

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

27 June 2019

Application No:	SMD/2019/0084	
Location	Highfields House, Highfield, Leek	
Proposal	Reserved Matters application seeking approval for details of appearance, landscaping, layout and scale following outline permission SMD/2017/0707 for the erection of four detached dwellings	
Applicant	Rudyard Developments Ltd	
Agent	Rob Duncan Planning Consultancy Ltd	
Parish/ward	Leek	Date registered 11/12/2019
If you have a question about this report please contact: Mr C Johnston christopher.johnston@staffsmoorlands.gov.uk		

REFERRAL

The application is brought to Planning Committee because the site is owned by Councillor Gill Heath.

1. SUMMARY OF RECOMMENDATION

APPROVE - With Conditions

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The application site is in the countryside and outside of the development boundary of Leek, lying about half a kilometre to the north of the north-western edge of the town. The site is the walled garden of Highfield Hall which was demolished in 1940's and hence forms part of the "Highfield Hall estate" now comprising a farm (Home Farm), dwellings and cottages accessed via a private access drive off Macclesfield Road to the south-west. However, the site itself is now accessed via a half-mile long rural track across fields and connected to Abbey Green Road, a classified road and country lane to the north-east. The site is on the north-east edge of the "estate" with open land on three sides to the north-east, north-west and south-east and Home Farm buildings, dwellings and the end of the Highfields private drive lying to the south-west. There are several large mature trees marking the south-east and north-east boundaries of the site and also other trees within the site and close to the north-west boundary. These are included in a large area Tree Preservation Order which also includes the "Highfields estate" and the cricket ground to the south of it. The walls forming the walled garden are present. There is also a garden lean-to building in the corner of the plot next to one of the walls. The site has an area of 0.54 hectares.

2.2 Although the site itself is flat, it is located in a fairly elevation position and the land to the south-east slopes downwards towards Leek.

3. DESCRIPTION OF THE PROPOSAL

3.1 This is a “Reserved Matters” planning application which seeks approval for all remaining matters following an “Outline” permission being granted in February 2018 for four houses, together with the details of access. The outstanding reserved matters are the appearance/design of the development, scale, the layout of development and the landscaping of the site.

3.2 The drawings show the access arrangement as approved at outline stage with the vehicular access taken from the existing long track off Abbey Green Road to the east and a pedestrian access connected to Highfield House access road off Macclesfield Road (A523) to the west. Once into the site, the access road would have a gravel “Geocell” finish to protect tree roots and then would become block paved for the final stretch into a central block paved courtyard which three of the houses would be grouped around. The other house is seen as the “main residence”, the largest house, located in the south-west corner of the site, which would be passed on the left before arriving at the central courtyard where three smaller dwellings would be located roughly facing the courtyard and with rear elevations and rear gardens facing the walled garden boundaries of the site.

3.3 The design concept would appear to replicate a rural “country manor” arrangement with one main dominant house with separate traditional farm / stable buildings across the yard which historically is not unusual in the rural parts of Staffordshire Moorlands. The proposed dwellings will have maximum heights ranging from 8.4 to 8.8 metres.

3.4 Plot 1, the largest dwelling, is a two-storey L-shaped 6-bedroom residence with rooms in the roofspace (above first-floor level) and dormer windows. It has a rural “Georgian Manor” style with hipped roofs with windows of vertical emphasis, ground-floor French windows, chimneys, stone lintels and quoins and a single-storey garage projection with dovecote feature on top. It would have a brick finish and natural slate roof. The windows would comprise white painted timber.

3.5 Plot 2, in the north-west corner has more of rural Victorian farmhouse character with more of a standard conventional two-storey form, a roof with side gables (in contrast to Plot 1) and four bedrooms on first-floor and two in the roofspace lit by small rear rooflights (not dormers). There is a detached garage block facing the courtyard. It would have a brick finish (different bricks to Plot 1) and Staffs blue tiles. Windows would be cream painted timber.

3.6 Plot 3, in the north-east corner, has the appearance of a converted barn (when looking at the front) with side gables, a large “cart opening” floor-to-eaves glazed window arrangement and small square-shaped windows. There would be a parking yard and garage for Plot 3 tucked away from the main courtyard, between the Plot 2 and 3 dwellings. There would be four first-floor bedrooms with two rooms in the

roofspace lit by small rooflights. It would have the same brick finish as Plot 2 and Staffs blue tiles. Windows would also be the same as Plot 2.

3.7 Plot 4, to the east side of the courtyard, would have a similar barn appearance to Plot 3 and similar fenestration detail. This would have a natural stone finish in contrast to the other three dwellings which have a brick finish. The roof would have Staffs blue tiles and windows would comprise cream painted timber. This house would also have four first-floor bedrooms and rooms in the loft lit by small rooflights, in common with plots 2 and 3. There would be a “front-boundary” stone wall. A garage building would be placed next to the house, facing the courtyard.

3.8 The existing garden walls which mark the site boundaries, considered to be non-designated heritage assets, are shown to be retained. The large mature trees close to the south boundary and also some existing trees elsewhere in the site are also shown to be retained. There would be some new planted areas adjoining the courtyard and access road and a beech hedge alongside part of the access road. There would be some dry-stone walling provided, most notably in front of the plot 3 and 4 dwellings.

3.9 The plans differ from those originally submitted with the planning application. Amendments have been made to the original plans, received on 13th June 2019. The original plans showed a more suburban-style “cul-de-sac” and the plot 2 and 3 houses were larger and more suburban in appearance (and orientated differently).

3.10 The application, the details attached to it, including the plans, comments made by residents and any other responses of consultees can be found on the Council’s website at:-

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=128296>

4. RELEVANT PLANNING HISTORY

SMD/2017/0707: Outline permission for four houses with details of access.

5. PLANNING POLICIES RELEVANT TO THE DECISION

5.1 The Development Plan comprises of:

- Saved Local Plan Proposals Map / Settlement Boundaries (Adopted 1998)
- Core Strategy Development Plan Document (Adopted March 2014)

Staffordshire Moorlands Local Plan (1998)

5.2 Development boundaries within the 1998 Adopted Local Plan are still in force until such time as they are reviewed and adopted through the site allocations process. The existing town boundary designation is proposed to be carried forward within the emerging Local Plan.

Adopted Staffordshire Moorlands Core Strategy DPD (26th March 2014)

5.3 The following Core Strategy policies are relevant to the application:-

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SS6c Other Rural Areas Area Strategy
- SS7 Churnet Valley Area Strategy
- SD1 Sustainable Use of Resources
- H1 New Housing Development
- DC1 Design Considerations
- DC2 The Historic Environment
- DC3 Landscape and Settlement Setting
- R2 Rural Housing
- NE1 Biodiversity and Geological Resources
- T1 Development and Sustainable Transport

5.4 Emerging Local Plan

Emerging Staffordshire Moorlands Local Plan

National Policy Guidance

Paragraph 48 of the newly adopted NPPF states that:

“...decision-takers may also give weight to relevant policies in emerging plans according to:

- *the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
- *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
- *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

Local Plan process

The Council agreed to publish the Local Plan Submission Version for representations in February 2018. At this point, the Council agreed that the Local Plan was “sound”. Formal representations were then invited from residents, businesses and other stakeholders to provide them with the opportunity to support or challenge the soundness or legal compliance of the Local Plan. This stage in the process followed three previous public consultations since 2015 which had informed the preparation of the Local Plan alongside a comprehensive evidence base.

In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public is ongoing in order to determine whether the Local Plan is sound and legally compliant.

Hearing sessions were conducted in October 2018 and the Inspector issued his initial post-hearing advice in January 2019 which set out some actions for the Council and a range of modifications that would be necessary to make the plan sound. The full schedule of modifications is to be determined and will be subject to consultation in due course. The Inspector will then be in position to write his final report. Subject to the findings of the appointed Inspector, the Local Plan can then be adopted by the Council. This will be towards the end of 2019 at the earliest. Upon adoption, the Local Plan will supersede the adopted Core Strategy and become part of the statutory development plan for the District.

In this context, the Council's position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is as follows:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the Council has submitted it to the SoS for examination
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question. The Officer Comments section of this report identifies the level of outstanding objections to each policy and recommends the amount of weight to be given to them at this stage in the process
- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

Emerging Policies

The following policies (including their weighting) are considered to be relevant to this application:

- SS1 Development Principles (Moderate)
- SS1 a Presumption in Favour of Sustainable Development (Significant)
- SS 10 Other Rural Areas Strategy (Limited)
- SS11 Churnet Valley Strategy (Limited)
- SD 1 Sustainable Use of Resources (Limited)
- H 1 New Housing Development (Limited)
- DC 1 Design Considerations (Moderate)
- DC2 The Historic Environment (Significant)
- DC 3 Landscape and Settlement Setting (Significant)
- NE 1 Biodiversity and Geological Resources (Moderate)
- T 1 Development and Sustainable Transport (Moderate)

Supplementary Planning Document

Staffordshire Moorlands Design Guide (Feb 2018)

Supplementary Planning Guidance

Space about Dwellings (1996)

National Planning Policy Framework (NPPF) revised.
Section 5 'Delivering a Sufficient Supply of Homes'
Section 12 'Achieving Well Designed Places'

National Planning Policy Guidance

6. CONSULTATIONS CARRIED OUT

Site notice published	Expiry date for comments: 26.3.19
Neighbour Notification	Expiry date for comments: 26.3.19

6.1 No representations or letters from local residents have been received.

Leek Town Council

6.2 "Not unneighbourly"

Local Highways Authority

6.3 No objection

SMDC Conservation Officer

6.4 Comments in response to the original plans: *The proposed scheme is an eclectic mix of buildings which are both too large for the site, designs which fail to relate to their context and do not relate to each other. The designs are far too grandiose and should be based around more simple estate-worker's cottages or modest agricultural buildings (or a mix of the two). A courtyard form which mirrors the kitchen garden walls would draw on the character of the space.*

SMDC Trees/Landscaping Officer

6.5 Comments awaited.

SMDC Waste Collection Services

6.6 The refuse vehicles will not drive over block paving and granite setts. The bins will need to be brought down to the point where the road is tarmac.

7. OFFICER COMMENT AND PLANNING BALANCE

Planning Policy

7.1 The determination of a planning application should be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.

7.2 Section 38(6) requires the Local Planning Authority to determine planning applications in accordance with the development plan, unless there are material considerations which 'indicate otherwise'. Section 70(2) provides that in determining applications the Local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations. The Development Plan currently consists of the Staffordshire Moorlands Core Strategy".

7.3 The revised National Planning Policy Framework (NPPF) was issued on the 24th July 2018 (and slightly altered in February 2019). The NPPF is considered to be a mandatory material consideration in decision making. The applicable contents of the revised NPPF will be referenced within the relevant sections of the officer report as detailed below.

7.4 Once again achieving sustainable development sits at the heart of the NPPF as referred to within paragraphs 10 and 11. As before, achieving sustainable development requires the consideration of three overarching and mutually dependant objectives being: economic, social and environmental matters where they are to be applied to local circumstances of character, need and opportunity as follows:

- a) *an economic objective – to help build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity; and by identifying and coordinating the provision of infrastructure;*
- b) *a social objective – to support strong, vibrant and healthy communities, by ensuring that a sufficient number and range of homes can be provided to meet the needs of the present and future generations; and by fostering a well designed and safe built environment, with accessible services and open spaces that reflect current and future needs and support communities' health, social and cultural well being; and,*
- c) *an environmental objective – to contribute to protecting and enhancing our natural, built and historic environment; including making the effective use of land, helping to improve biodiversity, using natural resources prudently, minimising waste and pollution, and mitigating and adapting to climate change, including moving to a low carbon economy.*

7.5 Core Strategy policy S1a establishes a presumption in favour of sustainable development as contained within the NPPF. Paragraph 11 of the NPPF requires decision makers to apply a presumption in favour of sustainable development. For decision makers this means that when considering development proposals which accord with the development plan they should be approved without delay; or where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless:-

- i) the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or*
- ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole. (Para 11 NPPF).*

7.6 A list of key policies, guidance and other material considerations is provided above (section 5).

Principle of Development

7.7 The principle of building four houses on the site was approved at the outline planning stage. Outline approval was granted in February 2018 and this current application seeks only approval for the particular designs of the dwellings together with the scale and layout of development and the landscaping of the site.

The impact on the character and appearance of the area

7.8 The original plans submitted with the application were for a development considered to be too large for the site and too suburban in character in relation to the rural location of the site and the traditional nature of development on the Highfield estate. Each house had an individual design. The designs for Plot 1 and Plot 4 have been largely retained as they are considered to reflect the general form and some of the features of two nearby more traditional buildings, such as the Highfield House coach house/stables and the estate cottage. Photographic evidence has been provided by the applicant to demonstrate this. The Plot 2 and 3 dwellings have been changed to reflect more traditional rural and vernacular designs in Staffordshire Moorlands. The Plot 2 house has the form of a typical gable-sided Victorian farmhouse and the Plot 3 house not appears similar to the barn-style form of Plot 4 and avoids each house appearing too individual and more consistent with country manor or large farmstead forms found in the rural areas of the District. The standard cul-de-sac arrangement has been replaced by a courtyard and this is more in keeping with the rural area in which the site sits.

7.9 It is considered that as amended the designs now relate to their context and each other and represent a coherent design concept. Whilst one dwelling remains grandiose, it is considered that this would not be out of place in this location on a former country estate where a large “home farm” or “dower house” would often be found. The other dwellings are now much simpler and typical of farm workers and agricultural buildings. A courtyard form which mirrors the kitchen garden walls has also now been provided. Accordingly it is considered that the Conservation Officer’s initial concerns have been addressed.

7.10 The site is a walled garden and the existing walls are considered to be non-designated heritage assets. These would be retained and conditions attached to the outline permission look to protect and restore them. The stone walls would also be retained via the outline conditions.

7.11 None of the dwellings would be placed close to the crown spreads of the large trees, protected by a Tree Preservation Order. The proposed hard-surfaced access road would pass close to trees. The comments of the Tree Officer are awaited and will be reported at the Committee meeting.

The impact on the residential amenities of the area

7.12 Each of the houses has been placed with sufficient separation distances due to the positioning of garage buildings or parking areas between each plot and would receive adequate light provision. The houses are orientated to avoid any direct overlooking between the primary windows of each house and none of the proposed rear gardens, due to the orientation of plots and the positional relationship between each house, would be significantly overlooked. There are no flank walls that would be within 14 metres directly in front of any primary windows in accordance with the Council's Space About Dwellings guidance (SPG).

7.13 Although some of the garden lengths do not accord with the SPG guidance, the garden areas are still generous and all far exceed the minimum surface area standards if not the length standards.

7.14 There would be no direct overlooking between the windows of the proposed houses and the windows of the nearest existing dwellings, Highfield House and Home Farm Cottage. The garden areas of these dwellings are also well screened by the presence of walls in excess of 2.0 metres in height to adequately restrict overlooking.

Other Matters

7.15 In view of the waste services comments, there is sufficient space for a hard-surfaced bin collection area and turning area for refuse vehicles between the access road and the block paved courtyard which would not interfere with the large trees at the entrance to the development. A condition can be added requiring details of this to be submitted and approved by the Council and implemented before the development is brought into use.

Planning Balance

7.16 Overall and on balance, it is considered that a high quality design has been achieved at the reserved matters stage via amendments with respect to matters of layout, appearance, scale and landscaping. The scheme would not harm the visual or residential amenities of the area, including the living conditions of both the proposed occupants of the houses and the existing residents of nearby dwellings. The scheme would therefore comply with Core Strategy Policy DC1 'Design Considerations' and with the objectives of the NPPF including Section 12 'Achieving Well Designed Places'.

8. RECOMMENDATION

A. That subject to the comments of the Council's Trees and Landscaping Officer, the submitted details of Layout, Scale, Appearance and Landscaping be APPROVED subject to the following conditions:-

1. The development hereby permitted shall be carried out in exact accordance with the following amended plans:

1482 04

1482 20 received on 13.6.19

1482 21 received on 13.6.19

1482 22 received on 13.6.19

1482 23 received on 13.6.19

1482 24 received on 13.6.19

1482 25 received on 13.6.19

Reason:- For the avoidance of doubt and in the interests of proper planning.

2. Before the development is first brought into use, a bin collection area and hard-surfaced refuse vehicle turning area shall be provided in accordance with details to be submitted to and approved by the Local Planning Authority and the collection and Reason:-

In the interests of the character and appearance of the area.

3. Any conditions recommended by the Trees and Landscaping Officer.

B In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision

