

DELEGATED DECISION REPORT

SMD/2025/0533
Valid 19/12/2025

**LAND REAR OF THE
ROYAL OAK HIGH STREET
DILHORNE**

**ERECTION OF A DETACHED
SELF-BUILD
DWELLINGHOUSE.
(RE-SUBMISSION OF OUTLINE
APPLICATION SMD/2022/0658
(APPROVED AT APPEAL) AND
APPROVED RESERVED
MATTERS APPLICATION
SMD/2024/0304, TO POSITION
THE PROPOSED DWELLING
AWAY FROM AN EXISTING
DRAIN)**

(FULL - MINOR)

MAIN ISSUES

- Green Belt
- Design
- Residential Amenity Impact
- Highway Safety
- Drainage
- Ground Stability
- Biodiversity Net Gain

DESCRIPTION OF SITE

The site is on the Western edge of the small village of Dilhorne and comprises a grassy open part of the grounds of a public house, lying to the rear of the pub building itself and next to the rear car park for the pub and adjacent to the rear boundary of the pub. The pub faces High Street to the South-East, in the middle of the village but the vehicular access to it, leading to the car park to the rear of the pub to the North-West of the building, is from New Road, to the West side of the pub. The access drive forks with one side going to the car park and the other side, which forks towards the rear boundary (with an outdoor seating area in between where the access divides), leads to the plot and further on, to a separate parking area behind three terraced dwellings to the East side of the pub (and which also face the High Street). There is a two-storey detached dwelling to the North-East of the plot (a backland dwelling with an access off the High Street) and another two-storey detached dwelling to the South-East of the plot, another backland dwelling with a separate access of the High Street. The land to the North-West of the site is open

countryside. The village including the application site and the adjacent countryside is washed over by the Green Belt. The site is also within a “High Risk” former coal mining area.

Notably, a new dwelling has already been approved at the site (outline application SMD/2022/0658 (approved at appeal) and approved reserved matters application SMD/2024/0304).

PROPOSAL

The proposed development comprises the re-positioning of an already approved self-build dwelling (outline application SMD/2022/0658 (approved at appeal) and approved reserved matters application SMD/2024/0304). The application has been brought forward on account of the presence of a subterranean sewer that has been identified crossing the site, which necessitates modestly repositioning the dwelling to avoid any incursion into its 3m easement zone. To achieve that the dwelling has been turned on its axis and repositioned to move the dwelling further away from the South-Eastern site boundary. There would be no changes in the scale, massing or design of the dwelling.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted September 2020)

SS1 Development Principles
S1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS9 Small Villages Strategy
SS10 Other Rural Areas Strategy
H1 New Housing
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework

Sections 5 (Housing), 12 (Design) and 13 (Green Belts).

Staffordshire Moorlands Design Guide SPD

Part 5 – Alterations, Extensions and Conversions

Staffordshire Moorlands Space About Dwellings SPD

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

01/00301/FUL: Detached bungalow with garage. Refused.
01/01123/FUL: Detached dwelling. Refused.

SMD/2022/0658: Outline application with some matters reserved for Erection of a detached dwelling house. Refused on 19.5.23. Allowed on appeal on 29.2.24.
SMD/2024/0304 – Application for approval of reserved matters following outline approval SMD/2022/0658, appearance, landscaping and scale details comprising proposed detached dwelling. Approved on 19.9.24.

CONSULTATIONS

Publicity

Site Notice expiry date: 14/02/2026
Neighbour consultation period ends: 13/02/2026
Press Advert: N/A

Public Comments

One comment of support has been received, as follows:

As the owners of Briardale house we fully support the planning application to move the already approved planning permission.

Diverting the drain for the already approved application could possibly cause harm to the established hedges/trees and existing boundary which is unnecessary when the approved application can be moved the minimum distance to avoid the drain without any further harm to the local area than has already been approved.

Town / Parish Comments

No comments have been received from Dilhorne Parish Council.

Severn Trent

First Comments

With reference to the above planning application the Company's observations regarding sewerage are as follows.

Severn Trent requests that any approval be conditioned as follows:

- The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and*
- The scheme shall be implemented in accordance with the approved details before the development is first brought into use.*
- Planning Practice Guidance and section H of the Building Regulations 2010 detail surface water disposal hierarchy. The disposal of surface water by means of soakaways should be considered as the primary method. If this is not practical and there is no watercourse available as an alternative, other sustainable methods should also be explored. If these are found unsuitable satisfactory evidence will need to be submitted before a discharge to the*

public sewerage system is considered. No surface water to enter the foul or combined water systems by any means.

Final Comments

Having reviewed the submitted information, it is my opinion that the proposed discharge rate is higher than would typically be expected for a development of this size and lowering this should be explored. Nevertheless, on balance, and based on the evidence provided, I am willing to accept the proposed arrangement in principle and recommend that the condition be discharged.

This recommendation is made subject to the applicant obtaining any requisite approvals for the proposed sewer connection, including, where applicable, approval under a Section 106 Sewer Connection Application. Any such approvals should be secured prior to implementation of the drainage works.

Environmental Health

- *Contamination – the application was accompanied by a ground investigation by Salden Associates, including a ground gas risk assessment.*

The report referenced a mine risk assessment (utilising 2 rotary boreholes). This indicated that it was unlikely that there was any previous mining beneath the site and thus potential voids / ground gas issues, are reduced. This was supported by monitoring which did not indicate any issues.

However, the results of the soil sampling (only 2) indicate an exceedance of Lead at least 1 of the 2, and the average is equivalent to the 200 (the limit). The author has argued that this is, OK? I do not agree.

Such an argument could be made if the data set was much larger, say 5 + samples (and we would still expect a recommendation (in terms of best practice of further work). but here, they have only taken the average of 2 sample, 1 of which exceeded the 200 limits, so that statement is what is statistically flawed and not accepted. A condition requiring further soil testing of the garden areas/ soils is recommended.

- *Lighting – Lighting details are proposed; we would advise these are installed and directed so as not to cause glare or increase pre-existing luminance at neighbouring properties. (condition advised)*
- *Noise - a revised noise assessment has been submitted (ref. Martec Environmental Consultants Ltd 20260507 9424 Dilhorne-2, revised 7th May 2026). The assessment determines that the requirements of BS8233:2014 would be achieved without any specific glazing, ventilation or barrier mitigation. The assessment proposes – “that a daytime level of 46 LAeq,16hr and a nighttime level of 37 LAeq,8hr would be reasonable assumptions for noise levels at the monitoring position.” These levels should provide good level of amenity to future residents. Only low levels noise from the beer*

garden is noted in the assessment. Dominant noise reported as birdsong and road traffic.

Recommendation – Environmental Health have no objection to this resubmission subject to condition.

Staffordshire County Council Highways

Application is for a detached 3-bedroom dwelling.

Access to the proposed dwelling will be via an existing access which is shared with the pub car park.

Parking: The dwelling will have 3 bedrooms and 2 parking spaces. This meets with Staffordshire Moorlands Parking Standards which state; Detached/Semi-detached property up to 3 bedrooms requires 2 spaces (2.4m x 4.8m) each space.

Off highway parking for 2 vehicles is detailed on submitted Drg. No.1250AL (0) 12.

It is considered the proposal would not have a detrimental impact on the highway. I therefore have no objection to the proposal (application number SMD/2025/0533) subject to the following condition:

The Coal Authority

The Coal Authority considers that the content and conclusions of Report on Ground Conditions (24 2548-4, July 2024), informed by the results of intrusive site investigations, are sufficient for the purposes of the planning system in demonstrating (based on the professional opinion of Sladen Associates) that the application site is safe and stable for the proposed development. The Coal Authority has no objection to the proposed development.

SMDC Waste

The bin collection point for this new build property would be at the curtilage of the property, adjacent to the public highway. Resident will require bin storage space for 3 wheeled bins and a food waste caddy.

OFFICER COMMENTS

Principle of Development / Green Belt

Although the site is on the edge of a village, the village is washed over by the Green Belt. Policy SS10, the strategy for the countryside requires strict control over inappropriate development in the Green Belt. The NPPF in paras 154 and 155 lists the forms of development which exceptionally are not inappropriate in the Green Belt. The only category/criterion the proposal could fall under is "limited infilling in

villages" (para 149(e)). "Infilling" is considered by the Council to be development between existing nearby buildings but there is no additional guidance to help determine what constitutes "limited infilling" and therefore it is a matter of planning judgement to decide whether it does or not.

On determination of the appeal against the refusal of SMD/2022/0658 (APP/B3438/W/23/3324543), the Inspector concluded that:

"The site effectively has development to two sides; the public house, and residential property, leaving open views across one side and the access point and limited screening to the others.

Since the application was determined, I was made aware that a subsequent application was made for tourism accommodation along the open view side. Five units will be built and this now represents the furthest projection on that edge into the Green Belt, which was a major thrust of the Council's objection. This was recommended for refusal at Committee, but subsequently overturned by Members.

I requested details of the application in order to take this into account for my decision, and consider that the approved scheme would run along the open side and effectively close in this appeal proposal to three sides.

Overall, the appeal site is a small parcel of land that will be contained by buildings in the locality. As such I consider that it would be infill development within the context of its location.

I therefore find, that on this issue, the proposal would accord with the exception for infill development as set out in the Framework. As such it does not conflict with the Framework or Policy SS10 of the Staffordshire Moorlands Local Plan (2020) (the LP)."

In terms of impact on the openness of the Green Belt, the Inspector made the following points:

"The appeal proposal would see the introduction of a single dwelling and indicates the position of the building on the site. As stated previously this is a single plot, on a site identified as "infill" and I consider that, given the level of development that will surround it, the appeal proposal would not be highly visible within its context. There would be some domestic paraphernalia but these would not be large or visually dominant.

I therefore consider that this proposal would not have a harmful effect on openness and the function and purpose of the Green Belt in this location."

The Council would not take a different view on the proposed relocation of the new dwelling based on the assessment made by the Planning Inspector. There would be no more material harm to the visual impact of the surrounding area to what has already been approved.

Policy H1 sets out the locational strategy for new housing in the District. Dilhorne is

classed as a “small village” for the purposes of the Local Plan. The adoption of the Local Plan in September 2020 set out the strategy for new housing for the plan period, up to 2033 and included new allocations of land and a focus for other new housing development on the towns and larger villages. However, an element of limited new housing including in small infill sites, is part of that strategy, as outlined in the Small Villages Strategy, Policy SS9. This policy allows limited new housing in the small villages in accordance with Policy H1, ‘New Housing Development’. For the small villages, this allows new housing where it is:

“well related to the existing pattern of development of a smaller village and will not create or extend ribbon development or lead to sporadic pattern of development; and, in all cases the development will not lead to a prominent intrusion into the countryside or have a significant adverse impact on the character and appearance of the countryside.”

Given the appeal decision, it considered that this new application does not raise any other material planning considerations, in terms of the principle of development which is considered to be acceptable.

Design

Policy DC1 seeks to ensure that all development is well designed and of a high quality, contributing to local distinctiveness and harmonising with sense of place.

Paragraphs 131 and 135 of the NPPF outline what is expected of good design and required for the development of high quality, beautiful places, and provides for a high standard of amenity for existing and future users.

Staffordshire Moorlands District Council’s Design Principles SPG outlines the Council’s expectations in respect of design and states that new dwellings should relate to existing buildings in terms of scale and proportion, massing and materials and should derive their inspiration from local tradition. The Council’s Design SPD outlines the Council’s expectations in respect of design and states that a new building should respect the scale of those surrounding it and be well proportioned.

The scale, massing and design of the development approved under outline application SMD/2022/0658 and reserved matters application SMD/2024/0304 have barely changed. The front (North-West) elevation has been slightly re-designed so that the main two storey section of the building will have a more symmetrical appearance. This alteration is considered de minimis and would not materially impact the character or appearance of the dwelling as approved.

There would be no more material harm to the visual impact of the surrounding area to what has already been approved. Therefore, the design of the proposed dwelling is considered appropriate, in accordance with Policy DC1 and section 12 of the NPPF.

Residential Amenity Impact

Paragraph 135 f) of the NPPF seeks to secure a high standard of amenity for all existing and future occupants. Local Plan Policy DC1 requires development to achieve a satisfactory relationship to adjacent development and to not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The application site is bound by Briardale, High Street to the East and Greenacres to the North-East. Assessment of amenity impact will therefore be required on the direct neighbouring dwellinghouses to the side of the site.

One of the longer elevations of the proposed narrow dwelling would be placed facing (albeit at an angle) the rear (west) elevation of Briardale, where there are a number of primary windows and this elevation could be considered to be the primary outlook of the dwelling, facing the open land and countryside to the West.

The Planning Inspector covered amenity impact on the neighbours at Briardale on determination of the appeal against the refusal of SMD/2022/0658 (APP/B3438/W/23/3324543), making the following points:

“The Council’s Space about Dwelling standards seek to obtain a minimum of fourteen metres between dwellings, which could reduce to eleven metres in the case of a single storey dwelling. The proposal is single/double storey but appears to have been located in a position fourteen metres from the existing dwelling, and any principal windows on Briardale are located on oblique angles from the proposal, so as not to directly face the proposed dwelling which therefore does not lead to material harm to the living conditions of that dwelling (Briardale).”

I find that this combination of factors means that I cannot find conflict with policy DC1 of the LP and the design guidance set out in the Framework.”

The 14 metres distance would continue to be complied with regardless of the slight relocation of the new dwelling, meaning that no significant loss of natural light to Briardale would occur. Additionally, the principal windows on Briardale would still be located on oblique angles from the proposal, so as not to directly face the proposed dwelling. Therefore, privacy amenity would not be impacted any more than the already approved dwelling.

It is not considered that there would be any negative amenity impact on Greenacres as the proposed dwelling would be approximately 18.5 metres to the side and rear and at a diagonal angle. Thus, it is clear that there would be no breach of the 45 degree line to the closest primary window belonging to this neighbour. Furthermore, there would be no upper floor windows facing this property and so no privacy loss would occur as well as there being no loss of light or an overbearing impact.

Highway Safety

Paragraph 109 of the NPPF states that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and should

contribute to making high quality places. Policy T1 seeks to provide safe and sustainable access and ensure that development does not lead to an increase in on street parking.

With regard to highway safety, the provision of one 3-bed dwelling on the existing pub property would not generate significant additional traffic problems. The access into the road is deemed to have a safe standard in terms of its design, width and visibility along the road in both directions. The parking provision is in line with Council parking standards requiring two spaces for 3-bed dwellings and there is ample space for cars to turn and leave the access in forward gear. There would be no loss of pub parking spaces. The proposal would not lead to any detriment to highway safety in compliance with Policy T1.

Staffordshire County Council Highways have commented on the application, stating that they have no objections, subject to a parking and turning area for the proposed dwelling being provided in accordance with the approved plans.

Drainage

The application has been brought forward on account of the presence of a subterranean sewer that has been identified crossing the site, which necessitates modestly repositioning the dwelling to avoid any incursion into its 3m easement zone.

Severn Trent have been consulted regarding the proposed re-siting of the new dwelling. Comments have been received by the Council stating that they have no objection to the proposed development subject to a condition being added to the decision notice stating that *“the development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority...”*

The applicants proceeded to submit a package of details to cover the pre-commencement condition, which have been assessed by Severn Trent. Having reviewed the submitted information, Severn Trent have stated that the proposed discharge rate is higher than would typically be expected for a development of this size and lowering this should be explored. Nevertheless, on balance, and based on the evidence provided, they are willing to accept the proposed arrangement in principle and recommend that the condition be discharged.

This recommendation is made subject to the applicant obtaining any requisite approvals for the proposed sewer connection, including, where applicable, approval under a Section 106 Sewer Connection Application. Any such approvals should be secured prior to implementation of the drainage works.

Ground Stability

With regard to ground stability, a Coal Mining Risk Assessment Report has been submitted to the Coal Authority which considered that despite the High Risk category

of the zone caused by significant coal mining in the area historically, the development can be provided safely without disturbance to the land or harms to its occupants.

Under this planning application, a Report on Ground Investigation has been submitted to the Coal Authority, informed by the results of intrusive site investigations. The Coal Authority have confirmed that the content and conclusions of this report are sufficient for the purposes of the planning system in demonstrating (based on the professional opinion of Sladen Associates) that the application site is safe and stable for the proposed development.

Therefore, the Coal Authority has no objections to the proposed development.

Biodiversity Net Gain

Policy NE1 of the Local Plan aims to ensure that the biodiversity and geological resources of the District and neighbouring areas will be conserved and enhanced by positive management and strict control of development.

All development is now expected to deliver at least a 10% increase in biodiversity value unless exceptions apply. One of the exceptions is for self-build dwellings, this is what has been applied for (confirmation on the revised application form). The architect has confirmed that the first occupants will be the parents of the applicant, Mr Michael and Mrs Susan Cunningham. Mr and Mrs Cunningham are named on the statement submitted to the Council. An appropriately worded condition can be included in order to secure occupancy.

CONCLUSION / PLANNING BALANCE

In consideration of all of the above, the application is recommended for approval. Due to the application having no adverse effect upon neighbour or street scene amenity and no overall impact on the Green Belt or highway, it is deemed acceptable under planning policy. Therefore, the proposed development is recommended for approval, subject to compliance with all conditions.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Varley

Recommendation Date: 12/08/2026

X *J Colley*

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council