

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**12 November 2020**

<b>Application No:</b>	SMD/2020/0222	
<b>Location</b>	1 Hillswood Drive, Endon	
<b>Proposal</b>	Proposed Two Storey Dwelling to Land at 1 Hillswood Drive	
<b>Applicant</b>	Mr P Fleming	
<b>Agent</b>	Forefront Development Consulting	
<b>Parish/ward</b>	Endon with Stanley Parish	<b>Date registered</b> 30.04.2020
<b>If you have a question about this report please contact:</b> Lisa Hooley tel: 01538 395400 ex 4123 lisa.hooley@staffsmoorlands.gov.uk		

## REFERRAL

A call-in request has been received from Councillor Joe Porter on the grounds for “the committee to consider the space around dwellings, layout, design, modifications and delay in determination.”

### 1. SUMMARY OF RECOMMENDATION

**REFUSE**

### 2. DESCRIPTION OF THE SITE AND ITS SURROUNDING

2.1 The application site is located within in an area that is predominantly residential in character and falls within the Endon Village Development boundary. The site comprises of a rectangular shaped plot which lies to the west of the junction between Clay Lake to the south and Hillswood Drive to the east. A detached dormer bungalow occupies to the southern half of the plot with a south facing orientation. An enclosed landscaped garden occupies the northern half of the plot. Residential plots bound the site to the north and west.

### 3. DESCRIPTION OF THE PROPOSAL

3.1 This application follows refusal of planning reference SMD/2019/0726 which was refused on the following grounds:

1. The proposed development would constitute overdevelopment of the plot. Owing to the site constraints namely the size of the plot, proximity to neighbouring properties and topography of the Hillswood Drive, it is considered that the proposed development would appear incongruous to the prevailing streetscene character. The proposal represents a contrived form of design that reflects the limitations of the plot. The development fails to respect the pattern of development of Hillswood Drive and would appear cramped and overbearing within the streetscene. The development is contrary to policy DC1 of the Staffordshire Moorlands Core Strategy and National Planning Policy Framework.
2. The development would result in an unacceptable loss of amenity for neighbouring occupiers by virtue of overbearing impact, loss of daylight and sunlight and loss of

privacy, contrary to policy DC1 of the Staffordshire Moorlands Core Strategy and paragraph 127f) of the National Planning Policy Framework.

3.2 Approval is sought for the sub-division of the existing plot and for the construction of a detached two storey dwellinghouse. Revised plans have been received which correct inaccuracies within the original submission. Namely, a revised application form has been received to clearly state that one two bedroom dwellinghouse is proposed and a revised site plan has been received which shows the removal of what appears as a detached structure in the southern corner of the proposed planning unit.

3.3 This application has been submitted following the benefit of pre-application advice where it was advised that concerns remained in respect of scale and nature of the development owing to the constraints of the site.

3.4 The proposed dwelling is to comprise of a brick built dwellinghouse with Staffordshire blue clay tiles to the roof. Stone and cill and lintel detailing is proposed to windows and doors and an oak porch is proposed to the front. Internally accommodation is to comprise of a lounge, which is to be located towards the front of the dwellinghouse and a kitchen dining room located towards the rear. To the first floor, two bedrooms are proposed (one being en-suite) and a family bathroom. Bedroom accommodation is located towards the front of the dwellinghouse and the family bathroom and en-suite are located towards the rear.

#### **4. RELEVANT PLANNING HISTORY**

SMD/2019/0222 Proposed two storey dwelling to land at 1 Hillside Avenue  
Refused.

#### **5. PLANNING POLICIES RELEVANT TO THE DECISION**

5.1 The Development Plan is the Staffordshire Moorlands Local Plan which was adopted in September 2020. The main policies of relevance to the determination of this application are as follows:-

Policy SS1	Development Principles
Policy SS2	Settlement Hierarchy
Policy SS8	Larger village strategy
Policy H1	New housing development
Policy DC1	Design considerations
Policy T1	Development and Sustainable Transport

National Planning Policy NPPF

National Planning Policy Guidance

#### **6. CONSULTATIONS CARRIED OUT**

Site Notice expiry date: 17/06/20  
Local residents have been notified by letter.

6 representations that raise objection to the application have been received raising the following main points:-

- Highway safety owing to position of access and increased congestion on Hillswood Drive. Particularly during school drop-off and pick-up times;
- Due to site constraints, namely the size of the plot and the size of the proposed development, the topography of Hillswood Drive and Clay Lake, I believe the proposed development would have an elevated position which would affect my property (2 Hillswood Drive) and all the surrounding properties and does not respect and is not in keeping with the surrounding area;
- Loss of privacy, light and overshadowing;
- Loss of trees and bushes impacting on wildlife;
- Impact on Conservation Area and listed Building;
- There is a substantial land-drainage system to the rear of 1 Hillswood Drive, Fourways and Clay Lake. I have no doubt that the proposed construction works will increase the flood risk to all three properties.
- Contrived design to fit a small, narrow plot.
- The size and scale of the new build remains overly ambitious, cramped and overbearing, contrary to policy DC1;
- The new construction does not fit well in terms of its scale and character with the local surrounding houses and is demonstrably domineering to neighbouring properties.
- The reasons for refusal from the earlier scheme remain applicable.

### **Parish Council**

Although this proposal has changed, there is only 5 metres from the rear window to the boundary. The regulation states that there should be 6 metres and therefore we recommend refusal.

### **Environmental Health Officer**

No comments received.

### **Local Highway Authority**

No objection on highway grounds.

Note to Planning Officer:

The proposal is for the erection of a two storey dwelling. The property is located on Hillswood Drive, Endon which is an unclassified road with a speed limit of 30 MPH. Previous planning application SMD/2019/0726 was refused on non-highway grounds. Although the parking layout has changed the new proposal can still accommodate off highway parking for 2 vehicles as detailed on DRG NO.20-108-03.

Current records confirm no accident data within 50 metres either side of property access.

### **Alliance Environmental Services**

No issues regarding waste collection.

### **Staffordshire County Council Mineral and Waste**

The County Council as the Mineral and Waste Planning Authority has no comments on this application as the site is:

- Not within or near to any permitted waste management facility; or
- Exempt from the requirements of Policy 3 Mineral Safeguarding in the Minerals Local Plan for Staffordshire (2015 - 2030); or

- Is development subject to our standing advice for development proposals within mineral safeguarding areas.

### **Severn Trent Water**

As the proposal has minimal impact on the public sewerage system advise that have no objections to the proposals and do not require a drainage condition to be applied.

## **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 Since the adoption of the new Staffordshire Moorlands Local Plan the Council can demonstrate a 5 year supply of housing. As such the “tilted balance” no longer applies and the application should be determined in accordance with the policies of the new local plan unless material considerations indicated otherwise.

### Principle

7.3 This site lies within the development boundary of Endon which is identified as a Larger Village in the Local Plan. Support in principle for housing windfall sites in such locations is provided in Policy SS8 which confirms that the larger villages will retain their role as rural service centres providing for the bulk of the local housing needs of the rural areas.

### Design, Siting and Layout

7.4 The proposed planning unit is to be created on what is currently the rear garden of the host dwelling. The proposed dwelling is to be orientated at a right angle to the host dwelling and will front onto Hillswood Drive. Hillswood Drive slopes upwards from the road junction with Clay Lake. Plots follow a linear pattern of development and step upwards to take account of the topography of the Drive. The prevailing streetscene character is one of circa 1950’s two storey detached dwellings set within seemingly spacious landscaped plots.

7.5 The proposed dwellinghouse is to occupy a footprint of circa 7.7 x 8.8m and is to be sited centrally within the plot. A new vehicular access is proposed in the south eastern corner of the plot and off-street parking for 2no. vehicles is proposed adjacent to the shared boundary with no.1 Hillwood Drive. A lawned garden is proposed to the east, north and west of the dwellinghouse. Hedgerow which delineates the northern boundary shared with no.3 Hillswood Drive is to be retained. Similarly, a low level hedgerow is proposed to the eastern boundary adjacent to the highway. A new 1.8m high boundary fence is proposed to the southern and western site boundaries.

7.9 The proposed planning unit will be read within the streetscene context of Hillswood Drive. As with planning reference SMD/2019/0726 the siting of the proposed dwelling has been dictated by the size limitations of the plot. Consequently, the proposed dwelling is to sit approximately 4m forward of an established building line which extends northwards along Hillswood Drive. For this reason it is considered that the proposed dwelling will relate poorly to it’s surroundings and will appear as an anomaly within the streetscene. The impact of which

will be exacerbated further by the prominent views of the site when traveling southwards along Hillwood Drive owing to the change in topography and bend in the highway.

7.10 Though architecturally efforts have successfully been made to draw on prevalent built design features within the streetscene; it remains to be the view that owing to the constraints of the site, this application fails to respect its surroundings and will lead to an incongruous form of development which would be detrimental to the character and appearance of the streetscene.

7.11 For the reasons outlined the development does not represent a high standard of design and is contrary to policy DC1 of the Local Plan, the SMDC Design SPD and NPPF paragraph 127.

### Amenity

7.12 The proposed planning unit would be bounded by the existing dwellinghouse to the south east, 'Fourways' to the south west and no.3 Hillswood Drive to the north west. No.2 and no.4 Hillswood Drive are located opposite the application site to the north east.

7.13 Due to the orientation of the proposed dwellinghouse to the existing dormer bungalow, no.1 Hillswood Drive, the side gable elevation of the proposed dwelling would face the rear elevation of the existing bungalow. As to be expected, there are a number of windows located within the rear elevation of the existing bungalow and these include the principal window to a kitchen, a conservatory, patio doors to a lounge area and 2no obscure glazed windows within a dormer.

7.14 It is proposed to relocate the impacted kitchen window to the roadside elevation of the bungalow and whilst this has addressed concerns regarding the impact on this room concerns still remain in respect of the impact on the lounge / dining room. It is noted that the lounge is also served by additional windows located within the front elevation and a further smaller window is proposed within the side elevation. Whilst it is acknowledged that this is a "through" room, given the depth of the building, I am of the view that the patio window in the north elevation does provide an important source of light to that space and would be regarded as a principal window. It also overlooks the private amenity space to the dwelling.

7.15 The proposal would result in the loss of most of the rear private amenity space which serves no.1 Hillswood Drive. Though the garden extends to the front and side of the bungalow, given the prominent corner plot on a busy junction it is considered that this would provide an inadequate standard of amenity for the occupants of the bungalow.

7.16 Furthermore, the alterations made to the scheme following the previous refused application do not address the concerns in respect of the overbearing impact or overshadowing impact on neighbouring occupiers. Owing to the resulting spacing distances and height of the proposed dwelling relative to the bungalow it remains to be considered that the proposed development would appear significantly and demonstrably domineering to this neighbouring property.

7.17 Due to the topography of the area, Fourways occupies a lower ground level to the application site. As such, as with no.1 Hillswood Drive, the proposed dwellinghouse would occupy an elevated position that would appear intrusive. Though the proposed fence would provide some mitigation to overlooking, in light of the spacing distances involved and the change in levels, I am not satisfied that the development would not lead to an unacceptable loss of amenity to this neighbouring property. Being located to the east it would cast a shadow over the rear garden and rear principal windows of this property during the morning.

7.18 Sufficient distance would exist between the proposed dwellinghouse and those opposite to accord with the Council's Space About Dwellings SPD.

7.19 For these reasons it is considered that this application fails to comply with policy DC1 and paragraph 127f) of the NPPF.

#### Highway Safety

7.20 The application site would be served by 2no. off-street parking places in accordance with the parking standards outlined at Annex 8 of the adopted Local Plan. No objection has been raised by the highway authority and as such I am satisfied that the proposed development would not result in harm to the wider highway network.

#### Other Matters

7.21 One representation received refers to a Conservation Area. In the interests of clarification, the site does not fall within or adjoin a Conservation Area.

7.23 Representations received make reference to flooding and raised concern that the proposal would exacerbate existing flooding in the area. The site does not fall within a designated flood risk area. Severn Trent water have been consulted on this application and they raise no objection to the proposal.

#### Conclusion

7.24 To conclude, the proposed development would constitute overdevelopment of the plot. Owing to the site constraints namely the size of the plot, proximity to neighbouring properties and topography of Hillswood Drive, it is considered that the proposed development would appear incongruous to the prevailing streetscene character. The proposal represents a contrived form of design that reflects the limitations of the plot. The development fails to respect the pattern of development of Hillswood Drive and would appear cramped and overbearing within the streetscene. The development is contrary to policy DC1 of the Staffordshire Moorlands Local Plan y and National Planning Policy Framework.

7.25 In respect of amenity, it is considered that the development would result in an unacceptable loss of amenity for neighbouring occupiers by virtue of overbearing impact, loss of daylight and sunlight and loss of privacy. As such this application is considered to be contrary to policy DC1 of the Staffordshire Moorlands Local Plan and paragraph 127f) of the National Planning Policy Framework.

### **8. RECOMMENDATION**

**That planning permission be refused on the following grounds : -**

- 1. The proposed development would constitute overdevelopment of the plot. Owing to the site constraints namely the size of the plot, proximity to neighbouring properties and topography of the Hillswood Drive, it is considered that the proposed development would appear incongruous to the prevailing streetscene character. The proposal represents a contrived form of design that reflects the limitations of the plot. The development fails to respect the pattern of development of Hillswood Drive and would appear cramped and overbearing within the streetscene. The development is contrary to policy DC1 of the Staffordshire Moorlands Local Plan and National Planning Policy Framework.**

2. The development would result in an unacceptable loss of amenity for neighbouring occupiers by virtue of overbearing impact, loss of daylight and sunlight and loss of privacy, contrary to policy DC1 of the Staffordshire Moorlands Local Plan and paragraph 127f) of the National Planning Policy Framework.

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.

