGATED DECISION REPORT

SMD/2024/0376
Valid 03/09/2024

13 LONG VALLEY ROAD
BIDDULPH

**EXCAVATION WORKS TO
FORM TIMBER RETAINING
WALLS FOR NEW PARKING
AREA AT HIGHWAY LEVEL
AND WORKS TO FORM
RAISED PATIO AREA
(RETROSPECTIVE).
EXTENSION OF EXISTING
DROPPED KERB TO SERVE
NEW PARKING
AREA/DRIVEWAY**

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Impact on the character and appearance of the area

DESCRIPTION OF SITE

Long Valley Road is a long cul de sac estate road serving a long established 1970s residential development in the Biddulph suburb of Gillow Heath. A series of short branch roads feed from Long Valley Road forming wide sweeping gardens on corner plots.

The prevailing dwelling type is that of a simple 'cottage' style bungalow typical of the age and era with brick chimney stacks and the use of tile and timber clad sections within gables.

13 Long Valley Road is a corner plot located adjacent to the junction of Nursery Drive. From this point, Long Valley Road climbs more steeply to the south. This results in a large sweeping garden to the side of the bungalow that is raised above pavement level and is retained behind a 'faux stone' block dwarf wall. The traditional and established boundary treatment to the garden edge is privet hedge.

The development has been built and laid out as an open plan estate, the prevailing boundary treatment, throughout, is privet type hedges and dwarf walls. More recently the occasional section of close boarded fence has been erected to divide plots.

PROPOSAL

The development has already been carried out. A section of the block retaining wall has been removed to the side of the existing driveway and an area of the raised garden has been excavated and dug out to create a larger second area of parking, it appears to park a large camper van. The kerb and carriage way crossing has yet to be formed and dropped and is currently an 'unlawful' access. The parking surface has been laid

with bound concrete. Where the drop in levels at the rear of the excavation and the parking space is now more significant, a retaining wall of stacked timber sleepers to a height of around 1.5m has been constructed to the rear and sides. A timber post and rail fence has been erected around the top edge of the parking space to enclose the space and protect from fall.

To the rear of the parking space at the boundary between the applicant's plot and 1 Nursery Drive shrubbery has been taken out and replaced with a long close boarded fence that runs to the boundary. To the front of the fence to the top of the garden a patio tier has been dug into the garden level and retained with timber sleepers.

Photographs submitted with the applicant plans suggest that work continued and progressed toward completion, after a point where they had realised planning permission was required and had appointed a planning agent.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan Development Plan Document (Adopted 2020)

S01 Spatial Objectives
SS1 Development Principles
SS6 Biddulph Area Strategy
DC1 Design Considerations
T1 Development and Sustainable Transport

Biddulph Neighbourhood Plan

DES1 Design – new development must complement the local context and be sustainable. Development must complement existing character and townscape; complement the established layout in terms of set-back from the road and spacing around dwellings; use high quality durable materials, to complement the site character and surrounding context; provide sustainable drainage and permeable surface

DES2 Public Realm, Car Parking and Movement – providing a mix of parking as an integral part of layout.....so that vehicles do not dominate streets and spaces; ensuring that the number of parking spaces provided within the curtilage of each dwelling is proportionate to the size of the property.

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

84/13081/OLDDC Extension to form larger kitchen, bathroom and bedroom.
APPROVED.

CONSULTATIONS

Publicity

Site Notice expiry date: 29.10.2024
Neighbour consultation period ends: 29.10.2024
Press Advert: N/A

Public Comments

Six comments submitted in support, five from near neighbours and one from a commentator that lives elsewhere in Biddulph:

- There has been visual improvement to the property
- The work blends with the surrounding area
- No impact on amenity of the neighbours

Three objections received, two from near neighbours and one from a commentator that lives elsewhere in Biddulph. The following comments are made:

- No evidence of sustainable drainage being incorporated in the development
- Less than subtle construction
- Out of character timber fencing
- Significant change to the more gentle aspect previously seen from neighbours windows
- Could the excavated ground be unstable retained only by sleepers
- Two additional parking spaces created where vehicles are routinely parked parallel to the road – surely an inherent danger with the movements of these vehicles

Town / Parish Comments

Biddulph Town Council: No adverse comments

Staffordshire County Council Highways

Conditional/No Objection

The application is retrospective for the construction of a new parking area at highway level and a new patio area, within the garden of the property No. 13. The required dropped kerb to serve the new parking area has not been constructed. The existing driveway to the property is to remain in use however the current vehicle access will require to be widened to include the new parking area.

The parking area can accommodate additional parking for 2 vehicles as detailed in submitted plan Drawing Ref P376-201 RevA. It is noted the submitted plans state the hardstanding is to be constructed in concrete. Concrete is not a permeable material and given the fall of the garden/parking area towards the highway a drainage interceptor would be necessary, it is noted that Drawing Ref P376-201 RevA provides details of a drainage interceptor.

It is considered the proposal will not have a detrimental impact on the adopted highway. I have no objection to the proposal (application number SMD/2024/0376) subject to the following conditions:

The development hereby permitted shall not be brought into use until the extended access to the site within the limits of the public highway has been completed.

REASONS

To comply with NPPF; to comply with SMDC Core Strategy Policy DC1; in the interests of highway safety.

IMPORTANT INFORMATIVE TO BE INCLUDED ON DECISION NOTICE

Please note that prior to the access crossing being widened you will require a Section 184 Notice of Approval from Staffordshire County Council. Please email trafficandnetwork@staffordshire.gov.uk for further details.

The link below provides an overview of the permissions and licences required for undertaking work on or adjacent to the adopted highway:

<https://www.staffordshire.gov.uk/Highways/licences/Overview.aspx>

OFFICER COMMENTS

Principle of Development

Within the town settlement of Biddulph Local Plan strategy policy SS6 applies. The policy would, in principle, provide support for good quality householder development to meet local housing needs. Such development is expected to be of good design and meet the requirements of SMDC Local Plan design policy DC1 and the terms of the SMDC Design Guide 2018.

Design and Impact on the Character and Appearance of the Area

SMDC Local Plan DC1 generally requires all development to be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area in line with the Council's Design Guide SPD. In particular, to comply with the policy, new development should be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area; be designed to respect the site and its surroundings and promote a positive sense of place.

Additionally to the policy of the SMDC Local Plan, the Biddulph Neighbourhood Plan (adopted December 2023) has policy that makes specific comment relevant to the development that has been carried out. Design policy DES1 requires development to complement the local context and complement existing character and townscape and, more particularly, "complement the established layout in terms of set-back from the road and spacing around dwellings". Policy DES2 requires development to provide parking as an integral part of layout so that vehicles do not dominate streets and spaces; ensuring that the number of parking spaces provided within the curtilage of each dwelling is proportionate to the size of the property.

The character of the area is that of a 1970s 'open plan' suburban estate providing a development of bungalows. Key characteristics of the locality include driveway parking to sides and between dwellings, privet (and similar) hedges and dwarf walls providing boundary treatment, and wide sweeping gardens to the side of corner plots at junctions that contribute to the open plan character. Specifically, in respect of the immediate locality to the development the Nursery Drive junction was, before development, flanked either side by the wide open corner plot gardens of the applicant's property and that of the adjacent neighbour.

To this extent the prevailing original character of the area and locality largely remains. However, incongruous features that appear within locality include the occasional use of close boarded fences (most likely not to have required planning permission) to divide plots and parking areas extended to the front of dwellings with large caravans and motor homes parked to the front of properties.

The development has excavated out a significant portion of the garden to the side and front of the dwelling and replaced it with bound concrete surface and timber retaining walls. The open character of the garden has been eroded and encroached upon with an odd form of development that is out of keeping with the area and the conventional arrangement and provision of parking within the estate, placing vehicle parking within an overly prominent location to the front of the dwelling within the street scene.

The use of timber sleeper retaining walls and post and rail safety fencing, is an inappropriate use of materials and means of enclosure, that is at odds with original character and appearance of the area and has further compounded the incongruous use of close boarded timber fencing to the side and rear of the plot and throughout the area.

In these respects the development fails to reinforce local distinctiveness and does not positively contribute to the special character of the area, it does not add value to the local area and does not have detailing and materials appropriate to the character of the area. The development does not respect the site and its surroundings and promote a positive sense of place.

It is a specific policy of the Biddulph Neighbourhood Plan DES2 that that the number of parking spaces provided within the curtilage of each dwelling is proportionate to the size of the property. With this development there are a total of five hard surfaced parking spaces now provided with a small two bedroom semi-detached bungalow. SMDC parking standards require only two spaces to be provided with a dwelling of this size, giving more of the curtilage over to more parking has resulted in a disproportionate over provision of parking spaces for the size of the property and resulted in a very vehicle dominant layout, with vehicles dominating the street scene and open space within the realm.

In all of these regards the development is contrary to Policy DC1 of the SMDC Local Plan and policies DES1 and DES2 of the Biddulph Neighbourhood Plan 2023.

Amenity

With the separation distances between the development and neighbouring properties the introduction of vehicles in this location does not unreasonably affect the outlook or privacy of the nearest neighbours. Amenity, as discussed above, is more generally affected with the harm to character and appearance.

Parking and Highway Safety

The Highway Authority have not objected on the condition that the development is not brought into use until the extended access to the site within the limits of the public highway has been completed. On observation the parking space has already been completed and brought into use – camper van parked in the space at the time of officer's visit. The highway crossing has not been formed and there is no suitable drainage water interceptor trap or soakaway to prevent water run off onto the highway and deal with surface water sustainably on site. Two of the authority's conditions of their response have already been breached.

While the Highway Authority have no objection to the increased parking provision, it is of note that there is already ample driveway to the side of the dwelling. The existing

driveway provides at least two end to end parking spaces (compliant with SMDC parking standards) with measurements on plan indicating a third would be available.

Sustainable Drainage

The new parking space is surfaced with an impermeable bound concrete surface, the front edge is finished with a fall to the pavement and highway without any kind of drainage interceptor trap or soakaway. The submitted plan suggests that the hard surface falls and drains to the garden at the side of the space north to south. However, that was not my observation on site, the impermeable parking surface would inevitably drain with water running off straight onto the highway, there is no trap or soakaway.

The arrangement is contrary to policy DES1 of the Biddulph Neighbourhood Plan.

CONCLUSION / PLANNING BALANCE

The development has harmed and further eroded the character and appearance of the area and the distinctiveness of the locality. The development does not complement the local context or the established layout in terms of set-back from the road and spacing around dwellings. The increased parking provision within the dwelling's curtilage has resulted in a disproportionate over provision of parking spaces for the size of the property and resulted in a very vehicle dominant layout, with vehicles dominating the street scene and open space within the realm. In these regards there is conflict with Policy DC1 of the SMDC Local Plan and policies DES1 and DES2 of the Biddulph Neighbourhood Plan.

The development that has been carried out and completed has not been provided with a permeable surface and a drainage interceptor that runs to onsite soakaway. Surface water would not be trapped and prevented from running off onto the highway. In these respects the development has not been provided with sustainable drainage and a permeable surface and there is conflict with policy DES1 of the Biddulph Neighbourhood Plan.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Ben Hurst

Recommendation Date: 31st October 2024

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council