

PLANNING STATEMENT

**THE CROWN INN
MOBBERLEY**

NOVEMBER 2025

Site Address:

The Crown Inn, Tean Road, Mobberley, Staffordshire, ST10 1TW

Applicant:

Mr. S. Fox

Proposal:

Variation of conditions on application SMD/2021/0406
(Erection of 5no. Dwellings)

Planning Statement:

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Report Prepared By:

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1 Introduction

- 1.1 Rob Duncan Planning Consultancy Ltd. has been instructed by Mr. S. Fox to lodge a variation of condition application pursuant to the provisions of s73 of the Town and Country Planning Act 1990 (As Amended) to secure changes to the approved development for the erection of 5no. dwellings at The Crown Inn, Tean Road, Mobberley (SMD/2021/0406).
- 1.2 Planning application SMD/2021/0406 granted consent for the erection of 5no. dwellings on the site, comprising of the erection of two pairs of semi-detached dwellings and one detached dwelling alongside. The approved dwellings were positioned approximately 4 – 4.5 metres rear of the carriageway of the Tean Road, served by a parking area at the rear accessed off the Freehay Road. Two small areas of communal open space were also to be provided, one in the far eastern corner of the site, and one in the far northwest corner of the site.
- 1.3 The development subsequently carried out on site has deviated from the originally approved plans in that the dwellings are set further back into the site from the carriageway of the Tean Road (approximately 5.5 – 6 metres). This has had a knock-on effect of changing the layout of the rear gardens to the rear of the properties and the associated car parking arrangements. The areas of communal open space have also been modestly reduced in size.
- 1.4 The dwellings themselves continue to comprise of two storey, three bedroomed properties. The only alterations to the house types are a modest increase in the depth of the semi-detached cottages, from 10.091 metres as originally approved, up to 10.650 metres as constructed. The previously approved single storey projections off the rear elevations of those semi-detached properties have also been removed, as have the ground floor side facing windows.

1.5 As a consequence of these revisions, the garden sizes of the properties have altered, and a new area of garden has been provided to the south of plot five and to the north of Plot 1. The resultant garden sizes for each plot are as follows:

- Plot 1 = 89.91m²
- Plot 2 = 100.18m²
- Plot 3 = 99.88m²
- Plot 4 = 78.05m²
- Plot 5 = 85.17m²

1.6 The overall number of parking places on the site, inclusive of the integral garage to plot 1, comprises of 11no. spaces, an increase of one space over and above the originally approved scheme. The means of vehicular access off the Freehay Road remains unaltered from that which was previously approved.

1.7 This Planning Statement sets out the case for the variation of condition application to be granted, having regard to local and national planning policy.

2 Site Location

- 2.1 The application site is located within the rural area and comprises a parcel of previously developed land that was previously occupied by the former Crown Inn Public House (since demolished) and its associated beer garden and parking area.
- 2.2 The site is broadly triangular in shape and enclosed by hedgerows to its southeastern and northeastern site boundaries. Beyond those vegetative boundaries run the carriageway of the Freehay Road. The original public house was located towards the western end of the site and angled slightly away from the carriageway of the Tean Road, which encloses the western site boundary.
- 2.3 Commercial premises are located to the west of the site on the opposite side of the Tean Road, with woodland areas located to the north and south. There are no immediate neighbouring residential occupiers, the closest being Rose Cottage some 58 metres to the east and Rock View Cottage some 69 metres to the southwest.
- 2.4 The site benefits from close proximity to public transport connections on the Tean Road which provide regular services throughout the day with Upper Tean, Uttoxeter and Cheadle. The larger village of Upper Tean lies approximately 1.85km to the south, with Cheadle Town Centre lying 2km to the north.
- 2.5 The site is not within a Conservation Area, nor are there any statutorily listed buildings located in close proximity of the site. The site is located within Flood Zone 1 (low-probability of flooding).

3 Planning Policy

3.1 Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that applications for planning permission be determined in accordance with the Development Plan taking into account any relevant material considerations.

3.2 The Development Plan for this area comprises the Staffordshire Moorlands Local Plan (2020) of which the following policies are of relevance to the determination of the application:

3.3 Policy SS1 of the Local Plan relates to 'Development Principles' and states that the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands in terms of delivering, in partnership with other agencies and services:

- a mix of types and tenures of quality, affordable homes, including starter homes, to meet the needs and aspirations of the existing and future communities.
- quality local services, including provision for education, healthcare, leisure, community, cultural and tourist facilities in response to anticipated population change and visitor numbers.
- easy access to jobs, shops and transport services by all sections of the community.
- increased economic prosperity and opportunities for employment and greater local capacity with an educated, skilled and flexible workforce.

- a healthy, safe, attractive, active, well-designed and well-maintained environment.
- development which maintains the locally distinctive character of the Staffordshire Moorlands, its individual towns and villages and their settings.
- development that is undertaken in a way that protects and enhances the natural and historic environment of the District and its surrounding areas, including the Peak District National Park, both now and for future generations.
- support development which secures high quality, sustainable environments, efficient and effective use of resources and contributes effectively to tackling climate change and reduced carbon emissions.

3.4 Policy SS10 of the Local Plan relates to the 'Other Rural Areas Strategy' and states that these areas will provide only for development which has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism, or enhances the countryside. The policy confirms that the Council will meet housing requirements by restricting new build housing development in the countryside to that which has an essential need to be located in the countryside in accordance with policy H1.

3.5 Policy H1 of the Local Plan relates to 'New Housing Development' and states that all development will be assessed according to the extent to which it provides for high quality, sustainable housing and to which it meets identified housing needs, having regard to the location of the development, the

characteristics of the site and the economics of provision. Policy H1 goes on to state that all new dwellings should aim to provide flexible accommodation which is capable of future adaptation by seeking to achieve adequate internal space for the intended number of occupants in accordance with the Nationally Described Space standard and delivered to meet accessibility standards set out in the Optional Requirement M4(2) of Part M of the Building Regulations. It also requires that new dwellings must be of sufficient size to provide satisfactory levels of amenity for future occupiers of the dwellings whilst respecting the privacy and amenity of occupiers of existing dwellings. Policy H1 also states that in the rural areas only a limited number of types of housing development will be permitted, which includes:

- Proposals to re-develop previously developed land provided it is not of high environmental value.

3.6 Policy DC1 of the Local Plan relates to 'Design Considerations' and states that all development shall 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, new development should:

1. be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area.
2. be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, height, density, layout, siting, landscaping, character and appearance.
3. create, where appropriate, attractive, active, functional, accessible and safe public and private environments which incorporate public spaces,

green infrastructure including making provision for networks of multi-functional new and existing green space (both public and private), landscaping, public art, 'designing out crime' initiatives and the principles of Active Design.

4. incorporate sustainable construction techniques and design concepts for buildings and their layouts to reduce the impact of the development.
5. protect the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, overbearing development, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution.
6. promote the maintenance, enhancement, restoration and re-creation of biodiversity and geological heritage, where appropriate.
7. provide for safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use.
8. require new developments to be well integrated for car, pedestrian and cycle use as well as other sustainable transport links.
9. ensure that existing drainage, waste water and sewerage infrastructure capacity is available, and where necessary enhanced, to enable the development to proceed.
10. ensure, where appropriate, equality of access and use for all sections of the community.

11. be served by high speed broadband (>30mbps) unless it can be demonstrated through consultation with Next Generation Access Network providers that this would not be possible, practical or economically viable. In all circumstances during construction of the site sufficient and suitable ducting should be provided within the site and to the property to facilitate ease of installation at a future date.

3.7 Policy DC3 of the Local Plan relates to 'Landscape and Settlement Setting' and states that the Council will protect and, where possible, enhance local landscape and the setting of settlements in the Staffordshire Moorlands by:

1. Resisting development which would lead to prominent intrusion into the countryside or have a significant adverse impact on the character or the setting of a settlement or important views into and out of the settlement as identified in the Landscape and Settlement Character evidence.
2. Supporting development which respects and enhances local landscape character and which reinforces and enhances the setting of the settlement as identified in the Landscape and Settlement Character evidence.
3. Supporting developments which conserve or enhance the biodiversity qualities of any natural or man-made features within the landscape, such as trees, woodlands, hedgerows, walls, watercourses or ponds.
4. Supporting opportunities to positively manage the landscape and use sustainable building techniques and materials which are sympathetic to the landscape.
5. Ensuring that development does not adversely affect the wider setting of the Peak District National Park.

3.8 Policy T1 of the Local Plan relates to 'Development and Sustainable Transport' and states that the Council will promote and support development which reduces reliance on the private car for travel journeys, reduces the need to travel generally and accommodates residual development traffic in line with the Integrated Transport Strategy. This will be achieved by:

1. Ensuring that all new development is located where the highway network can satisfactorily accommodate traffic generated by the development or can be improved as part of the development.
2. Ensuring that major development is located in areas that are accessible by sustainable travel modes or can be made accessible as part of the proposal.
3. Considering appropriate parking provision on a case by case basis with recourse to the parking guidance set out in Appendix 2.
4. Where appropriate all new development shall facilitate walking and cycling within neighbourhoods and town centres, and link with or extend identified walking or cycling routes. In addition applicants should also consider how their schemes can enhance the existing path network in line with the Staffordshire County Council Rights of Way Improvement Plan and also give consideration to the protection of non-definitive public footpath routes in addition to definitive routes.

4 Other Material Considerations

National Planning Policy Framework

- 4.1 The National Planning Policy Framework seeks to secure the delivery of sustainable development and sets out policies, *inter-alia*, in respect of delivering rural housing, securing high quality design and maintaining highway safety. The provisions of the National Planning Policy Framework have been taken into consideration in the preparation of this application.

SMDC Design Guide SPD

- 4.2 The adopted Design Guide SPD provides advice aimed at securing the delivery of high-quality built development within the District, including new build dwellings. The content of the Design Guide SPD has been taken into consideration in the preparation of this application.

SMDC Space About Dwellings SPG

- 4.3 The Space About Dwellings SPG sets out a series of numerical standards that new development should seek to achieve in the interests of ensuring a high standard of amenity for both future and neighbouring residential occupiers. The content of the Space About Dwellings SPG has been taken into consideration in the preparation of this application.

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- 4.4 The above application granted consent for the erection of 5no. dwellings on the site. The Local Authority's conclusions in the assessment of that application have been taken into consideration in the preparation of this application.

5 Planning Assessment

Principle of Development

- 5.1 The original planning application SMD/2021/0406 granted consent for the erection of 5no. dwellings on the site. In doing so the application paid due regard to the preceding planning history on the site which originally granted consent for the development (SMD/2016/0344).
- 5.2 The works carried out on the site differ from those approved under application SMD/2021/0406 in that the dwellings have been sited further westwards within the site compared to the approved scheme, and this has resulted in consequently changes to the layout of the development at the rear of the site, with differing garden sizes and layouts, and modestly reduced areas of communal open space. This application has been submitted to regularise those changes.
- 1.8 Section 73 of the Town and Country Planning Act 1990 (As Amended) allows for material amendments to approved schemes, and there is no statutory limit on the degree of change permissible to conditions under s73. Having regard to the High Court judgment in *R (Fiske) v Test Valley BC [2023] EWHC 2221 (Admin)*, the proposed variation of conditions *will* not result in a condition that is inconsistent with the operative wording of the original permission nor will it fundamentally alter the development permitted, which remains as a scheme for the erection of 5no. dwellings.
- 1.9 The proposal remains a scheme for the erection of 5no. dwellings that is consistent with the provisions of policies SS10 and H1 of the Staffordshire Moorlands Local Plan, and consequently the principle of development continues to be acceptable.

Design & Layout

- 5.3 The main change between the scheme approved under application SMD/2021/0406 and the works carried out on site are the re-siting of the dwellings so that they sit further rearward from the carriageway of the Tean Road. The re-siting was undertaken in order to provide clearance from subterranean infrastructure.
- 5.4 The originally approved dwellings were aligned in a linear fashion towards the site frontage, set back from the carriageway of the Tean Road by approximately 4 – 4.5 metres. The revised siting of the dwellings sees them positioned approximately 5.5 – 6 metres rear of the carriageway. By way of comparison, the original public house on the site was angled away from the Tean Road, such that it was sited between 4m and 8m from the carriageway.
- 5.5 The consequential effect of moving the dwellings eastward within the site has been to alter the size and layout of the approved garden areas, and reposition the parking spaces, leading to a reduction in the previously approved areas of communal open space. An area of garden space is also now proposed to the south of Plot 5 and to the north of Plot 1.
- 5.6 The adopted Space About Dwellings SPG requires that new dwellings be provided with at least 65 square metres of amenity space, excluding any areas occupied by garages or other outbuildings. Whilst the repositioning of the dwellings has resulted in alterations to the layout of the gardens, the areas of amenity space provided for each plot remains well in excess of the 65 square metre threshold set out within the Space About Dwellings standards.
- 5.7 Whilst the semi-detached units have been marginally increased in depth compared to the originally approved scheme, this is compensated for by the removal of the originally proposed single storey rear projections to those properties.

- 5.8 The design and appearance of the dwellings remains one that are well proportioned and which relate positively to the character and appearance of the surrounding area. The dwellings continue to exhibit the detailed design characteristics of the originally approved plans, and overall are of a design and appearance that is very much consistent with the requirements of the adopted Design Guide SPD.
- 5.9 The reduction in the areas of communal open space is not considered to imperil the application. Those areas were provided as areas of communal open space in order to preserve the open character of the northwestern and easternmost parts of the site. The layout stemmed from a previous appeal decision on the site (LPA Ref. SMD/2015/0150 / Appeal Ref. 3134980) where development had been proposed in both the far northwest corner of the site, and along the northeastern site boundary.
- 5.10 The Planning Inspector determining the appeal concluded that a development of the scale proposed (6no. dwellings + 2 flats) would take up much more of the site than the existing building and would appear as a more extensive and noticeable group of buildings when seen from the main road and land around. Whilst the dwellings have been re-positioned within the site and some of the areas of communal open space have been taken up by the garden to Plot 1 and by the revised parking area, the land in these locations nevertheless remains open in character, and thus in keeping with the objectives of the originally approved layout.
- 5.11 The revised layout of the site also retains sufficient car parking to serve the proposed dwellings (discussed in more detail below) with the means of vehicular access from the Freehay Road unaltered. The existing boundary vegetation to the northeastern and southeastern site boundaries also remains intact and continues to soften the impact of the development on the character and appearance of the area. The frontage of the site comprises of railings

which provide enclosure to the site to the Tean Road as per the original approved scheme.

- 5.12 Having regard to the above considerations it is concluded that the design and layout of the development that has been carried out on the site is acceptable, and accords with the provisions of policies SS1, DC1 and DC3 of the Staffordshire Moorlands Local Plan and guidance set out within the adopted Design Guide SPD.

Highway Safety & Parking

- 5.13 The originally approved application showed access to the site being taken off the Freehay Road along the northeastern site boundary. That access remains unaltered as a consequence of the site layout changes that have arisen. The associated car parking layout has altered as a result of setting the dwellings further back from the carriageway of the Tean Road, but the overall level of parking provision remains in accordance with the adopted Car Parking Standards, with a total of 11no. spaces provided (10no. spaces approved previously).
- 5.14 There remains adequate space within the site for the turning of vehicles so that they may access the site in a forward gear, and the access onto the Freehay Road is unaltered from the approved scheme, with ample space for two vehicles to pass one another. The off-site highway works required under condition 14 of SMD/2021/0406 along the Tean Road have been undertaken with final approval from Staffordshire County Council expected shortly.
- 5.15 The proposed development is consequently held to be consistent with the requirements of policy T1 of the Staffordshire Moorlands Local Plan in this regard, and the provisions of paragraphs 115 and 116 of the National Planning Policy Framework.

6 Conclusion

6.1 The proposed variation of application SMD/2021/0406 constitutes a sustainable form of development having regard to the following conclusions:

- The principle of development remains acceptable, as the proposal continues to involve the re-development of a previously developed site, and the quantum of development (5no. dwellings) remains unaltered.
- The design and layout of the development remains of a high quality and is in keeping with the character and appearance of the surrounding area.
- The development will provide an acceptable level of amenity for future occupiers of the development, with amenity spaces exceeding the minimum required standard.
- The proposed means of access to and from the public highway is unaltered, and the development continues to provide sufficient off-street parking and turning space to meet the adopted Car Parking Standards.

6.2 The proposed development is consequently held to meet the requirements of policies SS1, SS10, H1, DC1, DC3 and T1 of the Staffordshire Moorlands Local Plan (2020), the provisions of the National Planning Policy Framework, and guidance contained within the Staffordshire Moorlands Design Guide SPD and the Space About Dwellings SPG.