

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

17 September 2020

Application No:	SMD/2019/0720	
Location	Land off Woodhouse Lane, Biddulph	
Proposal	Approval of reserved matters following outline planning permission SMD/2017/0775	
Applicant	Fiona Ford	
Agent	David Tatton	
Parish/ward	Biddulph Moor Ward	Date registered 19/6/2019
If you have a question about this report please contact: Lisa Howard tel: 01538 395400 ex 4923 Lisa.Howard@staffsmoorlands.gov.uk		

REFERRAL

Reserved matters are sought following approval of outline consent SMD/2017/0775 which was determined by the Planning Applications Committee. In the interests of consistency and in light of local interest in the proposal, this application is to be determined by the Planning Applications Committee

1. SUMMARY OF RECOMMENDATION

Approve

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The application site comprises a 0.173 ha parcel of land that sits to the north of Woodhouse Lane and has a site frontage measuring 62m in length. A public Right of Way (Biddulph Town 62) extends along the eastern side of the plot and is accessed via a stile located within the southwestern corner of the site leading to and from Woodhouse Lane. The site is bound to the east, south and west by predominantly brick-built 1970's residential properties of varying type and character.

2.2 Properties to the south comprise of detached brick built bungalows that are orientated to the front the highway. These properties fringe a larger housing development comprising two storey detached dwellings and single storey bungalows of a similar ilk. 'Manfield House' to the east of the site is a two storey detached 1930s dwelling and 'The Weathercock', to the west, comprises of a detached stone built dormer bungalow. Open countryside bounds the site to the north. For the purposes of this assessment the application site is located within the north Staffordshire Green Belt.

3. DESCRIPTION OF THE PROPOSAL

3.1 This application seeks approval of reserved matters following outline consent. The reserved matters being sought include access, appearance, landscaping, layout and scale.

3.2 The proposed scheme has been amended from that submitted, which sought consent for the construction of 3no. detached two storey dwellings. The revised proposal seeks approval

for the construction of 3 no. detached dormer bungalows. In the interest of clarification the plans to which this assessment is based include:

- 148-05 Location, Site Plan and Landscaping
- 148-06 House Plans and Elevations

3.3 The proposed bungalows are of a uniform design and layout and comprise of a central hallway which provides access to a kitchen-dining room, utility room, lounge, bathroom and 2no. bedrooms (1no. en-suite) at ground floor level. Stairs provide access to 2no. further bedrooms located at first floor level.

3.4 The bungalows are to predominantly occupy a rectangular footprint measuring 11.6m in width and 9.2m in depth. A projecting gable is to extend 1.9m forward of the main bungalow. The principal entrances into the proposed dwellings are to be located centrally within the front elevation and a box bay window is proposed to serve the lounge. 3 no. dormer windows are to be located within the rear roof slope.

3.5 External building materials are to comprise of Ibstock Birtley Olde English facing brickwork and Marley Modern interlocking concrete tiles to the roof.

4. RELEVANT PLANNING HISTORY

SMD/2017/0775 Outline application for land off Woodhouse Lane, Biddulph Moor
Refused, Appeal Allowed

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. Following consultation last year a Preferred Options Site Allocation DPD is currently out for consultation.

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
- SD1 Sustainable Use of Resources
- SD4 Pollution and Flood Risk
- SS2 Future Provision of Development
- SS6 Rural Areas
- SS6c Other Rural Areas Area Strategy
- H1 New Housing Development
- H2 Affordable and Local Needs Housing
- DC1 Design Considerations
- R1 Rural Diversification
- R2 Rural Housing

- NE1 Biodiversity and Geological Resources
- T1 Development and Sustainable Transport

Emerging Local Plan

5.4 On July 20th 2020, the Council published the Inspector's final report thereby drawing a close to the examination in public. The report concludes that with the recommended main modifications, the plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework (NPPF). As such, the main modifications which accompany the Inspector's report provide a clear indication of the final policy wording when read in conjunction with the Local Plan Submission Version (2018).

5.6 In this context, the Council's position on the weight to be given to the policies (as modified) in terms of the three criteria set out in Paragraph 48 of the NPPF is considered below:

- The stage of preparation – the Local Plan is now at the most advanced stage of preparation prior to adoption as the Inspector has concluded that the Local Plan is sound subject to the recommended modifications being made.
- The extent to which there are unresolved objections to relevant policies – the Inspector has now drawn his final conclusions and there are no further matters to resolve
- The degree of consistency of the relevant policies in the emerging plan to this Framework – the policies (as modified) have been found by the Inspector to be sound in the context of the 2012 NPPF under which the Local Plan has been examined. One of the “tests of soundness” that the Local Plan has successfully been measured against is whether it is “consistent with national policy”. Because the Local Plan has been prepared and examined under the 2012 NPPF, it should be noted that in some limited cases, its policies do not directly reflect current national policy. However, planning law requires that applications be determined in accordance with the development plan, unless material considerations indicate otherwise. Current national policy is a material consideration and should be given weight accordingly.

5.7 Given the above, all policies (as modified) should be given substantial weight.

The policies of relevance to this application are as follows:-

- SS1 Development Principles
- 1a Presumption in Favour of Sustainable Development
- SS2 Settlement Hierarchy
- SS10 Other Rural Areas Strategy
- DC 1 Design Considerations

National Planning Policy NPPF

National Planning Policy Guidance

Space About Dwellings SPD

6. CONSULTATIONS CARRIED OUT

Press Notice expiry date: N/A

Site Notice expiry date: 06.01.2020

Local residents have been notified by letter.

6.1 Letters of objection have been received from 9 households. One letter containing 118 signatures has also been received.

The following issues have been raised to the plans submitted with the application:-

- The plans have drastically changed to the original plans, which means that the properties if built will be somewhat bigger and certainly not within keeping with the properties already established;
- Woodhouse Lane is an extremely busy road, any further properties will add to the problem;
- There would not be enough room for cars to park on the driveways and therefore cars would be parked on the road;
- The increase in building traffic will cause increased danger and major disruption to not only those who live on the road but also pedestrians and passing traffic;
- Land drainage is still insufficient. The ditch that runs the length of the footpath against Manfield House boundary will need to be maintained regularly. The developer wants to move the footpath into the drainage system. I believe this will cause water to flood into our property causing unknown damage. Our drive has been flooded on numerous occasions when the drain has been at capacity.
- The change in the water table on the potential site, when raining it is a very wet area at the moment water collects in the dip in the road and the drainage in this area would not be able to cope if new properties were to be added to this. Not only that but we are sure that it would put neighbouring properties at risk of excess water and flooding;
- I strongly object to Saturday working. It's simply not acceptable to disturb anyone's weekend.
- The houses are far bigger than first thought and would not be in keeping with the surrounding bungalows.
- The privacy of the properties across from the proposed site would be dramatically compromised due to the size of the houses;
- The positioning of these houses would be totally imposing on the bungalows as the new houses and the windows of these would look directly into the bungalows; which would be a total invasion of privacy.

6.2 The following comments have been received following re-consultation on the revised proposal:-

- The site entrance will directly affect those houses opposite and it isn't fair that they will have to put up with months if not years of noise and site traffic up to 6 days a week;
- Extra strain put on the drainage system;
- The hedge along Woodhouse Lane is protected and is also home to several wildlife not to mention hedgehogs nesting within the hedge itself, its an absolute outrage that this is being allowed to be taken out;
- Strongly object to a six-day working week. This is massively intrusive to our lifestyle and will cause a great deal of stress and anxiety;
- The builders yard is right against my property and will be yet another huge cause of stress, noise, disruption as well as being hugely intrusive. I have concerns regarding health and safety due to the potential chemicals, fuel etc which could be stored close to my property.
- The garages are totally out of any building line;
- It would be better to build smaller bungalows so that the garages could be kept in the building line, which would be more in-keeping with their context. Smaller bungalows would also better meet the needs of the local population;

- One of the properties will be built right up to the boundary of our house, which will be really imposing for us and them as our upstairs bedroom window would look directly over them;
- Also the two storey dormer bungalows being on higher level would directly overlook the back of Manfield House and The Laurels.
- No streetscene sections have been provided;
- The properties are orientated at an offset angle to the road. Again this is out of character to the area as other properties front parallel to the road.
- As was raised by many at outline and initial detailed stages, Woodhouse Lane is a very dangerous road, with significant numbers of heavy goods vehicles and speeding traffic using the road as a rat run. An hourly traffic count has been provided for between the hours of 6am and 6pm. The count has been taken on 20th December 2019 and 7th January 2020 and differentiates between cars, HGV's, large vans, small vans and motorbikes.
- In the interests of highway safety, particularly as so many people raised it at the previous planning stages, why on earth hasn't a footpath been included as part of the development frontage;
- The hedgerow is protected by policy NE1 and Government advice 'guidance for the Protection and Management of Countryside Hedgerows'(2017). Is it right that a protected hedgerow can be ripped out? The new domestic hedgerow will take years to establish and will never replace the loss of habitat given to the fragmented nature of this token replacement hedgerow.
- The public footpath will become like a narrow tunnel between the development and Manfield House and could become a hangout area and unsafe with limited natural surveillance;
- The houses are far too big compared to other surrounding houses;
- Biddulph Moor has an aging population, why aren't they building smaller bungalows that are more suited to community need;
- Why are the garages proposed to be built pretty much against the back boundary fence? They will look ridiculous from the existing houses around them, particularly on Church Lane, Woodhouse Lane and Over the Hill;
- Woodhouse Lane is too dangerous for any more houses, particularly as this is so much speeding traffic passing through.

Town Council

Object. Recommend refusal on grounds of not in keeping with surrounding properties, there properties surrounding Woodhouse Lane are bungalows. Concerns over rear drainage using soakaways which are likely to affect adjacent properties. There are also concerns expressed by Highways.

Local Highway Authority

No objection subject to condition.

Environmental Health

No objection subject to condition.

Severn Trent Water

The submitted drainage plan shows all foul sewage is proposed to discharge to the public combined sewer, and all surface water is proposed to discharge to on site soakaways. Based upon these proposals I can confirm we have no objections to the discharge of the drainage related condition.

Staffordshire Wildlife Trust

Awaiting comments.

7. OFFICER COMMENT AND PLANNING BALANCE

7.1 As with all applications, the LPA is required to determine this application in accordance with the Development Plan, unless there are material circumstances which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations.

7.2 Core Strategy Policy SS1a establishes a 'Presumption in Favour of Sustainable Development' in line with the National Planning Policy (herein referred to as the NPPF) where: (1) planning applications that accord with policies within the Core Strategy will be approved without delay and (2) where there are no relevant policies or they are out of date, the Council will grant planning permission unless material considerations indicate otherwise considering:-

- I. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF taken as a whole, or,
- II. Specific policies in within the NPPF indicate that development should be restricted

7.3 This application follows outline planning consent for up to three dwellings. As such the principal of development has been established and matters of access, appearance, landscaping, layout and scale are to be considered.

Access

7.4 Access is to be provided off Woodhouse Lane. Plot 1 and plot 2 are to be served by a shared driveway and Plot 3 is to be served by a separate private driveway. In order to achieve the required visibility splay the existing hedge is to be taken out and a new hedge planted. The domestic driveways are to be paved in permeable block pavements.

7.5 Objections have been raised owing to concerns relating to increased pressure on the highway network along Woodhouse Lane, and in regards to highway and pedestrian safety. Given that the principle of 3 dwellings on this site has been established, this application does not present an opportunity to reconsider the impact of development on the wider highway network. The main issues in the consideration of this application from a highway perspective are whether a safe and suitable access can be achieved into the site itself and parking provision within the site.

7.6 Staffordshire County Council Highway Authority has considered the proposed development. Objections raised in their letter dated 16th December 2019 have been addressed and their objection has been withdrawn following further consultation dated 29th August 2020.

7.7 Staffordshire County Council Highway Authority advise that there are no objections on Highway grounds to the proposed development subject to conditions that secure the completion of works within the highway being competed, the provision of turning and parking in a porous material, the provision of the approved visibility spaces and the development being carried out in accordance with the submitted Site Management and Construction Method Statement.

Appearance, Layout and Scale

7.9 Paragraph 127 of the NPPF requires the design of a development to add value to the overall quality of an area by being sympathetic to local character and by being visually attractive as a result of good architecture. Policy DC1 of the SMDC Core Strategy and

emerging Local Plan seeks to secure development of a high quality which has been designed to add value to the area and respects the site and its surroundings. New development should promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance.

7.10 The proposal comprises of three detached dormer bungalows that are positioned in a loose linear ribbon and orientated to front onto Woodhouse Lane. Each dwelling is to be served by a detached garage located towards the rear of each respective plot. The dwellings are positioned to follow the building line established by existing dwellings to the east and west of the site.

7.11 The proposed bungalows are of a uniform design with a dual pitched roof and projecting gable to the front. A ridge height of 6m is proposed and the eaves level of 2.5m is proposed. 3no. pitched roof dormer windows are proposed to the rear roofslope. External building materials are to comprise of Ibstock Birtley Olde English facing brickworks and Marley Modern, Smooth grey concrete tiles to the roof.

7.12 Properties to the south of the application site comprise of detached brick built bungalows that are orientated to the front the highway. These properties fringe a larger housing development comprising two storey detached dwellings and single storey bungalows of a similar ilk. 'Manfield House' located to the east of the application site is a two storey detached 1930s dwelling and 'The Weathercock', which bounds the site to the west, comprises of a detached stone built dormer bungalow. As such Woodhouse Lane is considered to be characterised by properties of varying age, type and architectural design. It is not considered that the proposed development would detract from the character or appearance of Woodhouse Lane and has been appropriately designed to respect the site and its surroundings.

Impact on amenity

7.13 Policy DC1 of the Core Strategy seeks to protect residential amenity in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping. Policy DC1 of the emerging Local Plan includes the additional measure of visual impact for assessing amenity. The Council also has an adopted Supplementary Planning Guidance (SPG), Space About Dwellings which provides guidance to protect privacy for existing and proposed residents and to protect their amenities to enable the reasonable enjoyment of their residence and garden with a degree of freedom from unwanted social contact. The following taken from the guidance are relevant in this case

- i) The distance required between front elevations of dwellings containing principal windows should be at least 22m.
- ii) The SPG defines 'Principal' window to mean the main window in a living room, dining room, kitchen and first and second bedroom.
- iii) New buildings that are to be sited close to (or at right angles to) the principal windows of existing properties must be designed so that there is no obstruction to daylight beyond a) the horizontal angle of 45 degrees measured on plan view from mid point of the nearest principal window of an adjacent property; and b) the vertical angle of 45 degrees measured on elevation from the mid point of the nearest principal window of an adjacent property.
- iv) The SPG confirms that the standards are to be applied assuming a flat site and that on sloping sites or sites with other unusual characteristics greater distance may be required although no measure of assessing this is provided.

7.14 The distance achieved between the front elevation of the proposed bungalows and the principal elevations of neighbouring bungalows to the south is in excess of 24m. There are no principal habitable room windows located within the east facing elevation of The Weathercock or Manfield House. Proposed windows located within the side elevations of the

proposed dwellings are to serve a bathroom and en-suite shower room which do not constitute habitable accommodation.

Landscaping

7.15 The application has been supported by a landscaping scheme which indicates the removal of an existing boundary hedge to the southern boundary in order to accommodate an appropriate visibility splay. A replacement hedge is proposed. A new native species hedgerow and 1.2m high post and rail fence are proposed to serve the north site boundary.

7.16 To the east west, a 1.8m vertically boarded timber fence is proposed. A 1.8m vertically boarded timber fence is proposed to define the boundaries between each plot. The site has a rural character and timber fencing is not considered an appropriate boundary treatment in this location. Boundaries treatments within the immediate locality comprise of native hedgerows, post and rail fencing and stone walling. The removal of existing hedgerow to the southern boundary is a concern and it is considered that further ecological enhancements to mitigate its loss can be achieved through appropriate landscaping of the site. The landscape proposal as submitted is therefore not considered to be acceptable at this stage and as such an appropriately worded condition is required.

Other Matters

7.17 It is noted that a number of objections have been raised in respect of flooding. This matter was considered at the appeal of the Outline application. At paragraph 12 of the Inspectors report he comments that “concerns relating to foul drainage would be addressed through the building regulations and a planning condition can be imposed to ensure an adequate means of surface water drainage”. Condition 5 of the planning consent states “The development hereby permitted shall not begin until a detailed foul and surface water drainage scheme has been submitted to and approved in writing by the local planning authority. The scheme shall be implemented as approved prior to first occupation of the dwellings.”

7.18 Severn Trent Water have been consulted on this application and have commented as follows “The submitted drainage plan shows all foul sewage is proposed to discharge to the public combined sewer, and all surface water is proposed to discharge to on site soakaways. Based upon these proposals I can confirm we have no objections to the discharge of the drainage related condition.”

7.19 No further comments have been received following re-consultation on the revised scheme at the time of preparing this report.

8. CONCLUSION & PLANNING BALANCE

8.1 The purpose of this application is to consider matters of access, appearance, landscaping, layout and scale. Under this application amendments have been secured to reduce the size of the proposed dwellings and to overcome concerns raised by the highway authority. The scheme as amended proposes three detached dormer bungalows with associated detached garaging. Consideration has been given to the objections received.

8.2 Woodhouse Lane comprises properties of varying type, age and architectural design. It is considered that the proposed development has been appropriately designed to respect the grain of development and streetscene character. Furthermore, the proposed development would achieve an acceptable standard of amenity. Consultation has been carried out with the Highway Authority who raise no objection to the proposal.

8.3 It is concluded that this application accords with the policies contained in the Staffordshire Moorlands District Council Core Strategy and emerging Local Plan and as such a recommendation of approval is given.

9. RECOMMENDATION

A That planning permission be granted subject to condition:-

1. The development hereby approved shall be carried out in accordance with the following submitted plans and subject to the following conditions and/or modifications:-

**148-05 Location, Site Plan and Landscaping
148-06 House Plans and Elevations**

Reason:- For the avoidance of doubt and in the interests of proper planning and in accordance with the National Planning Policy Framework.

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that order with or without modification), no development as specified in Part 1 Class(es) A, B, C, D, E and H and Part 2 Class(es) A and C, other than those expressly authorised by this permission, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason:- To enable the Local Planning Authority to control the development and so safeguard the character and visual amenities of the area, and to ensure that adequate private open space is retained within the curtilage of the building.

4. The development hereby permitted shall not be occupied until details of all walls, fences and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and retained for the lifetime of the development.

Reason:- In the interests of visual amenity and having regard to streetscene character.

5. Prior to the first use of the development hereby approved, a landscaping plan (including boundary hedges) shall be submitted to and approved in writing by the Local Planning Authority. Any landscaping shall encompass native tree and shrub species to encourage foraging potential for species. No plant species listed on Schedule 9 of the Wildlife and Countryside Act 1981 should be planted during any landscaping within this development. For further details of Schedule 9 plants visit the Defra website: www.defra.gov.uk/wildlife-pets/nonnative

Any planting approved shall be fully implemented before the end of the first available dormant season (November to February inclusive) following completion of the development hereby approved. Any trees/shrubs planted in accordance with this landscaping scheme shall be properly maintained for a period of 5 years following planting. Any plants which within this period are

damaged, become diseased, die, are removed or otherwise fail to establish shall be replaced during the next suitable season.

Reason:- In the interests of ecological/biodiversity gain.

6. No phase of the development hereby permitted shall take place until a Demolition and Construction and Environmental Method Statement has been submitted to and approved in writing by the Local Planning Authority, which shall include the following details:-

- i. the arrangements for prior notification to the occupiers of potentially affected properties;
- ii. the responsible person (e.g. site manager / office) who could be contacted in the event of complaint;
- iii. a scheme to minimise dust emissions arising from construction activities on the site. The scheme shall include details of all dust suppression measures and the methods to monitor emissions of dust arising from the development. The approved dust suppression measures shall be maintained in a fully functional condition for the duration of the construction phase;
- iv. a scheme for recycling/disposal of waste resulting from the construction works;
- v. the parking of vehicles of site operatives and visitors;
- vi. the loading and unloading of plant and materials;
- vii. the storage of plant and materials used in constructing the development;
- viii. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- ix. details of measures to protect the public footpaths and amenity of users of the public footpaths crossing the site during the construction works.

All works shall be carried out in accordance with the approved details. Any alteration to this Plan shall be approved in writing by the Local Planning Authority prior to commencement of the alteration.

Reason:- To protect the amenities of the area

7. The artificial lighting incorporated into this site in connection to this application shall not increase the pre-existing illuminance at the adjoining light sensitive locations when the light (s) is (are) in operation.

Reason:- To protect the local amenities of the local residents by reason of excess of illuminance.

8. In the event that contamination is found at any time when carrying out the approved development it must be reported in writing immediately to the Local Planning Authority. Development should not commence further until an initial investigation and risk assessment has been completed in accordance with a scheme to be agreed by the Local Planning Authority to assess the nature and extent of any contamination on the site. If the initial site risk assessment indicates that potential risks exist to any identified receptors, development shall not commence until a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and

historical environment has been prepared, and is subject to the approval in writing of the Local Planning Authority.

Reason:- To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

9. The foul drainage from the proposed development shall be discharged to a system which meets the requirements of British Standard (BS) 6297:2007+A1:2008 Code of practice for the design and installation of drainage fields for use in wastewater treatment.

a) There shall be no connection to any watercourse or land drainage system and no part of the soak away system shall be situated within 10 metres of any ditch or watercourse.

b) Porosity tests shall be carried out to demonstrate the suitable subsoil and adequate land area is available and the results shall be submitted to and agreed in writing by the Local Planning Authority prior to the installation of any soakaway.

10. No dwelling hereby permitted shall be occupied until the access to the dwelling, within the limits of the public highway, has been completed.

Reason:- In the interests of highway safety and to comply with S.C.C. requirements for access.

11. Prior to the first occupation of the dwelling to which it relates the parking and turning areas for that dwelling shall be provided in a porous bound material in accordance with submitted Drg. No.148-05 which shall thereafter be retained at all times for their designated purposes.

Reason:- In the interests of highway safety.

12. The development hereby permitted shall not be brought into use until, the visibility splays shown on submitted Drg. No.148-05 the subject of this consent have been provided. The visibility splays shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

Reason:- In the interests of highway safety.

13. The submitted Site Management and Construction Method Statement shall be adhered to for the duration of the construction period.

Reason:- In the interests of highway safety.

Informative

1. This is considered to be a sustainable form of development which complies with the provisions of the NPPF

