1. REFERRAL

This application is to be determined at the Planning Applications Committee as the committee dealt with the outline application.

2. SUMMARY OF RECOMMENDATION

APPROVE, subject to conditions.

3. THE APPLICATION

3.1 The ‘revised’ reserved matters application seeks permission for matters of access, layout, scale, appearance and landscaping. It follows the approval for the outline permission ref. SMD/2016/0395 for the conversion of the retained dwelling ‘The Homestead’ into 4no. flats including partial demolition, the provision of car parking spaces and construction of 6 no. new dwellings, including car parking spaces and gardens. In addition, it approved the demolition works to the existing dwelling in respect of the two wings and ancillary outbuildings. Following discussions with the applicant, the further proposed works to ‘The Homestead’ have been withdrawn from this submission as they would require approval under the originally approved outline scheme and therefore cannot be determined as part of the reserved matters application.

3.2 The submitted layout plan demonstrates the siting of the six new build dwellings in relation to the retained dwelling ‘The Homestead’ (to be converted to four flats), together with refuse storage, hard surfacing and landscaping details. Together with the retained dwelling, it shows three pairs of semi-detached properties that are positioned in two opposing rows at a right angle to Gunn Street,
which is intervened by a central access road serving the parking spaces to the proposed flats and individual private driveways. The existing vehicular access from Gunn Street would remain as the proposed entrance into the site. Refuse storage is also detailed on the layout and overall the scheme is reflective of the outline submission. Following discussions with the applicant, the proposed frontage house type to John Street has been amended to a semi-detached ‘hipped roof’ 2-storey dwelling pair, which would assimilate better with ‘The Homestead’. The new build dwellings to the rear of the site would remain as two pairs of 2-storey pitched roof dwellings. All dwellings would consist of 3-bedrooms. Materials and hard surfacing have not been specified as part of this submission.

4. SITE LOCATION / DESCRIPTION

4.1 The 0.26ha previously developed site supports a large dwelling house within a generous plot fronting John Street (west) with a defined lawn to the rear. It has previously been stated that the property contains a separate self-contained apartment. To the rear and in close proximity to the property lies a range of traditional outbuildings. The site sits above the level of John Street and is well defined by hedging above stone walls. Beyond John Street and opposite is King Street. To the south of King Street, John Street is residential in nature defined by traditional terraced properties. The Doctors Close access forms the north ‘side’ boundary and is part of a cul-de-sac of four more ‘modern’ properties. To the south, the site is defined by Gunn Street, where current access is gained. At the east ‘rear’ boundary of the site is Kingsfield First School, which fronts Gunn Street. The post office depot on Gunn Street lies in close proximity.

4.2 The site is located adjacent to, but outside of the Adopted Biddulph Area Action Plan Boundary and falls within the Biddulph Town Development Boundary and also the British Coal Consultation Area. It is located on the periphery of the town centre and the area can be described as mixed use in nature.

5. PLANNING HISTORY

07/01036/OUT Residential development of 9 no. dwellings. Refused.

07/01559/OUT-MJ Residential Development (Outline) including demolition of existing buildings. Approved with conditions.

SMD/2016/0395 Outline planning permission with all matters reserved for conversion of existing dwelling into 4no. flats including partial demolition, provision of car parking spaces and construction of 6no. new dwellings including car parking spaces and gardens. Approved with conditions.
6. CONSULTATIONS

<table>
<thead>
<tr>
<th>Consultee</th>
<th>Comment</th>
<th>Officer response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Biddulph Town Council</td>
<td>It was noted that there have been a number of tweaks since the last application. Councillor Salt wished for the development to commence shortly as the site was derelict and dangerous. There were no objections and Councillor Salt abstained from the vote.</td>
<td>Noted. As discussed above, the proposed amendments to the 'The Homestead' have been withdrawn from the reserved matters scheme.</td>
</tr>
<tr>
<td>Local Highways Authority</td>
<td>No objections subject to conditions.</td>
<td>Discussed within the Technical Considerations Section.</td>
</tr>
<tr>
<td>Aboricultural Officer</td>
<td>Awaiting in respect of the proposed landscaping scheme.</td>
<td>Members will be updated at the meeting.</td>
</tr>
<tr>
<td>Ecology Officer</td>
<td>It is confirmed that the Ecological Construction, Mitigation and Enhancement Plan that accompanies the planning application addresses ecological issues at the site by appropriate avoidance, mitigation and compensation protocols.</td>
<td>Noted and will dealt with as part of a separate condition discharge submission.</td>
</tr>
</tbody>
</table>

7. REPRESENTATIONS

Expiry of:-
Neighbours: 8th November 2017
Site Notice: 21st November 2017
Press Notice: 6th December 2017

7.1 As a result of the publicity undertaken, a single representation has been received, which is detailed as follows:-

Ideally we should not wish to see housing being built on this site at all, but to see it return to the previous garden state with the return of the trees that have been removed. We are not convinced of a compelling demand for such housing in this vicinity. However, we understand the pressure the Council will be under to approve this application and so would earnestly request that conditions be applied and rigorously enforced, including:

- There should be no vehicular or pedestrian access on to Doctors Close, neither during construction or thereafter;
- The hedge between Doctors Close and the site must be maintained at no less a height and thickness than at present, and written into not only conditions of
approval for this building application, but thereafter into binding on-going sale/ownership requirements of the new houses;

- The ground level for the base of the new houses should be lower than the present ground level in order to reduce the obtrusive height of the upper floors and roofs;
- There should be no windows in the sides of the new properties facing Doctors Close, or if they are they should be small and made of frosted glass;
- During construction the site must be more secure than it has been over the last months, to avoid a repetition of children accessing a potentially dangerous building site, and,
- During construction neighbours should not be subjected to the noise of radios etc. nor any avoidable nuisance of machinery noise, dust, etc.

8. POLICIES

Adopted Core Strategy Development Plan Document (March 2014):

SS1  Development Principles
SS1a Presumption in favour of sustainable development
SS6c Other Rural Areas Strategy
SD1 Sustainable Use of Resources
SD2 Renewable/Low-Carbon Energy
SD3 Carbon-saving Measures in Development
SD4 Pollution and Flood Risk
H1 New Housing Development
H2 Affordable and Local Needs Housing
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework (NPPF)

National Planning Practice Guidance (NPPG)

7. OFFICER COMMENT

Policy Context

7.1 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.
7.2 The policies contained in the Framework as supplemented by the National Planning Policy Guidance (NPPG) are also a material consideration in the determination of this application.

Main Issues

7.3 The principle of residential development for six new build dwellings and the conversion of ‘The Homestead’ into four flats was established by the outline planning permission ref. SMD/2016/0395 whereby matters of locational sustainability, site contamination, highway safety and affordable housing provision amongst other matters were assessed and found to be acceptable. In these circumstances, the main issues relate to whether the proposal comprises of sustainable development having regard to detailed layout and appearance matters as is discussed below.

Highways

7.4 Paragraph 32 of the NPPF states: ‘Plans and decisions should take account of whether: the opportunities for sustainable transport modes have been taken up depending on the nature and location of the site, to reduce the need for major transport infrastructure; safe and suitable access to the site can be achieved for all people and improvements can be undertaken within the transport network that cost effectively limit the significant impacts of the development. Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe’ as is reflected within CS Policy T1 ‘Development and Sustainable Transport’.

7.5 The approved outline scheme established the principle of a means of access into the site from the existing access point from Gunn Street, as well as showing sufficient car parking (2 spaces per dwelling) and refuse storage facilities. This approach has been reflected in the detailed reserved matters proposal. The Highways Officer maintains his support for the scheme and the relevant highway conditions as attached to the outline permission will need to be discharged by the applicant. Local Highways Authority comments are awaited in respect of minor revisions secured to the proposed access and Members will be updated at the meeting. As a consequence, there would be no significant conflict with CS Policy TR1 or with the guidance of the NPPF.

Design / Layout

7.6 CS Policy H1 ‘New Housing Development’ states ‘all development will be assessed according to the extent to which it provides for high quality, sustainable housing … and the strategy for the area having regard to the location of the development, the characteristics of the site … All housing should be the most appropriate density compatible with the site and its location, with the character of the surrounding area …’. The specific design policies of the CS also seek to promote local distinctiveness by means of good design. Policy DC1 sets out design criteria relating to new development to reinforce local distinctiveness and positively contribute to the area as is similarly reflected within the NPPF.

7.7 The outline planning permission represents a hybrid scheme, which secured the ‘full’ change of use, minor elevational works and demolition works to the existing
dwelling ‘The Homestead’ to 4 individual flats. In respect of the new build element of the scheme, the layout plan shows the development arranged in two rows divided by a central driveway accessed from Gunn Street and reflects the indicative outline scheme. The preservation of the John Street frontage is achieved with a setback positioning of an “outward looking” semi-detached hipped roof dwelling pair proposed alongside the retained dwelling. In addition, the new frontage dwellings would appear subordinate in form to ‘The Homestead’ in respect of its smaller scale and set down positioning owing to lower site levels within this aspect of the site. The existing and proposed dwellings would oppose the two pairs of semi-detached dwellings, which back onto the school within the eastern half of the site. Overall, the 2-scale of development proposed is considered to be appropriate both in terms of its visual relationship to the ‘Homestead’ as well as the surrounding context of residential and school built development.

7.8 Driveway parking is proposed to the new dwellings with a parking court proposed for the conversion scheme. Landscaping details provided show the retention of the boundary hedge to the external boundaries of the site together with tree planting to the John Street and Gunn Street frontages. Soft landscaping areas proposed aim to break up and soften the hardstanding / road within the core of the site. The Council’s Aboricultural Officer’s comments are awaited on this aspect of the scheme and will be reported to Members at the meeting. The scheme as proposed demonstrates a well-designed housing scheme within its context. This will of course be subject to securing appropriate hard surfacing and facing materials via a suitably worded planning condition. As a consequence, the proposal accords with CS Policies H1 and DC1 and the guidance of the NPPF.

**Amenity**

7.9 National planning policy dictates that at the heart of its core principles, planning should always seek to secure a good standard of amenity for all existing and future occupants of land and buildings. This is further re-iterated in CS Policy DC1, which seeks to protect residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping as informed by the Council’s ‘Space about Dwellings’ SPG.

7.10 The change of use of the existing building ‘The Homestead’ would have no greater impact on the amenity of neighbouring occupiers than the existing situation as was discussed within the committee report for the approved outline scheme. In respect of the approved conversion, the new windows in the rear elevation would oppose the new build dwellings (plots 9 and 10) with an intervening distance of no less than 22.0m. The proposed separation distance between Plots 5 & 6 and Plots 7 & 8 would be some 28.0m. These privacy distances within the site are found to be acceptable. A levels condition would ensure an appropriate relationship of the proposed dwellings within the site to adjoining property.

7.11 In respect of those existing dwellings on Doctors Close, the nearest proposed dwelling within the southeastern corner of the site adjoins the boundary of no.5. At its closest point, the side elevation of the proposal would be some 10.0m away from the front / side corner of no.5 and is acceptable in these circumstances in terms of overbearing and loss of sunlight considerations. The side elevation windows to the new build dwellings would contain no principal windows as they would relate to the ground floor utility room and 1st floor ensuite, however, it would be reasonable to secure obscured
glazing to the first floor onsuites to maintain a sense of privacy. This is particularly relevant in terms of the relationship between proposed plot 7, which is set forward of no.5 Doctors Close. Concerning suitable private amenity space, plots 5 and 6 propose such garden space to the John Street site frontage owing to the rear drive arrangement. On balance, this is considered to be acceptable in view of the existing screening offered by the mature hedging behind stone wall, which would be retained as part of the outline scheme. In addition, permitted development rights would be removed in respect of controlling outbuildings etc. Construction concerns are dealt with via a Construction Management Plan condition as attached to the outline scheme.

7.12 As a consequence, the proposed layout and appearance details shows that this medium density new build scheme can provide for adequate amenity standards in relation to the Homestead and other neighbouring properties. In these circumstances, the proposal accords with such requirements in relation to CS Policy DC1 and the NPPF.

8. PLANNING BALANCE & CONCLUSION

8.1 The scheme would provide clear social and economic benefits in relation to the provision of housing within an accessible, sustainable location in a housing supply context of significant under provision. The proposal is located within the development boundary where there is a presumption in favour of development. No harm would arise in respect of the proposal in relation to character and appearance of the area, amenity and highway safety.

8.2 As such, the proposal would amount to sustainable development in the terms of the Framework and would therefore benefit from the presumption in favour of sustainable development as set out in NPPF paragraph 14. In addition, the proposal would accord with CS policies SS1, SS1a, H1, and DC1 and accordingly approval is recommended.

OFFICER RECOMMENDATION

A. Planning permission be granted subject to the following conditions:-

1. The development hereby approved shall be carried out in accordance with the submitted specifications and plans as follows: to be referenced. Reason: To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

2. The new build element of the development hereby permitted shall not be commenced until details, and samples if requested, of all roof tiles, facing materials, and details of the windows and doors and hard surfaces have been submitted to and approved in writing by the Local Planning Authority (LPA). The development shall be carried out in accordance with the details as subsequently approved in writing by the LPA. Reason: To ensure that the external appearance of the development is satisfactory.
3. The development hereby permitted shall not be commenced until details of the existing and proposed levels across the site and relative to adjoining land, together with the finished floor levels of the proposed building(s), have been submitted and approved in writing by the Local Planning Authority. There shall be no variation in these levels without the written approval of the Local Planning Authority. 
Reason:- In order to ensure the satisfactory appearance of the development and its relationship to adjoining properties.

4. The proposed side elevation windows at first floor in the eastern elevation of the proposal hereby approved shall be fitted with obscure glazing to level 5 (minimum) from the Pilkington range or equivalent and then shall be maintained and retained in perpetuity. 
Reason: To protect the amenity and living conditions of the adjoining residential property from overlooking or perceived overlooking.

5. 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 additional windows or any other openings shall be installed in any part of the development forming the side elevation of the dwelling, without prior written consent from the District Council as Local Planning Authority. 
Reason: To protect the amenity and living conditions of adjacent residential property from overlooking or perceived overlooking and the visual amenities in the area.

6. 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 development as specified in Part 1 Classes A; B; C; D; E; F and G and Part 2 Classes A and B other than those expressly authorised by this permission, shall be carried out 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, to ensure that adequate private or shared amenity space is retained within the curtilage of the building.

7. All hard and soft landscape works shall be carried out in accordance with the approved details and to a standard in accordance with the relevant recommendations of British Standard [4428 : 1989]. The works shall be carried out prior to the occupation of any part of the development or in accordance with a timetable to be agreed in writing by the Local Planning Authority. Any trees or plants that, within a period of five years after planting, are removed, die or become seriously damaged or defective, shall be replaced with others of species, size and number as originally approved, by the end of the first available planting season thereafter. 
Reason:- To ensure the provision, establishment and maintenance of a reasonable standard of landscape in accordance with the approved
designs.

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.

Informative

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 187 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.

9. APPENDICES TO THE REPORT

9.1 The link below to the Council’s website is where the detail of this application can be viewed.

http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=116218
Site Plan