

DELEGATED DECISION REPORT

SMD/2026/0284
Valid 11/06/2026

DANE HEIGHTS CLAY
LAKE
ENDON

OUTLINE PLANNING
PERMISSION WITH SOME
MATTERS RESERVED FOR
THE ERECTION OF 3 NO.
SELF-BUILD DWELLINGS
(RESUBMISSION OF
SMD/2023/0157)

(OUTLINE - MINOR APPS)

MAIN ISSUES

- The principle of new dwellings in this location.
- 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 comprises the front part of the residential curtilage of a detached property known as Dane Heights, which is located on the north side of Clay Lake, Endon. The site is flanked on its south side by Clay Lake, to the east and west by the gardens of Greyswood, Woodhayes and Vallauris, and to the north by the applicant's home and an annex building and further to the north (rear of the house and annex) is protected woodland. The site is within the Development Boundary of Endon.

Dane Heights is a large detached dormer bungalow that sits within extensive curtilage. The dwelling is set behind a deep sweeping lawn that extends for a width of 100m along the roadside.

The roadside lawn provides the application site. It has a greater ground level above roadside behind a stone retaining wall and hedge line. Toward the eastern end of the lawn there is the hard surface of an old tennis court. An existing access with Clay Lake provides a driveway that crosses the front lawn.

PROPOSAL

The application is for an outline planning permission for three detached 'self-build' dwellings. The application seeks an approval for the vehicular access to the development, all other matters (appearance, landscaping, layout and scale) are reserved.

The application proposes two access points to the site and the development – the first would make use of the existing access with Clay Lake to serve one of the new plots; and the second, new access, would be positioned further to the east to provide a new

shared drive that would serve two of the proposed plots and make a new driveway to Dane Heights.

To provide the new access, a section of roadside stone retaining wall and hedge line would be removed with excavations necessary to provide the opening.

Since the outline planning permission was granted in 2024, Biodiversity Net Gain regulations were introduced for all small site applications submitted after the 2nd April 2024. However, the BNG requirements do not apply because, as proposed by the applicant, all buildings would meet the definition of self-building or custom housebuilding as set out in section 1(A1) of the Self-build and Custom Housebuilding Act 2015.

In those circumstances the development would be exempt from BNG requirements and a permission should be conditioned accordingly to ensure that the units are provided and specified at reserved matters stage as self builds for named builders and intended occupants.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS2 Settlement Hierarchy
SS8 Larger Village Area Strategy
DC1 Design Considerations
H1 New Housing Development
NE1 Biodiversity and Geological Resources
NE2 Trees, Woodland and Hedgerows
T1 Development and Sustainable Transport

National Planning Policy Framework

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2008/0046 – Erection of 3 dwellings (outline) – Approved 30/05/2008.
SMD/2011/0106 – Variation of condition 1 of 08/00831/OUT extension of time – Approved 05/04/2011.
SMD/2014/0034 – Outline proposal for the erection of 3 dwellings – Approved 11/04/2014.
SMD/2017/0107: Erection of 3 dwellings (outline) – Approved May 2017.
SMD/2020/0175: Erection of 3 dwellings (outline) – Approved May 2020.
SMD/2023/0157 Erection of 3 dwellings (outline) – Approved

CONSULTATIONS

Publicity

Site Notice expiry date: 13th July 2026
Neighbour consultation period ends: 13th July 2026
Press Advert: N/A

Public Comments

None

Town / Parish Comments

Endon and Stanley PC: No objection.

The Council noted the site's established planning history, with planning permission having previously been granted for the same development on five occasions, although each permission expired before works commenced. Whilst concerns had been raised during a previous application regarding the cumulative impact of development along Clay Lake on the streetscape, no new material planning considerations were identified in relation to the current proposal. No objection was raised.

Environmental Health

Construction impacts (Condition)

Unexpected Contamination (Condition)

Asbestos (Advisory)

Lighting (Condition)

Nuisance: The proposed development is near to existing properties so care needs to be taken during the construction phase to ensure these activities do not cause unreasonably disruption to the neighbour's enjoyment of their properties. It is noted the previous permission smd/2023/0157 did not contain our recommended dust control or radio noise condition, we would advise these are placed on this permission if granted to protect neighbourhood amenity during construction.

Unexpected Contamination and soil importation: It is noted neither condition to protect soil integrity and construction worker/occupier health has been placed on the previous permission smd/2023/0157 yet were placed on an earlier permission smd/2020/0175. These conditions are not considered onerous and have no cost impact to the developer unless unexpected contamination is discovered or soil/fill material is being imported. In the interest of occupier safety and soil protection we would advise our recommended conditions are placed on this permission if granted.

Staffordshire County Council Highways

Conditional

Application is a resubmission of SMD/2023/0157. Comments and recommended conditions are repeated from the previous applications.

There are no recorded Personal Injury Collisions on Clay lake within 50m of the site access in either direction in the previous 5 years.

SMDC Tree Officer

No objection

SMDC mapping does show Tree Preservation Orders in place across the site, though these appear to have been historically removed and therefore do not impact this planning application.

There does exist an area designation on the boundary with Clay Lake Road, where an existing laurel hedgerow is.

However, laurels would typically be considered a shrub and not a tree. Furthermore the species is not listed on the schedule for the preservation order which specifically names the species which are protected.

Therefore negative impacts to trees on and in proximity to the site are not anticipated and there is no objection to this application. A landscaping plan should be provided together with a detailed schedule, which can be included as a condition should consent be granted.

OFFICER COMMENTS

An outline planning permission for three dwellings with details of access was approved in May 2020, which itself was a renewal of a proposal approved in 2017. Most recently, in 2023, a further outline permission was granted for exactly the same development proposal and submission. The permission was granted 14th June and there were three years for the reserved matters application to be made. When the current application for a further outline permission was submitted on the 8th June 2026, the previous outline permission was technically still extant, however, it has since expired. An approval of the current application and a further outline permission would give another 3 years for the submission of a reserved matters application. This new application is the same as the one previous and with no changes to the plans.

For the purposes of the Local Plan, the site is within the defined settlement of the 'larger village' of Endon. Here, Local Plan area strategy policy SS8 applies to the larger villages. These settlements shall retain and enhance their role as rural service centres, providing for the bulk of the housing requirement of a scale and type appropriate to each settlement having regard to infrastructure capacity and character. Housing policy H1 requires 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.

However, there does remain an under supply of housing land within the District. Currently the Council cannot demonstrate a five year housing land supply which means that the development plan policies most important for determining the application shall be considered out of date, and it is paragraph 11 of the NPPF that applies. Planning permission should be granted unless - any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole.

The application proposal would make a modest contribution to housing supply and there would be economic and community benefit associated with that.

The application site provides a wide sweeping tract of open undeveloped roadside land. The land presents manicured lawn with boundary shrubbery it provides a pleasant suburban setting to a line of bungalows that are set back from the road against a line of mature woodland to the north.

However, overall, the land is suburban or residential in character and there is a sense of enclosure imposed by the positioning of the surrounding residential development to the north, west and east. It has visual association with of the existing settlement and surrounding dwellings towards the edge of the settlement. The provision of three dwellings on the site would have an acceptable relationship to the form, density and arrangement of the existing settlement and development.

It is not considered that, in this context, the provision of three dwellings would result in an adverse visual impact that would significantly and demonstrably outweigh the benefits of the proposal, when assessed against the policies in the NPPF taken as a whole.

There have been no significant changes to the nature of the site or the surrounding area since the previous approval and therefore the impacts on the visual and residential amenities of the area would remain the same. The new access would also remain to be not detrimental to highway safety. The local highways authority (SCC) do not object to the application on the basis that their previous recommended conditions are repeated. As the application is for outline consent details of the design, layout and scale of dwellings would be dealt with at the reserved matters stage.

The Council's Environmental Health officer comments that suggested conditions relative to noise during development, dust suppression, and risks relative to unexpected contamination, were not included on the outline permission. These conditions appear to apply reasonable controls for development that would take place within proximity of existing residents. The conditions can be attached to the approval.

CONCLUSION / PLANNING BALANCE

The application is effectively for the renewal of the previous outline permission which was granted on 14th June 2023 and expired, therefore, June of this year. The proposed development remains acceptable and compliant with the Council's Local Plan and the government planning guidance contained in the National Planning Policy Framework (NPPF) and therefore outline planning permission with details of access should again be granted.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Ben Hurst

Recommendation Date:

X 

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council