

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**27 September 2018**

<b>Application No:</b>	SMD/2018/0448	
<b>Location</b>	112 Draycott Road, Upper Tean	
<b>Proposal</b>	Reserved Matters application for one dwelling approved under outline permission SMD/2016/0511	
<b>Applicant</b>	Mr Mark Hammond	
<b>Agent</b>	Byatt Oliver Associates	
<b>Parish/ward</b>	Checkley	<b>Date registered</b> 17/07/2018
<b>If you have a question about this report please contact:</b> Chris Johnston. tel: 01538 395400 ex 4123 christopher.johnston@staffsmoorlands.gov.uk		

## **REFERRAL**

This application is to be decided at Planning Applications Committee because the applicant is related to a Member of SMDC (Councillor Bull).

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

<b>APPROVE with conditions</b>
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### **2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

2.1 The application site comprises part of a field immediately to the rear of an existing dwelling, No.112 Draycott Road which lies to the north of Draycott Road (a "C" classified road) about 1km to the west of the centre of Upper Tean village. The field is within the same property as the existing dwelling. The application site has an area of 0.1375ha although this includes the existing access driveway to the dwelling which would be shared with the proposed house. The actual plot has a size of about 0.08ha. The existing dwelling (a large bungalow) lies immediately to the west of the plot. Another dwelling, "The Rocks", which is a separate property with a separate access further along Draycott Road, lies to the east. The plot is on land which slopes downwards from an embankment and trees to the side of Draycott Road, towards a stable block and disused manure (within the same property) to the north. Although there are other dwellings close to the site, the surrounding area has an open and rural character and appearance and the site is defined in the Council's Core Strategy as being within the "open countryside" but is not in the Green Belt.

### **3. DESCRIPTION OF THE PROPOSAL**

3.1 This is a Reserved Matters planning application which seeks approval for the access, scale, siting, design/appearance, access and landscaping (i.e.

all the reserved matters) for a dwelling which was granted outline approval (with all matters reserved), following the April 6<sup>th</sup> 2017 Planning Applications Committee meeting. The proposed dwelling would have two storeys, four bedrooms and would have a conventional brick and tiled roof design, with side-facing gable ends. The main two-storey footprint of the house would be 12.6 x 7.4 metres and with a height of 8.3 metres. A single-storey double-garage would be attached to the front wall (which faces the road to the south) to give the dwelling an overall L-shaped footprint.

3.2 Due to the sloping nature of the land (sloping downwards from the road to the open fields towards the north), the plans include existing land levels and sectional drawings of the development showing finished floor levels. The existing access road to the existing bungalow splits after the gate and to the left leads past the south elevation of the bungalow towards some existing stables. This driveway would be extended up the slope to the east side of the bungalow leading to the garage and a parking area, with four spaces, close to the south (road-side) boundary of the site. There is no new planting proposed although the drawings show grass/lawn areas and there would be some hard-surfacing around the house. The original plans showed a rear balcony but this has been removed from the scheme.

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

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=124818>

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

SMD/2016/0511: Outline approval for one dwelling.

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

5.1 The Development Plan comprises:

- Saved Local Plan Proposals Map / Settlement Boundaries (adopted 1998).
- Core Strategy Development Plan Document (adopted March 2014)
- The Minerals Local Plan (adopted December 1999) Saved Policies 2007
- Staffordshire & Stoke on Trent Joint Waste Core Strategy (adopted March 2013)

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

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- SS6c Larger Villages Area Strategy

- SS6c Other Rural Areas Strategy
- H1 New Housing Development
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- R2 Rural Housing
- T1 Development and Sustainable Transport

### 5.3 Emerging Staffordshire Moorlands Local Plan

#### National Policy Guidance

Paragraph 48 of the newly adopted NPPF states that:

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

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

#### Local Plan process

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

In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public will now be held this Autumn in order to determine whether the Local Plan is sound and legally compliant. Subject to the findings of the appointed inspector, the Local Plan is expected to be adopted in the Spring of 2019. At this point, it will supersede the adopted Core Strategy and become part of the statutory development plan for the District.

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

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the Council has submitted it to the SoS for examination
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question. The Officer Comments section of this report identifies the level of outstanding

objections to each policy and recommends the amount of weight to be given to them at this stage in the process

- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

### Emerging Policies

The following policies are considered to be relevant to this application:

SS1 Development Principles

SS1a Presumption in Favour of Sustainable Development

SS8 Larger Villages Area Strategy

SS10 Other Rural Areas Strategy

H1 New Housing Development

DC1 Design Considerations

DC3 Landscape and Settlement Setting

T1 Development and Sustainable Transport

### Supplementary Planning Guidance (SPG)

- Landscape and Settlement Character Assessment (2008)

### National Planning Policy Framework (NPPF) (Revised July 2018)

- Chapter 5 - Delivering a Sufficient Supply of Homes
- Chapter 12 – Achieving Well Designed Places

### Other Relevant Policy Documents

National Planning Policy Guidance (NPPG)

## **6. CONSULTATIONS CARRIED OUT**

6.1 A site notice was displayed on 16.8.18 at the site entrance and letters were also sent out to neighbouring properties beforehand. No representations have been received.

### **6.2 Checkley Parish Council**

No response received.

### **6.3 Highways Authority**

No objection subject to a condition.

### **6.4 Severn Trent Water**

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

Severn Trent Water advise that there is a public sewer located within this site. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent. You are advised to contact Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building. Please note, when submitting a Building Regulations application, the building control officer is required to check the sewer maps supplied by Severn Trent and advise them of any proposals located over or within 3 meters of a public sewer. Under the provisions of Building Regulations 2000 Part H4, Severn Trent can direct the building control officer to refuse building regulations approval.

## **7. OFFICER COMMENT**

### **Planning Policy**

7.1 The Local Planning Authority is required to determine planning applications 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. The Council's Development Plan is formed of the Core Strategy Development Plan Document (adopted March 2014) and the Saved Local Plan Proposals Map / Settlement Boundaries (adopted 1998) remains in force until the Council's Development Plan Document is adopted.

7.2 Core Strategy Policy SS1a establishes a 'Presumption in Favour of Sustainable Development' as contained within the National Planning Policy Framework (the Framework) 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 that Framework indicate that development should be restricted.

### **Background**

7.3 The principle of a single dwelling on this particular site was accepted on granting outline approval in 2017. It would remain to be a sustainable form of development subject to the particular size and design of the development and therefore the impact on the character and appearance of the area, residential amenity and highway safety would need to be assessed when considering the reserved matters details put forwards.

7.4 In the April 2017 Committee report for the outline application for one dwelling, the following was stated:

*“From the main road, the site is very well screened by the road-side embankment to the south with trees and also the presence of existing dwellings to the west and east. These features also help to screen the site from views from the south as well as the east and west. The nearest public footpath is a considerable distance to the north-east and there is also a road within 500m to the north (Breach Road). However, a dwelling on the site would not be harmfully prominent when viewed from the road and public footpath, especially given the close proximity of other buildings including the much larger former cattle breeding centre buildings to the north of the site. The proposed dwelling would be placed in an “infill” plot between two dwellings. It is not considered the character and appearance of the surrounding area including the wider rural landscape would be significantly harmed by the presence of another dwelling in this particular location.”*

7.5 It was also stated in the report that *“there is a mixture of styles and sizes of dwelling in the area including the modern form of the bungalow to the west and the traditional two-storey Victorian farmhouse form of the dwelling to the east. It is considered there is potential to accommodate a building on the site with a scale and design which would harmonise with the area.”*

### **Design and Layout considerations**

7.6 There have been no significant changes to the area since outline approval was given. The particular design of the dwelling does differ from other nearby houses but there is no prevailing design type or type of dwelling in the area, which in terms of the built environment, is mixed. The existing dwelling to the west is a bungalow but the dwelling to the east is a two-storey farmhouse on higher ground. The proposed height of 8.3 metres is not excessive in this area and would not lead to a harmfully visually intrusive dwelling in the landscape. The site is well screened, as outlined in the above, and the dwelling would also benefit from this screening. The red brick and tile form of the house is not out of keeping in the area as there other nearby dwellings with similar materials and roof shapes. The footprint of the dwelling would also not dominate surrounding plots and there would be adequate land around the house to be enjoyed by the occupants.

7.7 There is no significant new planting proposed, but vegetation screening is already good and further planting is not considered necessary to help the development blend in with the landscape. The parking spaces are close to the row of mature trees marking the south road-side boundary of the site and the Tree Officer has been asked to comment on whether the parking area would be likely to harm tree roots. His comments will be reported at the meeting.

### **Impact on Residential amenity**

7.8 With regard to residential amenity, the farmhouse to the east, “The Rocks” would remain on higher ground than the proposed dwelling and views would be largely blocked by the presence of large outbuildings belonging to

The Rocks. The side wall of the proposed dwelling would in any case be at least 3.0 metres away from the rear west-facing elevation of The Rocks dwelling. There are east-facing windows on the existing bungalow which would face the proposed dwelling but a distance of at least 16.0 metres is maintained between those windows and the side wall of the proposed house.

### **Highway Considerations**

There is no objection raised by the Local Highways Authority. The access point with the main road is safe and can accommodate an increase in vehicle usage as a result of the new dwelling. The submitted plans shows a double garage and four parking spaces served by a sufficient turning area. Overall it is considered that there would be no harm to highway safety or any adverse impact on the operation of the local road network. Accordingly the proposed development complies with Policy T1 and DC1

## **8. CONCLUSION & PLANNING BALANCE**

8.1 Although the particular design of the dwelling is conventional, it does not harm the character and appearance of the surrounding area which has a mixture of buildings from differing eras. The site is in any case well screened from the public realm. The proposed dwelling, would also remain a sufficient distance from the two neighbouring dwellings and despite the presence of a large balcony, the proposed development would not lead to a harmful loss of privacy or light provision affecting neighbours. There would be sufficient parking and turning areas proposed and the overall development would not appear as an overdevelopment of the site. The reserved matters details for the approved dwelling are therefore, subject to the comments of the Tree Officer regarding the impact of the parking area on tree roots, recommended for approval.

## **9. RECOMMENDATION**

**A. That the application be APPROVED subject to the following conditions:**

**1. The development hereby approved shall be carried out in complete accordance with the submitted plans and specifications as follows:-**

**5405-004 Revision B  
5404 - 005**

**Reason:- To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.**

**2. All existing trees on the site shall be retained unless otherwise approved in writing by the Local Planning Authority.**

**Reason:- In the interests of protecting the trees which contribute positively to the character and appearance of the area.**

**3. Before the commencement of development, details of all facing and surfacing materials for the development in terms of their type, colour and texture and all boundary treatments shall be submitted to and approved by the Local Planning Authority.**

**Reason:- In the interests of the character and appearance of the area.**

**4. All remaining ground surface areas of the site outside of the development shall remain or become grass or planted areas.**

**Reason:- In the interests of the appearance of the site and the landscape**

**5. The development hereby permitted shall not be brought into use until the parking and turning areas have been provided in accordance with the approved plans. The parking and turning areas shall thereafter be retained unobstructed as parking and turning areas for the life of the development.**

**Reason:- In the interests of highway safety.**

**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 Operations Manager - 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.**

### **Informatives**

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

2. The applicant is reminded that further details are required to be submitted in response to Conditions 7 and 8 of the outline permission (SMD/2016/0511) relating to drainage and surfacing materials.

