

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**10 March 2022**

Application No:	SMD/2021/0491	
Location	Land off Tenford Lane, Upper Tean	
Proposal	Reserved Matters application seeking approval of the details of scale, layout, appearance and landscaping comprising a residential development of up to 40 houses.	
Applicant	Mr A R Alcock	
Agent	Hewitt and Carr Architects	
Parish/ward	Cheadle	Date registered: 26 <sup>th</sup> July 2021
If you have a question about this report please contact: Chris Johnston, tel: 01538 395400 ext. 4123, email: Christopher.johnston@staffsmoorlands.gov.uk		

## **REFERRAL**

The application is before the committee because it involves a major application, the outline of which was approved at Committee in June 2017 (ref: SMD/2016/0811) and which has attracted a large number of objection letters.

### **1. SUMMARY OF RECOMMENDATION**

<b>APPROVE subject to Conditions</b>
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### **2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

2.1 The application site comprises two adjoining fields on the north side of Tenford Lane, a road running along the north edge of the village with existing housing to the south, facing the road. The development boundary for Upper Tean runs along the road with the application site excluded and so the site is deemed as being within the "open countryside" but is not within the Green Belt. The land slopes upwards towards the north. A short distance to the north of the site there is a former quarry (Mobberley Quarry) much of which is wooded and within an SMDC Nature Conservation site and covered by a Tree Preservation Order (TPO). There is an adjoining open field to the east side of the site. To the west is a group of farm buildings, some of which were formerly used as a dog kennels. The south boundary of the site is marked by a long hedgerow and there are a number of mature trees on this boundary, six of which are protected by TPOs. There is a field access in the south-west corner of the site, off Tenford Lane. Although the site is on the edge of Upper Tean, it is within the Parish of Cheadle. The Parish boundary runs along Tenford Lane.

### 3. THE APPLICATION AND DESCRIPTION OF THE PROPOSAL

3.1 This is a Reserved Matters planning application following the granting of outline planning permission for up to 40 houses on 2<sup>nd</sup> August 2018 following approval by Members at the Planning Applications Committee in June 2017. The proposed access to the development and road layout was also approved under the outline consent. This new application seeks approval for the scale of development, the layout of development, the design and appearance of the development and the landscaping of the site.

3.2 The plans submitted with this current application have been amended. The final amended plans which have been put forward to the Committee were received on 9<sup>th</sup> February 2022 and re-consultation and re-notification has been undertaken. The plans show forty redbrick and tile dwellings served by a long distributor road from the approved site access where the current field access is and which would run parallel with Tenford Lane after a bend and which would have two short cul-de-sacs to the north of it. The dwellings comprise the following:

- 7 x 4-bed detached dwellinghouses
- 19 x 3-bed detached and semi-detached dwellinghouses
- 12 x 2-bed semi-detached dwellinghouses
- 2 x 2-bed detached bungalows

3.3 In terms of affordable housing, 13 of the above units would be affordable, in line with the outline permission, secured by a signed Section 106 Agreement and which would comprise the following:

- 2 x social-rented 3-bed semi-detached houses
- 1 x social-rented 3-bed detached house
- 6 x social-rented 2-bed semi-detached houses
- 4 x shared ownership (i.e. part-owned, part-rented) 2-bed semi-detached houses

3.4 The affordable units are dispersed throughout the development rather than grouped together in one part of the site.

3.5 The original plans had a greater number of three-bed units (31no) and far less two-bed units (2no).

3.6 With regard to housing mix, there are five separate “types” of housing but which all follow the same ‘design code’ with a redbrick and grey/blue tile traditional rural cottage appearance with side gables, chimneys, vertical 4-light white windows (on the primary elevations), stone lintels and dual-pitch canopy porches. They would be laid out in a conventional housing estate form, all facing the distributor and cul-de-sac roads and with front and rear gardens and with either front parking areas or driveways to the side leading to separate garage blocks to the side or rear.

3.7 With the road layout agreed at the outline stage, the main difference with the plans originally submitted is that the houses to the south of the distributor road on the original plans, faced Tenford Lane and turned their backs on the distributor road.

The amended plans turn those houses 180 degree to face the distributor road and also push many of these away from the south boundary (Tenford Lane) and closer to the distributor road. The other main difference (other than some adjustment of the exact siting of some of the other houses) is the deletion of a cul-de-sac to the east of the public open space and west of the actual housing development. Houses were originally intended for this part of the site but were removed due to Environmental Health concerns regarding noise from the kennels affecting those dwellings (which were in operation at the time of the outline application) but the cul-de-sac remained in the plans submitted with this current application as they accorded with the agreed road layout at the outline stage. The cul-de-sac was later removed from the plans on request from the Council in order to restrict the number of houses to 40 and as the cul-de-sac no longer had any useful purpose and would be better retained as an open field and would be managed as a meadow.

3.8 The houses would be largely located on the eastern half of the site with a large public open space occupying the west side. This would be immediately visible on entering the site from the approved access off Tenford Lane and with the first dwellings only appearing after a right bend in the road.

3.9 The open space would have new trees and scrub/woodland planting and pedestrian paths with benches. A detailed landscaping scheme has been submitted (the “softworks” drawings) with the proposed landscaping and ecological features including new planting to improve the hedgerow along Tenford Lane and bring this up to a height of 2.0 where deficient, two small open-spaces within the development with summer flowering butterfly and bee meadow planting and areas within the large open space of grass and hay meadow planting, habitat piles and small “community orchards” at the end of roads. Swift, house sparrow and bat boxes would be installed onto some of the houses. The boundary fencing on the side and rear boundaries of each plot, including on the inner side of the Tenford Lane hedge would comprise “4 to 5 foot” high hit-and-miss timber fencing, with “hedgehog highways” and hedges to separate the plots from the planted open spaces within the development. A 3m acoustic fence would be installed along the west boundary of the site screened by existing and proposed vegetation.

3.10 The application was accompanied by a ‘Noise from Kennels’ Noise/Acoustic Report, Tree Report with Tree Protection details, Landscape and Habitat Enhancement and Management Plan and Ecological Survey Reports. In September 2021, an Affordable Housing Statement and Drainage Strategy were submitted. In February 2022, an amended Drainage Strategy and amended Landscape and Habitat Enhancement and Management Plan were submitted.

3.11 Other amendments to the plans originally submitted with this Reserved Matters planning application, made in February 2022, are as follows:

- Amendment to the first part of the access road where it connects with Tenford Lane
- Changes to detached garage size and design
- Change to House Type 4 layout and design changing it from a 3-bed to a 2-bed dwelling

3.12 Details of the application including the plans, drawings, reports, consultation responses and letters received from local residents can be viewed at:

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=151144>

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

SMD/2016/0200 Outline planning application for residential development of up to 49 houses with all matters reserved except for access. Refused.

SMD/2016/0811 Outline planning application with some matters reserved (except access) for a residential development of up to 40 houses (resubmission of SMD/2016/0200). Outline permission granted on 2.8.18.

#### **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
- SS8 Larger Villages Strategy
- SS10 Other Rural Areas Strategy
- H1 New Housing Development
- H3 Affordable Housing
- 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:

- 5: Delivering a wide choice of high quality homes
- 12: Achieving well-designed places
- 15: Conserving and enhancing the natural environment

Supplementary Planning Documents (SPD's) and Guidance (SPG's)

Council's Design Guide (February 2018) SPD  
Council's Space About Dwellings SPG

## 6. CONSULTATIONS

6.1 Letters were sent to 48 nearby properties on 28.7.21. In addition, a site notice was put up on Tenford Lane on 21.9.21. Due to the application being for a Major Development, a newspaper advert was posted in the Cheadle & Tean Times on 11.8.21. Further notification to the same properties above and to senders of representations, to advertise the amended plans, was undertaken on 21.2.22.

### Public response to consultation

6.2 Twenty-one letters or emails of objection were received in response to the original Reserved Matters submission in July/August 2021. Most of the letters raise concerns relating to planning matters already considered at the outline planning application stage i.e. traffic, highway safety on existing roads, safety risk to children from new houses so close to nearby quarry ponds, pressure on existing infrastructure and village facilities, loss of green open land, harm to wildlife, new houses on the site will cause flooding, no demand for new housing in this area and properties lying empty and the presence of nearby brownfield sites which should be used instead. The main planning-related points raised in the letters/emails in relation to the matters this new application seeks approval for i.e. scale, appearance, layout and landscaping of the development are as follows:

- Loss of light affecting Tenford Lane dwellings caused by new buildings on higher ground.
- Overlooking and loss of privacy affecting Tenford Lane dwellings due to houses on higher ground.
- “Bland modern estate” out of keeping with the character of the lane.
- Concern that proposed public open space will be the subject of future housing proposals in the future
- Concern that foundations will damage tree roots
- Concern that future residents will want to remove existing trees and hedgerows that are in their gardens
- The west boundary hedge next to the kennels should no longer be replaced by an acoustic fence now the kennels are no longer operational
- No details relating to street lighting
- Plots 34.35 and 36 too close to the south boundary causing harmful overlooking of Tenford Lane properties
- Loss of mature tree (no. T4541)
- No pavements on both sides of the proposed roads
- No specific details of brick or tile type
- No purpose of empty cul-de-sac opposite plot 40
- Proposed public open space path should be gravel and not tarmac which will lead to surface water run-off and harm habitats
- Insufficient information in the drainage strategy
- The location of the three drainage infiltration basins could lead to flooding of Tenford Lane, service runs and adjacent properties

6.3 With regard to the notification of residents of the amended plans (received February 2022), undertaken on 21.2.22, so far one letter has been received. The deadline for comments is 7.3.22 and any further letters received will be reported at the meeting. The one letter received related to traffic and flooding which were matters decided at the outline stage.

#### **Cheadle Town Council**

6.4 No comments received.

#### **Checkley Parish Council**

6.5 No comments received.

#### **SCC Highway Authority**

In response to the original Reserved Matters submission – July 2021

6.6. Garage sizes of 5.5m x 3.4m are less than the minimum size to be included in parking provision. This affects parking provision of plot 6 where an additional space is required. Driveway to plot 6 does seem wide. It could be narrowed slightly but lengthened? Road widths are acceptable including for refuse vehicles. If no dwellings are to be provided off the first cul de sac, should it be provided? Highways would not wish to adopt such a road.

In response to Amended Plans – February 2022

6.7 Comments awaited and will be reported at the Committee meeting.

#### **SMDC Environmental Health**

In response to the original Reserved Matters submission – July 2021

6.8 The kennels which caused noise concern when original outline application was submitted has now been closed. The mitigation set out in the submitted noise report should be completed in full. No objection is raised to this new application subject to Conditions 11, 15 and 16 of the outline permission being complied with.

#### **Staffordshire Wildlife Trust**

In response to the original Reserved Matters submission – July 2021

6.9 Further information is required regarding drainage proposals, landscaping and towards the Landscape and Habitat Enhancement & Management Plan (LHEMP) in order for the proposed development to comply with Condition 17 of the outline planning permission. This information is as follows:

1. Badger Method Statement.

2. Great Crested Newts/Amphibian Method Statement.
3. Reptile method statement.
4. Bats/Tree felling method statement detailing survey of tree T4541 prior to removal, along with any recommended soft felling measures.

In response to Amended Plans – February 2022

6.10 Comments awaited and will be reported at the Committee meeting.

### **SMDC Trees and Landscape Officer**

In response to the original Reserved Matters submission – July 2021

6.11 Generally there would be little direct harmful impact on existing trees/hedgerows arising from the proposed layout – but with the exception of the soakaways within Root Protection Areas of trees, which is not acceptable. The proposed landscaping scheme is heavily based on the use of native species which is good to see and supported. This would provide a new native hedgerow along the northern edge of the development area, and includes appropriate standard trees within the hedge. Individual native trees and massed woodland/scrub type planting are shown for the open space areas, together with orchard fruit trees in some locations on the open space which supports the council's current Community Orchard Initiative. On-plot planting is more ornamental/garden-orientated as expected, but even so also includes native trees and hedging. A Landscape and Habitat Enhancement and Management Plan (LHEMP) is submitted in accordance with condition 17 of the outline planning permission; this is considered to be appropriate and acceptable, subject to any further advice/comment/request from Staffs Wildlife Trust.

6.12 Further full comments are given as follows:

*“Proposed layout would largely retain existing field structure, no existing trees would be removed in order to accommodate the development and only 2 short stretches of hedgerow (total 23.5m) at the proposed access point which would be readily mitigated by replacement planting as part of site landscaping scheme. 6 trees in the tree survey have been assessed as Category U (poor/dangerous condition) however the applicant's tree report notes that 5 of these 6 could actually be retained for habitat value (these 5 are all situated along the woodland edge/treeline at the northern boundary of the site, well away from dwellings, gardens, roads and open space areas. The 6<sup>th</sup> cat U tree (ref T4541) is in the Tenford Lane frontage hedgerow virtually opposite the junction with Cavendish Road, and removal is advised due to stem base decay with potential failure targets of adjacent public highway and proposed plots on the development – this is agreed and supported; this tree is not included in the TPO so no further procedural issues apply prior to removal.*

*Other than for new main site access noted above, no dwelling footprints, garage footprints, private drives or estate roads would encroach within tree Root Protection Areas (RPAs). A small corner of the indicated rear patios of Plots 35, 36 & 37 would very slightly encroach into RPAs, but would be low impact and as noted in applicants tree report could be constructed using no-dig geocell specification to avoid significant*

*impact. Plot boundary fences in some cases would traverse through RPAs, but intermittent fenceposts at typical intervals would not have a significant adverse impact on roots and is considered acceptable.*

*However, the strategic drainage plan submitted with the application shows individual soakaways to each plot specified as a cellular block system typically 9m x 9m, excavated/installed to 1m below incoming invert level (which itself will be below ground level) and where, as in some cases for plots backing on to Tenford Lane, these soakaways are shown beneath existing tree canopy extent this would also inevitably involve significant excavation and likely substantial root damage within RPAs. It is not possible to be certain which plots this issue would relate to, as the strategic drainage plan is notably not in accordance with the proposed layout plan. However, as a general principle excavation for and installation of these soakaways would not be considered acceptable within the RPAs of existing trees to be retained – especially, but not exclusively, those protected by the Tree Preservation Order.”*

6.13 Some of the dwellings are too close to trees in respect of problems caused by overshadowing, loss of light, loss of outlook and potential for damage from falling branches etc and therefore lead to possible tree cutting and/or felling by future occupants.

6.14 *“More larger residential developments are these days being designed as “outward-facing” to avoid presenting a closed off rear aspect to either the public realm or adjacent open countryside, which often involves provision of tall solid fences to gardens in order to provide privacy and security which can be visually abrupt and intrusive, especially in a rural edge location such as Tenford Lane. Whilst for instance the existing hedgerow to Tenford lane (and its trees) would be retained, such established hedges are often not considered by occupants to provide sufficient standard of privacy and security, especially if gappy or when out of leaf in winter. In addition, an outward-facing layout for this site would address and overcome some or all of the issues and also improve the appearance and setting of the development itself, allowing it to be assimilated better into the landscape with less intrusive visual impact.”*

In response to Amended Plans – February 2022

6.15 Comments awaited and will be reported at the Committee meeting.

## **SCC Flood Team**

In response to the original Reserved Matters submission – July 2021

6.16 there is insufficient detail to fully demonstrate that an acceptable drainage strategy is proposed. It should be demonstrated that infiltration is viable for this site before a full assessment can be made of the proposed drainage strategy. As the proposed drainage strategy is based on infiltration and it is unclear if the infiltration testing was carried out to BRE365 standards (especially the filling of each trial pit 3 times) and locations of trial pits are not recorded, it is recommended that these tests be undertaken again to BRE365 standards. This is especially necessary given that the modelled half drain time is 108hours which is above the recommended 24hours.

The Landscape Proposals drawing shows a different layout to those included in the Flood Risk Assessments submitted for the Outline application and cited in Condition 10. In addition, although there are no drainage details on the Landscape Proposals plan, it is not clear whether the previously proposed attenuation basin in the open space towards the north of the site remains, or whether the submitted plan just lacks detail. In light of the above, we would recommend that permission is not granted until these issues have been resolved.

In response to Drainage Strategy submitted September 2021

6.17 There is still insufficient detail to fully demonstrate that an acceptable drainage strategy is proposed. No new information has been provided regarding infiltration testing. In addition 00019/TEN/DR/1003(D) Proposed Drainage Strategy was provided for the previous submission. An alternative strategy (with a date of 2016) has been provided now (K594-100(A)) where soakaways are proposed instead of attenuation ponds.

In response to Amended Plans – February 2022

6.18 Comments awaited and will be reported at the Committee meeting.

**Severn Trent Water**

In response to the original Reserved Matters submission – July 2021

6.19 The submitted drainage plan shows all foul sewage is proposed to discharge to the public foul 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.

**SMDC Regeneration/Affordable Housing**

In response to the original Reserved Matters submission – July 2021

6.20 The applicant does not appear to have submitted an Affordable Housing Statement with their application. A S106 agreement, signed on the 2<sup>nd</sup> July 2018 secured a 33% affordable housing contribution with a 70% rent, 30% shared ownership split. The applicant will need to provide a contribution in line with this agreement.

In response to the Affordable Housing Statement submitted in September 2021

6.21 Affordable Housing Statement and layout needs to be amended to shared ownership rather shared equity as currently stated. Location of affordable units on site is acceptable. Proposed mix of rent and shared ownership is in line with the agreed S106. I note the applicant is proposing to deliver the affordable housing as all 3 bed units. Data from our housing register indicates that is a need for smaller units of 1 and 2 bed accommodation. The inclusion of a couple of smaller units would bring the proposed mix in line with the Strategic Housing Market Assessment.

In response to Amended Plans – February 2022

6.22. Comments awaited and will be reported at the Committee meeting.

**SCC Archaeologist**

6.23 I do not wish to raise any archaeological issues with this application.

**SMDC Leisure Services (Sport and Public Open Space Provision)**

In response to the original Reserved Matters submission – July 2021

6.24 The development includes a very generous area of public open space to the west of the site. It is welcomed to see that there will be a pedestrian hard-surfaced pathway around this open space giving opportunities for gentle exercise. The extended paths which will be provided by way of mown sections of the wider open space are also welcomed. Path distance signs and seating/benches are also recommended. Joined-up paths on both sides of the proposed road is requested. It is noted from the Outline Application (SMD/2016/0811) that off-site provision for both play and playing pitches will be provided with in the agreed s106 document.

In response to Amended Plans – February 2022

6.25. “No further comments.”

**SCC Education/Schools**

6.26 A Section 106 Agreement was signed when the Outline Application was granted and the education contribution amount and terms should be calculated in line with this.

**Environment Agency**

6.27 “No formal comment to make”.

**SCC Minerals and Waste**

6.28 “No comments to make”

**AES Waste**

6.29 No issues regarding waste collections.

**Staffordshire Police Crime Prevention Design Advisor**

6.30 The design and layout of the development is deemed to be safe and further crime prevention measures are advised.

**7. OFFICER COMMENT AND PLANNING BALANCE**

7.1 The main issues relate to:

- Whether the proposed housing layout, scale, design/appearance and landscaping in terms of the impact on the character and appearance of the area, residential amenity and the ecological value of the area
- Whether the proposal applied for under this Reserved Matters application is in line with the outline permission for housing and the planning conditions and Section 106 Agreement attached to it.

### **Principle of Development**

7.2 The principle of a housing development with up to 40 houses on the site has been accepted in granting outline planning permission in 2018. The access to the site and road layout (deemed to be part of the “Access”) was also approved. Matters such as traffic creation, impact on highway safety and general impact on the ecological value of the area have also therefore been assessed and considered to be acceptable. It is therefore not necessary to re-visit the principle of the development (including impact on local facilities and services), traffic, impact on the road network or impact on the wider environment.

7.3 This Reserved Matters application is solely concerned with the particular layout, scale, appearance and landscaping of the proposed development.

7.4 A Section 106 Agreement was secured with the outline planning permission to deliver 13 affordable housing units (i.e. roughly a third of the total number of dwellings) comprising social-rented (via a Housing Association) and “intermediate” units (i.e. part-owned, part-rented), contributions towards increasing capacity at local schools, off-site contributions towards sports facilities, public open space and play areas locally and also a managed public open space within the site itself. The terms of the S106 will not be affected by this Reserved Matters planning application.

### **Scale and Form of Development**

7.5 Forty houses are proposed, with 38 being two-storey and two single-storey bungalows. There is a mix of semi-detached and detached units. The number of two-bed units has been increased and the number of three-bed units decreased and this is more in line with the Council’s Strategic Housing Market Assessment which has shown a particular shortage of 1 and 2-bed units. The amended plans show a better mix of housing and which is appropriate to the edge of the large village of Upper Tean. The affordable units will be a mix of 2-bed and 3-bed units, mostly semi-detached houses but some detached and which are well integrated into the overall development as encouraged in the NPPF. The comments of Housing Officer regarding the Feb 2022 amendments including changes to affordable housing mix and type and whether this is in accordance with Policy H3 and the terms of the S106 Agreement will be reported at the Committee meeting.

### **The impact on the character and appearance of the area**

7.6 Policy DC1 of the Local Plan requires all development to be well designed and reinforce local distinctiveness by positively contributing to and complementing the

special character and heritage of the area in line with the Council's Design Guide SPD and in particular, regarding character and appearance, new development should:

1. be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area;
2. be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, height, density, layout, siting, landscaping, character and appearance;

7.7 It is considered the particular style and design of the dwellings is of sufficient quality to approve. The dwellings have significant detailing and traditional features and their gable-sided form, brick and tile materials (and colours) and fenestration reflects local distinctiveness in line with the aims of the government planning guidance in the NPPF and is also in general accordance with the Council's adopted Design Guide. A condition would be added requiring the approval of the exact details/makes of brick and tile to be used. There are five different house types and these are distributed around the development and provide a satisfactory interest and appearance to the development. Each building has been placed with sufficient space around the dwellings to avoid an overcrowded appearance and due consideration has been given the scale, siting and design of development in order to minimise the visual impact of development on the wider landscape. For example, the single-storey dwellings are located on the highest parts of the development site. The boundary hedge along Tenford Lane is to be improved and would provide better screening. No development would be immediately visible from the access off Tenford Lane as the public open space would be placed in the part of the site where this is located. The amended plans show that all dwellings would address the proposed roads. Whilst it would also be desirable to have dwellings facing Tenford Lane and provide an active frontage to it, this is not possible due to the agreed road layout at outline stage and the desire to maintain the roadside hedge and trees.

7.8 With regard to landscaping, the public open space and orchard meadows and other green spaces provided would contribute positively to the appearance of the development. None of the valuable and healthy trees which contribute positively to the appearance of the site would be removed and the siting of proposed buildings would not interfere with their root systems or crown spreads. There is one tree proposed to be removed ('T4541') but this is deemed to be in poor health/decayed. Further tree planting would be provided in the shared open spaces and less formal planting in the gardens. The boundary treatments would comprise hedges to separate the plots from the shared open spaces as appropriate and simple post-and-rail fencing to separate the public open space from the open countryside to the north and also a new native hedge along the north boundary. Elsewhere within the site, timber hit-and-miss fencing (with gaps) would be used. A condition would be added requiring the exact design and finishing details of the fencing to a sufficiently high quality development. Fencing would be placed along the inner edge of the Tenford Lane hedgerow to help protect it and due to its height and design, this would not be prominent from the road. The hedge would be retained and enhanced.

7.9. The Tree Officer raised concern over the positions of three of the proposed soakaway grids due to their impact on tree roots. These were requested to be

repositioned. The officer has been consulted on the Feb 2022 revised drainage strategy and his comments will be reported at the meeting. Whilst the houses are not considered to lead to direct harm to tree roots, some of the houses are considered to be close enough to lead to pressure by occupants to cut them back or remove them to allow more light and a better outlook. The Feb 2022 amendments show the repositioning of a number of houses, particularly those on the south side of the distributor road close to the Tenford Lane hedge and tree line, which have been pushed closed to the distributor road and away from the lane. The Tree Officer comments on whether this is sufficient will be reported at the meeting.

7.10 A 3.0, high acoustic fence was formerly proposed on the west boundary to reduce noise from the adjacent dog kennels. However, as this no longer operates, there is no need for the fence and although “landscaped bund/acoustic fence” is annotated on the landscaping drawings, it is considered that solely soft landscaping should form this boundary in the interests of the appearance of the development.

7.11. The “empty cul-de-sac” where dwellings were formerly proposed but then subsequently removed at the most recent outline stage of the development (due to concerns that houses on this part of the site would be affected by kennels noise), has been removed from the February 2022 amended plans as appropriate and this area would be returned to a meadow and also managed.

7.12 Overall, it is considered that the scale, siting, design/appearance and landscaping of the development would respect the character and appearance of the area and would comply with Policy DC1.

### **The Impact on Residential Amenity**

7.13 Local Plan policy DC1 and paragraph 130(f) of the NPPF (2021) seek to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

7.14 Policy H1 of the Local Plan (2020) seeks to ensure that all new dwellings must be of sufficient size to provide satisfactory levels of amenity for future occupiers of the dwellings whilst respecting the privacy and amenity of occupiers of existing dwellings; and that all new dwellings should aim to provide flexible accommodation which is capable of future adaptation by seeking to achieve adequate internal space for the intended number of occupants in accordance with the Nationally Described Space Standards.

7.15 The Space About Dwellings SPG outlines separation distances between dwellings, both proposed and existing, and details the minimum garden size for dwellings in order to provide a sufficient level of private amenity space.

### **Amenity of Existing Residents**

7.16 The SPG requires minimum distances of 24.4 metres between rear elevations of houses and facing principle windows of other houses in the case of one of the houses being a 2-bed property (this is reduced to 22.0m in the case of both houses having three or more bedrooms). Minimum distances of at least 30 metres have

been achieved between the rear elevations of all of the proposed houses to the south of the distributor road and the front elevations of the existing houses on the south side of Tenford Lane, well in excess of the standards. In the Feb 2022 amendments, many of the proposed houses have been pushed closer to the distributor road increasing the distances between them and the Tenford Lane houses. Although the proposed houses would be built on land which slopes upwards from the lane, the ground next to the south boundary is not higher to the extent that a harmful level of overlooking from the upper rear windows would result to the detriment of the level of privacy enjoyed by the existing Tenford Lane residents. The distance standards are set out to prevent overlooking and not to preserve light provisions. The separation distances are such that there would be no significant light loss to Tenford Lane properties as a result of the new houses which would in any case be placed to the north of the Tenford Lane houses with no scope for blocking light.

### Amenity of Future Occupiers

7.17 The SPG requires minimum distances of 22.0m between opposing front elevations. This has been achieved for all proposed dwellings in the amended layout plans and there is therefore no concern over privacy levels for the new residents.

7.18 Although rows of dwellings would be placed in a slightly staggered formation to avoid too much of a uniform appearance of development, the 45 degree lines measured from main windows at the front and rear of the proposed houses would not be broken by neighbouring development and this is sufficient to allow adequate light into those new houses. This accords with the SPG.

7.19 With regard to private amenity space (in this case, rear gardens), the SPG requires mean lengths of 11.0 metres and minimum overall garden sizes of 65 sq.m, or 85 sq.m in the case of the 2-bed units. All of the rear gardens would exceed the size threshold. Some of the gardens would not reach mean lengths of 11.0 metres but are sufficiently wide to compensate for this. Overall, it is considered that each dwelling would have sufficient private garden space in the interests of the residential amenities of the residents.

7.20 All of the dwellings would meet the standards for internal space provided in accordance with the governments Nationally Described Space Standards and would therefore allow the future occupants satisfactory living conditions.

7.21 Overall, it is considered the scale, siting/layout and design of the development would not harm the existing or future residential amenities of the area and would comply with Policy DC1.

### **Details Submitted to Comply with the Planning Conditions Attached to the Outline Planning Permission.**

7.22 Although the Reserved Matters planning application deals solely deals with matters relating to the scale, siting, appearance and landscaping of development, further details have been submitted with this application to tackle some of the

conditions attached to the outline planning permission which require further information to be submitted to the Council for approval before works commence.

7.23 Condition 13 of the outline permission requires details of a surface water drainage scheme and a Sustainable Drainage (SuDs) system to be submitted for approval at the Reserved Matters stage. The details originally submitted were deemed by the local flood authority (Staffs County Council) to be insufficient. An amended drainage scheme has been submitted in February 2022 and SCC Flood Team has been consulted and their comments will be provided at the Committee meeting.

7.24 Condition 17 of the outline permission required a 'Landscape and Habitat Enhancement & Management Plan' (LHEMP) to be submitted with the Reserved Matters application and this was submitted with the application. Staffordshire Wildlife Trust and the Council's Trees and Landscape Officer were consulted on this. The Tree Officer approves of this in respect of the proposed planting/landscaping of the site but requires some alteration to the surface water drainage grid positions in relation to trees and some of the dwelling positions. Staffs Wildlife Trust (SWT) has requested further reports and information to be included in the LHEMP as set out in the consultation response above in this Committee report. The LHEMP has been revised as part of the Feb 2022 package of amendments and SWT and the Council Trees/Landscape Officer have been re-consulted and their comments will be reported at the Committee meeting.

### **Other Points**

7.25 The Feb 2022 amendments appear to be in line with the requests of the local highways authority (regarding garage and driveway sizes) and the Housing Officer who is generally supportive of the affordable housing provision, form and mix (in line with the outline approval and S106), subject to some smaller units handed over to be affordable units. The final comments of both those consultees will be reported at the Committee meeting.

7.26 A large number of objection letters were again received from local residents and most of the points raised related to matters decided at the outline planning application stage and hence have not been addressed in this report. With regard to the points raised in relation to the specific scale, layout, design/appearance and landscaping of development, these points have been largely addressed in Section 6 of this report. The surface of the proposed public open space paths can be determined as part of planning condition attached to the Reserved Matters approval.

### **Planning Balance & Conclusions**

7.27 The scale, siting/layout, design/appearance and landscaping of the development as shown on amended plans is acceptable in terms of the impact on the visual and residential amenities of the area and there appears to be no significant conflict with the outline permission and the planning conditions attached to it, or the Section 106 Agreement. Some specific details relating to drainage, tree impact and ecological enhancement still need to be resolved but these relate to the requirements of the planning conditions attached to the outline permission. The

proposed development is therefore recommended for approval subject to the final consultation comments following consultation on the February 2022 amended scheme and subject to conditions attached to any Reserved Matters approval as below.

## **8. RECOMMENDATION**

**A. That planning permission be APPROVED subject to the final trees, ecology, highways, affordable housing and drainage consultation comments.**

**1. The development hereby permitted including the landscaping of the site shall be carried out in accordance with the following approved plans:**

- AL(0)22 Revision C received on 9.2.22**
- AL(0)14 Revision A received on 9.2.22**
- AL(0)16 Revision A received on 9.2.22**
- AL(0)17 Revision B received on 9.2.22**
- AW0127 PL001 Revision A sheet 1 and 2 received on 9.2.22**
- AL(0)10**
- AL(0)11**
- AL(0)12**
- AL(0)13**
- AL(0)15**

**2. The landscaping of the site shall be undertaken before any part of the development is brought into use and in accordance with the written specifications of the plants including cultivation and other operations associated with plant and grass establishment, schedules of plants, noting species, planting sizes and proposed numbers/densities and also implementation timetables to be submitted to and approved in writing by the local planning authority.**

**Reason:-**

**To ensure the appropriate landscape design and in the interests of the visual and residential amenities of the area.**

**3. The implemented planting scheme shall be subsequently properly maintained in accordance with good horticultural practice; any plants which are removed, die, become diseased or otherwise fail to establish within 5 years of planting shall be replaced during the next available planting season and the replacements themselves shall then be properly maintained.**

**Reason:-**

**To ensure the appropriate landscape design and in the interests of the visual and residential amenities of the area.**

**4. 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 further development as specified in**

**Part 1 Class(es) AA,A, B, C, D, E and F or Part 2 Classes A to C shall be undertaken 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 protect the residential amenities of neighbouring residents.**

**5. The development hereby permitted shall not proceed above the damp proof course until details of types and colours of all facing, roofing, fenestration and rainwater goods finishing materials and hard surfaces including those of the proposed paths for the shared open spaces 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.**

**Reason:-**

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

**6. The benches and signage for the public open space hereby approved shall be installed in accordance with the approved drawings in Condition 1 before any part of the development is brought into use and in accordance with elevation drawings and details of finishing materials to be submitted to and approved in writing by the Local Planning Authority.**

**Reason:-**

**In the interests of the amenity value and appearance of the public open space.**

**7. The boundary fences hereby approved shall be installed in accordance with the approved drawings in Condition 1 including along the southern boundary of the site to the north side of the existing hedgerow alongside Tenford Lane before any part of the development is brought into use and in accordance with elevation drawings and details of finishing materials to be submitted to and approved in writing by the Local Planning Authority.**

**Reason:-**

**In the interests of tree and hedge protection and the overall appearance of the development.**

**8. Any further conditions recommended by the local highways authority, local flood authority, Severn Trent Water, Staffordshire Wildlife Trust and the Council's Tree/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.**

# Site Location Plan



