

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

14 July 2022

Application No:	SMD/2021/0793	
Location	128 Churnet Valley Road Kingsley Holt ST10 2BQ	
Proposal	Proposed Demolition of existing bungalow & development of 3 dormer Bungalows	
Applicant	Mr. P. Hammond	
Agent	Mr. D. Byatt Byatt Oliver Limited	
Parish/ward	Kingsley Parish	Date registered 16/12/21
If you have a question about this report please contact: Mrs L. Jackson tel: 01538 395400 ex 4125 lisa.jackson@staffsmoorlands.gov.uk		

REFERRAL

The application is brought before Planning Committee at the request of Cllr J. Aberley.

1. SUMMARY OF RECOMMENDATION

That the application is refused.

2. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

2.1 The site is number 128 Churnet Valley Road, Kingsley Holt, a large, white/cream rendered, hipped roof, detached bungalow which sits within a large plot of land. There is garden space to the front/rear and boundaries are marked with hedgerows and timber fencing. Vehicular access is directly off Churnet Valley Road. There are dwellings to the north and south (linear arrangement) and dwellings to the rear which form the Sidney Drive development.

For the purposes of planning policy consideration the application site is located within an area having an 'open-countryside' designation but does not lie within the Green Belt. The site is within a low-risk coal development area. There are no nearby Listed Buildings/structures, protected trees or Conservation Areas which need to be considered.

3. DESCRIPTION OF THE PROPOSAL

3.1 This is a Full planning application for the erection of three detached dwellings. On the ground floor there would be accommodation in the form of a bedroom, study, bathroom, utility and open-plan kitchen/dining/living room. On the first floor there would be a further two bedrooms and a bathroom. Each dwelling would have off-road parking space and a rear garden. The plans show that vehicles can be turned within the curtilage to allow exit in a forwards gear. There would be a total of three dropped kerbs to serve the development. The central dwelling is a 'handed' version of the other two properties.

3.2 The application, the details attached to it, including plans, documents and consultation responses can be found on the council's website at:-

<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet>

4. RELEVANT PLANNING HISTORY

None

5. PLANNING POLICIES RELEVANT TO THE DECISION

Staffordshire Moorlands Local Plan

SS1	Development Principles
SS9	Smaller Villages Area Strategy
SS11	Churnet Valley Strategy
H1	New Housing Development
DC1	Design Considerations
DC3	Landscape and Settlement Setting
T1	Development and Sustainable Transport
Appendix 2	Parking Guidance

Supplementary Planning Guidance

1. Space About Dwellings.
2. Design Principles for Development in the Staffordshire Moorlands. New Dwellings and Extensions to Dwellings.

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide.

National Planning Policy Framework

Including sections;

- 2: Achieving sustainable development.
- 5: Delivering a sufficient supply of homes.
- 6: Building a strong, competitive economy.
- 9: Promoting sustainable transport.
- 11: Making effective use of land
- 12: Achieving well-designed places

National Planning Policy Guidance

6. CONSULTATIONS CARRIED OUT

Neighbour Notification:	Expired
Site Notice:	Expired

Kingsley Parish Council: Object. Over development for the size of the plot and negative visual impact on neighbouring properties.

Staffordshire County Council Highways: No objections to the amended plans subject to conditions.

Severn Trent Water: No objections.

Waste Services (SMDC): No issues regarding waste collections.

Coal Authority: The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

Environmental Health (SMDC): No objections subject to conditions.

Public

A total of 8 objection representations have been received. 4 representations relating to the original set of drawings and 4 representations relating to the amended drawings.

Representations are summarised as follows;

Original scheme

- Overdevelopment and does not fit in with surrounding properties;
- Three houses crammed into the site with limited space around each;
- Existing bungalow faces the road and should be behind the building line;
- Proposed properties sit at right-angles to existing buildings and not fit in well with the street scene;
- Surrounding properties are front facing and surrounded by their own gardens;
- Will look out of place in a village;
- Existing bungalow is structurally sound and could be modernised;
- No justification for demolishing the existing bungalow at time when we should be seeking to reduce pollution and the negative impact on our environment.
- Two extra entrances would be of concerns for road safety reasons;
- Resident queries the answers to a number of questions on the application form.
 1. The property has been vacant for a few months;
 2. Many existing parking spaces;
 3. There were established trees and hedges on the site which were cut down on th December 2021;
 4. Only one main sewer at the property, presumably more than one will be needed;
- Too close to the boundary and will affect light;
- Boundary line touches neighbours property but there is a path next to the house;
- Existing parking problems in the village, these houses could mean 9 more vehicles;
- Previous new builds look like mini-car parks;
- Pavement parking causes obstruction and congestion;

Revised scheme

- Severe over-development of the site;
- Amended scheme still shows three houses crammed into the plot and very little space around each of them;
- These are houses as they show bedrooms upstairs, not bungalows. Bungalows have one level;
- Houses will have a greater occupancy level than bungalows;
- Disproportionate to surrounding traditional properties;
- Development would fit into a town/city scape;
- Surrounding properties built in the 1920's with established hedges and trees;
- Surrounding houses are front facing with their own gardens;
- Negative visual impact in the village;
- Height of the houses together with density will be visually detrimental to the village;
- Existing bungalow should be updated, it is a structurally sound building and it is unnecessary to demolish it. Should be seeking to reduce pollution and the negative impact on our environment.
- This is an original area of the village which needs to be reflected in the plan;
- Do not want to encourage any more vehicles on the road;
- Occupants more likely to reverse onto the busy road than turn around in a tight space at the front of their house;
- Ongoing road speed problem;
- Within the surrounding 2-3 miles there are several housing estates already under construction.

7. POLICY CONTEXT, OFFICER COMMENT, PLANNING BALANCE AND CONCLUSION

Policy context

- 7.1 As with all applications, the Local Planning Authority 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 Paragraph 11 of the National Planning Policy Framework (NPPF, 2021) promotes a 'presumption in favour of sustainable development'. For decision takers this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless: i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.
- 7.3 At present the Council cannot demonstrate a 5 year supply of housing. The supply figure was 4.21 Years as at 1st April 2021. Accordingly, the policies which are more important for determining the application are out-of-date and the presumption in favour of sustainable development is engaged.
- 7.4 Paragraph 8 of the NPPF (2021) identifies three dimensions to sustainable development as being economic, social and environmental. Staffordshire Moorlands

Local Plan policy SS1 outlines 'Development Principles,' stating that the Council will expect the development and use of land to contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands in terms of delivering, in partnership with other agencies and services.

- 7.5 Local Plan policy SS9 seeks to enable limited new housing development including small infill schemes. The Local Plan also states that within the 'Smaller Villages Areas' there is allowance for an 'appropriate level of sensitive development' and that 'development will be strictly controlled in order to ensure that the character and life of the settlement is not undermined.'
- 7.6 Local Plan policy H1 states that 'all housing development should be at the most appropriate density, compatible with the site and its location, and with the character of the surrounding area.' Policy H1 is also relevant in that 'all new dwellings should aim to provide flexible accommodation' and '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.' Outside of development boundaries there is support for 'limited infill residential development of an appropriate scale and character.'
- 7.7 Relevant to this application are the parts of Local Plan policy DC1 'Design Considerations' where;
1. All development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area;
 2. Development should be of a high quality and add value to the local area;
 3. 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;
 4. Development should protect the amenity of the area, including creation of healthy active environments and residential amenity, in terms of satisfactory daylight, visual impact, sunlight, outlook, privacy, soft landscaping as well as noise, odour and light pollution; and
 5. provide for safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use.
- 7.8 Policy DC3 concerns itself with protecting and, where possible enhancing local landscape and the setting of settlements as well as resisting development which would lead to prominent intrusion into the countryside or have a significant adverse impact on the character or the setting of a settlement.
- 7.9 Local Plan policy T1 sets out that 'all new development is located where the highway network can satisfactorily accommodate traffic generated by the development,' and that consideration of parking should be carried out in accordance with the parking guidance set out within Appendix 2.

Officer Comments

- 7.10 The application site is located within an area designated as open countryside, but is not within the Green Belt. The land lies within a 'Smaller Village' and is clearly identifiable as forming part of the Kingsley Holt settlement, therefore triggering consideration of Local Plan policy SS9. The land has existing residential use, is not a green field site and can easily be classed as an 'infill' plot. As such there are no 'in principle' objections to the application. Matters to consider therefore include design

and visual impact (character and appearance), amenity standards, highways, drainage and the coal development area (low-risk) in which the application site sits.

Design and visual impact (character and appearance)

- 7.11 The application site is clearly viewed in the context of the liner arrangement of dwellings on either side (north and south) of the plot. Surrounding houses are mainly of two-storey height, many having roadside facing, feature gables projecting from their principal elevations. Brick and render are prominent building materials. Following on from negative officer feedback about the scheme which included highways concerns, design and layout of the site, the architect has amended the design of the dwellings in an attempt to better associate them with the appearance of surrounding houses. The result is that the properties now have ridges aligned in a north-south direction (matching other properties along this stretch of road) and no longer have roadside facing, over-wide gables. The gables on the principal elevations attempt to tie in with the gable design features of surrounding dwellings. In terms of their design, these properties are now much improved.
- 7.12 As previously mentioned, the application site is seen within the clear context of its neighbouring properties and is visually prominent within the street scene. The spatial character of the properties along this stretch of Churnet Valley Road (between the Sidney Drive junction to the south and the Hillcrest Avenue junction to the north), is very much that of a detached or semi-detached properties sitting within generously sized grounds, facing towards the road and respecting the building line. There is generous space between existing buildings and where there are semi-detached houses, there are good spaces between the blocks.
- 7.13 There are concerns that this scheme does not comply with the spatial character of the area between the Sidney Drive and Hillcrest Avenue dwellings. The scheme proposes three houses within the plot, all of which are angled in relation to the road-line and sat within approximately 1.2m of each other. The close proximity of the buildings together with their respective heights of approximately 6.9m-7m and deep gables means that the development would appear cramped within the plot and take on a terraced affect within a row of properties which otherwise have good spaces between them. Due to the close proximity of the proposed dwellings to each other, users of the road would view the development akin to one continuous block or terrace which would be at odds with the prevailing character of the existing line of dwellings.
- 7.14 Members will note that the proposed Site Layout Plan clearly shows a development which is at odds with its surroundings in terms of dwelling positioning within the plot. Whilst the Site Layout Plan does mark a building line, it is clear to see that the proposal would not replicate the existing character as only one corner of each property would be positioned near to it. A further result of 3 dwellings within the plot is that fact that each house will have large swathes of hardstanding in front of it to accommodate parking and turning. The plans do show areas of front garden, but in reality (at approximately 2.5m wide) the grassed areas will do very little to break up the mass of solid surface which will stretch along the front of the 3 properties, in particular between the central and southern plots where the dwellings and drives are 'handed' there would be the visual appearance of a double sized vehicular opening.
- 7.15 It appears that the proposed dwellings are angled so as to attempt to fit 3 dwellings into the plot. This again is out of character where surrounding dwellings have rectangular shaped plots facing directly towards the road. All of the above concerns

were relayed to the architect and officer's suggested that a reduction in the number of units from 3 to 2 may allow for the character concern to be overcome. The applicant has declined to reduce the number of units, requesting that Members consider the scheme on the basis of 3 units.

7.16 The architect has made reference to a development further to the south (07/00335/FUL) which he says is used as a point of reference for the layout of this proposal. Each application must be judged on its own merits. Nevertheless, it is not felt that 07/00335/FUL application can be used as any sort of precedent. Although the dwellings within the '2007' scheme are slightly angled towards the road, this is a different plot with different characteristics to the one now being considered by Members. The 2007 consent is a plot which is near to a bend in the road and although the dwellings are staggered within their plots, the visual impact of this difference is not as significantly out of character as what would be the case in the event of the current application being supported. In effect (when travelling south) the 2007 consent commences the change in dwelling positioning to reflect the curve on the road, they are not viewed in the context of a well established 'straight' building line/street scene unlike the current application site. Furthermore, these properties also show the visual effects of large areas of hardstanding and whilst the parking arrangements do not look particularly out of place here (due to the large drives and open plan nature of the frontages to the north), this arrangement wouldn't be acceptable for the scheme now being considered for the reasons set out above where vehicular accesses are separated by boundary treatments including planting. The plans state that the entire roadside hedge, spanning the full width of the plot is to be removed to allow for visibility. In terms of highway safety this would be acceptable but in terms of visual character it will have a harmful impact.

7.17 Overall, the proposal presents a "cramped" form of development which would be out of keeping with the spacious character of the street scene, the adverse effects of which would be compounded by the expanse of hardstanding and car dominated frontage to the road. Officers have previously indicated that a scheme of 2 dwellings would be more appropriate but the applicant has declined to amend the scheme.

Amenity standards

7.18 The Space About Dwellings (SPG) sets out the considerations in respect of the standards required for new build dwellings and also amenity impact upon surrounding residential dwellings and their occupants. Letters of representation have been considered and their contents noted. Assessment of the scheme shows that the proposed development does comply with the standards.

Highways

7.19 Each of the proposed dwellings would have their own off-road parking and turning spaces within their respective curtilages. The scheme provides at least 2 parking spaces per dwelling which complies with the Local Plan parking standards for a 3 bedroom dwelling. The County Highways officer recommended refusal of the original scheme for reasons including inadequate visibility. As a result of receiving the comments the applicant submitted further details. The County Highways officer now supports the scheme, recommending approval subject to conditions including securing visibility splays, surface water drainage, completion of accesses prior to occupation, surfacing and widening of the footpath,

Drainage

7.20 Severn Trent Water confirm they have no objections to the application but comment that there may be a public sewer located within the site. Severn Trent Water do not recommend any conditions.

Coal

7.21 The application site is not located within a Low-risk coal development area. The Coal Authority confirm that there is no requirement under the risk-based approach that has been agreed with the Local Planning Authority for a Coal Mining Risk Assessment to be submitted. It is recommended that in the event of Members approving the application that a Coal Authority Standing Advice informative is added to the decision in the interests of public health and safety.

Planning Balance and conclusion

7.22 It is concluded that there are no 'in-principle' objections to the residential development of this site. The land already has residential use and is within a well-established residential area. Notwithstanding the receipt of amended plans there are still significant concerns relating to the impact upon the spacious character and layout of the surrounding area in which the application site forms a part. Whilst it is noted that the council has an undersupply of deliverable housing land the net increase of 2 dwellings that this development would bring would be a minor addition to the housing supply. It is considered that the harm which would occur as a result of approving the scheme would be greater than and would significantly and demonstrably outweigh the benefits. The harm would occur in terms of adverse visual impact upon the open character and layout of the surrounding area.

8. RECOMMENDATION

- A. That the application is refused for the following reason(s);
- 1. The application site is clearly viewed in the context of the liner arrangement of dwellings on either side (north and south) of the plot which stand within generously sized grounds, facing towards the road and respecting the building line. The result of the close proximity of each of the three dwellings to each other, their heights and deep gables will result in a development which would appear cramped within the plot and take on a terraced affect which would be at odds with the prevailing character of the existing line of dwellings. Furthermore, the large swathes of hardstanding in front of the dwellings would have an harmful visual impact and cannot be considered to be good design. The application is therefore contrary to policies H1, DC1 and DC3 of the Staffordshire Moorlands Local Plan as well as the National planning Policy Framework including section 12 'Achieving well-designed places.'**
- 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/in formatives/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.



