

DELEGATED DECISION REPORT

SMD/2025/0204
Valid 01/05/2025

51A PARK LANE
KNYPERSLEY

**APPLICATION FOR THE
VARIATION OF CONDITION 2
IN RELATION TO
SMD/2023/0379 TO CREATE A
NEW DWELLING WITHIN THE
CURRENT RESIDENTIAL
CURTILAGE OF NUMBER 51A
PARK LANE.**

(FULL - MINOR)

MAIN ISSUES

- The impact on the character and appearance of the area
- The impact on residential amenity
- The impact on highway safety

DESCRIPTION OF SITE

The site is within the development boundary of Biddulph/Knypersley and comprises most of the rear garden of a detached bungalow which faces Park Lane to the south. The garden plot is both directly to the rear of the bungalow and extends along the back of the adjacent detached dwellinghouse property to the west, up to Woodland Street where there is a bus stop and an electricity sub-station. To the north of the site is the back gardens of semi-detached houses which face Mayfield Road to the north. To the east of the site is rear garden of a bungalow on a cul-de-sac. The rear elevation of the bungalow faces the site. This was built in the back garden of an older detached two-storey dwellinghouse which faces Park Lane is next door to the application property. The site also includes a strip down the side of the bungalow towards the front up to Park Lane. There are other houses opposite on the other side of Park Lane and which also face the road. Within the site is a recently built annex building and another outbuilding with glass "summer house". Both buildings are on the rear (north) boundary of the site. The site is fairly flat.

PROPOSAL

This is a Variation of Condition application to a previously approved dwelling. Condition 2 of the planning permission (SMD 2023 0379) sets out the drawings which the dwelling must be built in accordance with. The applicant want to make changes to the dwelling and therefore would need to vary the condition to substitute the approved drawings with the new proposed drawings. The planning permission is for a two-bed bungalow and this new proposed scheme is for new three-bed chalet-type bungalow which would be placed in the west part of the garden plot directly behind the neighbouring dwellinghouse to the west of the existing bungalow, as

previous and on exactly the same footprint. The previous application (SMD 2023 0379) was refused by the Council due to concerns over a new access running alongside the neighbours boundary to the west considered to lead to noise and disturbance but was allowed on appeal by the Planning Inspectorate. The access arrangement remains the same as the approved scheme.

The dwelling would have the same orientation as previous. It would have the front elevation facing east and rear elevation facing Woodland Street and side elevations facing the back wall of the neighbouring dwelling to the south and the current rear boundary of the property to the north.

The original plans submitted with this application showed the main changes to include the increase in the height of the dwelling from the approved 4.0m high bungalow to a 6.7m chalet bungalow. The roof form has also changed. The previous had roof slopes from the front and rear walls (facing east and west) and side gables facing north and south. The new scheme switches the roof 90 degrees resulting in a roof which slopes away from the neighbours to the south and away from the north boundary and with gables on the front (east) and rear (west) elevations. The enlarged roof would accommodate two bedrooms and along with upper floor windows in the gables, there would be high level roof-lights on both roof slopes. These would be placed a minimum of 2.2m above the first floor level.

The footprint would remain the same as that approved (11.6 x 9.5m). The footings have already been built (work commenced on 1st April 2025 according to the application forms).

The location of the parking spaces has also been changed but the number provided would remain the same (five). These would be shared with the existing bungalow at the property which also has an annex in the rear garden.

The new and latest plans are also a revision of the original plans submitted with this new application. The latest amended plans were received on 16th and 17th July 2025. The main difference with the original plans submitted with this current application is the roof orientation which had side gables up to a ridge height of 6.5 metres (0.2m shorter than the amended scheme) and eaves heights of 2.4m, whereas the latest amended scheme has an eaves height of 3.0m (excluding the roof overhang). A side utility room projection has also been removed. The site plan originally submitted with this new current application showed a single-width access in its entirety between the plot and the road. This has been amended to show the first section of the access drive widened to a two-car width. The parking strategy was also different on the original plans submitted with this new current application.

The dwelling would have brick and tile materials same as approved.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted September 2020)

SS6 Biddulph Strategy
H1 New Housing

DC1 Design Considerations

National Planning Policy Framework (December 2024)

Sections 5 (Housing) and 12 (Design).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/1990/0195: Site for one bungalow adjacent to 51A Park Lane. Refused.

SMD/2023/0070: Extension of outbuilding and conversion into annex. Approved and built.

SMD/2023/0379: Two bed bungalow and new access. Refused but allowed on appeal in October 2024. The footings have been built and therefore this approval has been implemented.

CONSULTATIONS

Publicity

Site Notice expiry date: 24.6.25

Neighbour letters expiry date: 24.6.25

Press Notice: N/A

Public Comments

None.

Town / Parish Comments

"It was proposed to defer to Planning Officer; there were no further comments. All agreed."

Local Highways Authority

SCC objected to the plans originally submitted with this new current application as the access was only a single car width in its entirety (leading to cars reversing onto the highway if another car was approaching in the opposite direction) and only three car parking spaces were shown. SCC as local highways authority requested the first section of the access be widened to two car width and that at least four parking spaces be provided, two for the proposed dwelling and two for the annex to the existing bungalow, in accordance with the Council's parking standards (to reduce the need to park cars on the road), in the interests of highway safety.

Environmental Health

No objection to the variation.

OFFICER COMMENTS

The principle of the proposal for a dwelling on the plot was accepted in granting permission for the full planning application, SMD/2023/0379. The applicant wants to change the approved dwelling from a 2-bed bungalow to a chalet-type dwelling to include rooms in the roofspace, resulting in a higher and larger with a third bedroom but with the same footprint. The roof design, scale and height would significantly change. The materials would stay the same. These changes can be made by submitted a Variation of Condition application to vary Condition 2 of the planning permission which requires the development to be built in exact accordance with the approved drawings which are for a two-bed bungalow, so in order to change this, the condition would need to be varied to substitute the approved plans with the new proposed plans.

The Council need to consider whether the amended scheme would lead to any further significant impacts on the area in terms of its character and appearance and residential amenity and therefore determine if this would lead to any harms to the neighbours or the appearance of the area and as with the previous application, Policy DC1 of the Local Plan, "Design Considerations", would need to be complied with.

With regard to character and appearance, despite the significant raise in the height of the dwelling, this is not excessive in relation to nearby dwellings. There is a mix of dwellings in the area in terms of height, form and design. There is a two-storey dwellinghouse to the south of the plot and the new proposed dwelling would not exceed the height of the existing house. There are a number of bungalows and chalet/dormer bungalows also in the area and so the proposed new scheme would not appear out of keeping with the area. The overall size is also not excessive in relation to surrounding properties. The new dwelling would appear well proportioned with roof slope angles and eaves heights that are common to the area. Overall, the new scheme would not have a harmful impact on the character and appearance of the area.

With regard to residential amenity, the original plans with this new application showed large side gables with wall heights of up to 6.5m. Due to the distance between the south gable and the rear boundary of the property to the south (approx. 2.0 metres) and also the back wall of the house at the property to the south, which would be approximately 5.0 metres away, it was considered the original scheme would have led to an overbearing impact when viewed from the property to the south and a loss of light provision to the rear ground floor windows, serving a kitchen. Despite no objections being received from the property to the south, it was nevertheless considered that the side gable would have led to harm to the overall residential amenities of the property to the south. A similar approach was put forward when the previous application was first submitted in 2023 and was similarly rejected by the Council, in favour of a lower single-storey bungalow, the scheme eventually allowed on appeal.

The new amended scheme effectively turns the roof 90 degrees so that the south and north facing side gables are removed. Instead, the roof slopes away from the

property to the south from an eaves height of 3.0 metres, roughly the height of the existing hedge that marks the back boundary of the property to the south. The drawings show that 25 degree vertical angle lines measured from the mid-point of the rear ground floor kitchen windows of the house to the south, would not be broken by the presence of the new roof. This complies with the Council's Space About Dwellings Supplementary Planning Guidance which aims to prevent losses of light to neighbouring properties as a result of new developments

However, it is considered the change in the roof form so that it would slope away from the neighbours property would be no less overbearing to the neighbours than the previously rejected gable-sided scheme. The ridge height would be no less, the eaves are slightly higher than average for a bungalow but whilst the facing wall above eaves height has been removed, there is a significant increase in the amount of visible roof resulting in the dwelling appearing a lot wider when viewed from the rear windows of the neighbours property, than the previous scheme submitted with this application. It is considered this would still result in an overbearing form of development that is significant enough to materially harm the residential amenities of the property to the south.

The amended designs would avoid any harmful scope of overlooking. The upper floor windows are placed on the gables facing west and east where there are no nearby residential properties that would be directly overlooked, other than the existing bungalow within the same property as the application site. The other upper floor windows are restricted to high level rooflights which although facing properties to the north and south a short distance away would be placed at least 2.2 metres above the first floor level, preventing overlooking.

However, as previously mentioned, whilst there are no harms identified to the neighbours to the south in terms of light provision and privacy, the amended proposal, due to the overall form, height and siting so close to the rear boundary and ground floor and first floor rear windows of the residential property to the south, would lead to an overbearing and intrusive form of development when viewed from that property, to the extent that the residential amenities of that adjacent property would be harmed. This would not comply with Policy DC1 which aims to, inter alia, protect the residential amenities of the area from new development. The application should therefore be refused.

With regard to the living conditions of the eventual occupants of the dwelling, the amount of floorspace with a minimum ground to ceiling height of 2.3m would be 146 sq.m which significantly exceeds the minimum floorspace standard for a two-storey 3-bed 6-person dwelling which is 102 sq.m, as set out in the governments Nationally Described Space Standards (NDSS). The footprint of the approved dwelling has not changed and the resultant rear garden would remain to have a length (11m) and an overall area (in excess of 65 sq.m), compliant with the Council's Space About Dwellings standards.

Finally, with regard to highway safety, the local highways authority, Staffs County Council objected to the application on the basis of the original plans submitted which showed an access with a single car width and insufficient parking spaces. However, the plans have been amended to those approved by the Planning Inspector at the

appeal stage which showed a section of the access drive to be widened to a two-car width (to allow cars to pass) and the inclusion five parking spaces, in excess of the Council's parking standards. The revised proposal would therefore not be detrimental to highway safety.

CONCLUSION / PLANNING BALANCE

The latest amendments to the scheme, received on 15th and 16th July 2025, would harm the residential amenities of the adjacent residential property to the south of the proposed dwelling. The amended proposal would therefore not comply with Policy DC1 of the Local Plan and the variation of Condition 2 of the planning permission to substitute the plans for a larger higher dwelling shall therefore be refused.

OFFICER RECOMMENDATION : REFUSE

Case Officer: Chris Johnston
Recommendation Date: 27.8.25

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council