

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

24 June 2021

Application No:	SMD/2021/0105	
Location	Endon Riding School, Stanley Moss Lane, Stockton Brook	
Proposal	Variation of Conditions 1, 10 and 12 relating to SMD/2019/0080	
Applicant	Mr Kevin Humphries, Humphries Builders Ltd	
Agent	Mr David Tatton, David Tatton Architect	
Parish/ward	Bagnall	Date registered: 22 nd February 2021
If you have a question about this report please contact: Ailsa Berry, tel: 07583 122644, email: ailsa.berry@highpeak.gov.uk		

REFERRAL

The application is before committee as the committee determined the previous applications at the site and Committee Members imposed Condition 12 as part of their deliberations of application SMD/2019/0080.

1. SUMMARY OF RECOMMENDATION

APPROVE subject to Conditions

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The application site is 0.62ha in area and is located on land associated with the former Endon Riding School. The application site is designated as Open Countryside and Green Belt. The 'larger village' of Endon is located some 2km away.

2.2 The application site includes previously developed areas of land with reference to the existing riding school buildings, including a large indoor school, stables and associated hard curtilage. The site is bordered to the west by a pair of semi-detached dwellings. The southeastern quarter of the site accommodates a three-storey dwellinghouse and a separate two-storey staff accommodation building, which were associated with the operation of the riding school. Beyond the eastern tree belt is a small enclosed area of land associated with storage. The northern boundary of the site is characterised by an existing mature band of trees beyond which the land levels fall markedly to an area (outside of the application site) which accommodated a manege, horse walker and an informal parking area for cars and horseboxes etc. Vehicular access is taken from Stanley Moss Road which defines the southern boundary of the site.

3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL

3.1 Full planning permission is sought to vary Conditions 1, 10 and 12 of planning approval SMD/2019/0080. Condition 1 specifies the approved drawings, Condition 10 specifies the approved Landscaping Scheme and Condition 12 requires an amendment to Plots 1 and 2 to be agreed in writing with the Local Planning Authority, namely that the plots are separated and a window in the street scene gable of plot 1 is altered.

3.2 The differences between the previously approved scheme and this application comprise:

- Plot 1 and Plot 2 are now detached from each other (as required by Condition 12);
- The garage to Plot 1 has been re-sited so that it is attached to the northern side elevation of the dwellinghouse. The driveway has been realigned due to the re-siting of the garage;
- The garage to Plot 2 has moved further towards the dwellinghouse's rear boundary and the driveway has been realigned due to the re-siting of the garage;
- The dwellinghouse to Plot 3 has been rotated 90 degrees and positioned in-line with the dwellinghouse at Plot 4. The driveway has been realigned due to the re-siting of the garage;
- The garages to Plots 5 and 6 are now detached from their respective dwellinghouse but are sited in the same position;
- The dwellinghouse on Plot 9 has been 'handed'; and
- Solar panels have been included on all of the dwellinghouse's roofs.

3.3 No changes have been made to Plots 4, 7 and 8, other than the inclusion of solar panels to their roofs.

3.4 Details of the application can be viewed at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=145844>

4. RELEVANT PLANNING HISTORY

DOC/2019/0102	Discharge of conditions 5, 10, 11, 14, 15, 16 and 17 of SMD/2017/0470 Pending
DOC/2019/0091	Discharge of conditions 2, 3, 5, 11 and 12 relating to SMD/2017/0470 Pending
SMD/2019/0080	Approval of reserved matters of appearance, landscaping, layout and scale relating to SMD/2017/0470 Approved 15/08/2019

- SMD/2018/0373 Application for approval of reserved matters relating to SMD/2017/0470 for eight dwellings.
Refused 25/10/2018
- SMD/2017/0470 Variation of Conditions 4, 5 and 7 and non-material amendment to application description of planning permission SMD/2014/0838 to allow for different access positions to the site and to remove reference to 'part demolition' and 'retained buildings' so that a reserved matters application can be made that includes demolition of all of the existing buildings and incorporates access positions that vary from the previously approved positions.
Approved 11/12/2017
- SMD/2014/0838 Outline planning application with all matters reserved (save access) for part demolition of existing buildings and provision of up to 10 no. dwelling houses with ancillary facilities and associated infrastructure.
Refused 17/09/2015
Allowed on appeal 12/05/2016

5. PLANNING POLICIES RELEVANT TO THE DECISION

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

5.1 The Development Plan comprises the Local Plan Development Document (adopted September 2020).

5.2 The following Local Plan policies are relevant to the application:

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SS2 Settlement Hierarchy
- SS10 Other Rural Areas Strategy
- SD1 Sustainable Use of Resources
- SD3 Carbon Saving Measures in Development
- H1 New Housing Development
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- NE1 Biodiversity and Geological Resources
- NE2 Trees, Woodlands and Hedgerows
- T1 Development and Sustainable Transport

National Planning Policy Framework (NPPF) Revised (2019)

5.3 The following chapters of the NPPF (2019) are particularly relevant to this application:

- 2: Achieving sustainable development
- 5: Delivering a wide choice of high quality homes
- 4: Decision making

- 9: Promoting sustainable transport
- 12: Achieving well-designed places
- 13: Protecting Green Belt land
- 15: Conserving and enhancing the natural environment

6. CONSULTATIONS

Public response to consultation

6.1 No comments have been received.

Bagnall Parish Council

6.2 Bagnall Parish Council felt that the documents were not easy to navigate and therefore could not comment on this application. They requested that a more user friendly version was made available to enable them to comment.

6.3 Officer comment: The Planning Officer made contact with the Parish Council to help them understand the application submission. No further comments were received.

SCC Highway Authority

6.4 No objection subject to conditions in respect of the completion of the access prior to occupation of the dwellings; access, parking, servicing and turning areas to be provided in accordance with the approved plans; and garages to be retained for the parking of motor vehicles.

6.5 The Highway Engineer states that the proposal constitutes minor alterations to the layout approved under SMD/2019/0080. There is no reduction in parking provision between the approved layout and this revision.

AES Waste

6.6 No issues regarding waste collections.

Environment Agency

6.7 They have no objections to the proposed variation of conditions to planning permission SMD/2019/0080.

7. OFFICER COMMENT AND PLANNING BALANCE

7.1 The main issues relate to:

- Whether the proposal comprises an exception to inappropriate development in the Green Belt.
- Impact on the character and appearance of the approved housing development and the surrounding area.
- Impact on neighbouring amenity.

Principle of Development

7.2 The principle of the development has been accepted by the approval of outline permission in 2014 and the subsequent approval of reserved matters in 2019. This application seeks to vary the layout of the approved development, with subsequent changes to the approved Landscaping Scheme. It is therefore not necessary to revisit the principle of the development.

Green Belt

7.3 The application site is located in the North Staffordshire Green Belt whereby policy SS10 of the Local Plan (2020) and chapter 13 of the NPPF (2019) are applicable. Policy SS10 states that strict control will continue to be exercised over inappropriate development within the Green Belt, allowing only for exceptions as defined by Government policy.

7.4 Paragraphs 143 and 144 of the NPPF (2019) state *'that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'* and *'when considering a planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt'*.

7.5 Paragraph 145 of the NPPF (2019) goes on to list the types of development which are exceptions to inappropriate development. One such exception is (g):

'limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would not have a greater impact on the openness of the Green Belt than the existing development...'

7.6 The 2014 outline planning application was allowed on appeal, with the Planning Inspector stating that the proposal comprised an exception to inappropriate development as it would comply with part (g) of the paragraph 145 of the NPPF (2019).

7.7 In allowing the 2014 outline application, the Planning Inspector imposed Condition 5 that required the combined volume of both the retained and proposed residential properties to not exceed 10,257 cubic metres.

7.8 This application seeks amendments to the layout of the approved 2019 reserved matters application. The submitted Site Plan indicates that the total volume of the dwellings and garages would equate to 6,594 cubic metres, thereby complying with the requirements of Condition 5 of the outline approval.

7.9 The amendments to the development, as previously approved in 2019, are therefore not considered to have a detrimental effect on the openness of the Green Belt and it will comprise an exception to inappropriate development in the Green Belt. The proposal therefore complies with part (g) of paragraph 145 of the NPPF (2019) and policy SS10 of the Local Plan (2020).

Impact on the Character and Appearance of the Area

7.10 Policy DC1 refers to design and seeks to secure development of a high quality which is designed to add value to the area and to respect 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.

7.11 Paragraph 127 of the NPPF (2019) requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture.

7.12 The majority of the changes are to the dwellings to the rear of the application site. These changes comprise: the re-orientation of the dwellinghouse on Plot 3; the detaching of the garages to Plots 5 and 6; the re-siting of the garages within Plots 2 and 3; the handing of the dwellinghouse on Plot 9; and the inclusion of solar panels to the roofs of each dwellinghouse. These amendments are considered to be minor in nature and will not affect the overall character or design of the housing development as previously approved. The amendments are not considered to have a detrimental effect on the character or appearance of the street scene as they will be largely screened by the proposed dwellings that will front Stanley Moss Road. These changes are therefore considered to be acceptable.

7.13 Condition 12 of planning approval SMD/2019/0080 stated:

'Notwithstanding the submitted details hereby approved, no development shall be commenced until detailed plans showing a separation of plots 1 and 2 and an amendment to the first floor window of the street scene gable to Plot 1 have been submitted to and approved in writing by the Local Planning Authority. The development thereafter shall only be carried out as approved.'

Reason:- In the interests of visual amenity.'

7.14 The Site Plan submitted with the 2019 reserved matters application showed the dwellings on Plots 1 and 2 being attached by a single storey pitched roof garage belonging to Plot 1. Members did not approve of this aspect of the development and therefore requested that Condition 12 be attached to the Decision Notice that required Plots 1 and 2 to be separated.

7.15 A discharge of condition application, DOC/2019/0091, discharged Condition 12 with the garage of Plot 1 changed to a detached garage sited to the northwest of the dwellinghouse, within the property's rear garden. This application seeks to alter this arrangement, and is now proposing that the garage is attached to the northern side elevation of the dwellinghouse.

7.16 The positioning of the garage will ensure that the dwellinghouses on Plots 1 and 2 are separated, as required by Condition 12 and intended by Members. The revised siting of the garage is considered acceptable and would not have an adverse effect on the layout of the housing development. The garage will be set back

approximately 17 metres from Stanley Moss Road and therefore it is not considered that it will be significantly prominent or have an adverse effect on the character or appearance of the surrounding area. The revised siting of the garage serving Plot 1 is therefore considered acceptable.

7.17 Condition 10 of planning approval SMD/2019/0080 stated:

'The planting scheme shown on "Location, Site Plan and Site Sections" Drg. No. 113/30 D hereby 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. The trees, shrubs, herbaceous plants and grass 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 visual amenity and ecological mitigation and enhancement.'

7.18 The overall design and species of plants within the proposed landscaping scheme has not changed from that previously approved, it has solely been altered to take account of the proposed changes to the layout of the development. It is for this reason that the proposed amendment to Condition 10 to substitute the drawing number, is considered acceptable.

7.19 It is for these reasons that the amendments sought are not considered to have a detrimental effect on the character or appearance of the housing development as a whole, or the surrounding area. The amendments will therefore comply with policy DC1 of the Local Plan (2020) and the NPPF (2019).

Impact on Residential Amenity

7.20 Local Plan policy DC1 and paragraph 127(f) of the NPPF (2019) seek to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

7.21 The changes to the layout of the dwellings will comply with the separation distances as detailed in the 'Space About Dwellings SPG' and therefore they are not considered to have a detrimental effect on the amenity of the housing development as a whole, or on the existing neighbouring properties.

7.22 It is for the above reasons that the amendments will comply with policy DC1 of the Local Plan (2020) and the NPPF (2019) in respect of amenity.

Planning Balance & Conclusions

7.23 The proposed development comprises an exception to inappropriate development in the Green Belt as it comprises the redevelopment of previously

developed land and it will not have a greater impact on the openness of the Green Belt than the existing development.

7.24 The alterations to the layout of the dwellinghouses and their garages is not considered to affect its overall appearance or have a detrimental effect on the character or appearance of the street scene or surrounding area.

7.25 The changes to the approved Landscaping Scheme are minor and are required due to the changes proposed to the amended layout.

8. RECOMMENDATION

A. That planning permission be APPROVED subject to conditions.

The conditions will be forwarded to Members prior to the Committee Meeting via the late update report. Checks need to take place in respect of the 2no. pending Discharge of Condition applications to ensure the wording of the conditions to be attached refers to any details already discharged.

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.

Site Location Plan

