

# Delegated Report for P/2013/00140

<b>Expiry Dates</b>	<b>Weekly List</b>	01/03/2013	
	<b>Neighbours</b>	28/02/2013	
	<b>Consultations</b>	28/02/2013	
	<b>Site Notice</b>	05/03/2013	
	<b>Newspaper Advert</b>	08/03/2013	
	<b>Application not Determined within Statutory Time Period - Reason</b>	N/A	
<b>Environmental Assessment</b>	<b>Screening opinion undertaken</b>	No	
	<b>Schedule 1 or 2</b>	N/A	
	<b>EIA Required</b>	No	
	<b>Government Documents</b>	National Planning Policy Framework	
	<b>RSS Policies</b>	-	
	<b>Other Policies/Guidance</b>	-	
<b>Relevant Planning Policies/Guidance</b>	<b>Saved Structure Plan Policies</b>	NC19, T1A	
	<b>Saved Local Plan Policies</b>	BE1, H6, T1	
	<b>Supplementary Planning Documents</b>	East Staffordshire Design Guide	
	<b>Other Policies/Guidance</b>	-	
	<b>Relevant History</b>	<p><b>PA/02885/027/JR/PO</b> - Erection of seven detached dwellings and one pair of semi detached dwellings, conversion of the first floor of existing dress shop including a two storey extension to form a single dwelling, associated garaging and alterations to existing vehicular access – <b>Approved</b> 01/07/2008</p> <p><b>P/2010/00267/EW</b> - Conversion of existing dwelling to form 3 terraced dwellings, including the erection of two storey rear extensions and canopies, raising of the roof height, the realignment of the front boundary wall and construction of a vehicular access – <b>Approved</b> 21/05/2010</p> <p><b>P/2010/01031/JI</b> - Application to vary the time limit condition relating to planning permission PA/02885/027/JR/PO dated 01/07/08 for the erection of seven detached dwellings and one pair of semi detached dwellings, conversion of the first floor of existing dress shop including a two storey extension to form a single dwelling, associated garaging and alterations to existing vehicular access – <b>Approved</b> 04/11/2010</p> <p><b>P/2010/01149/JI/PO</b> - Erection of seven dwellings and associated garages – <b>Approved</b> 21/12/2010</p> <p><b>P/2010/01231/EW</b> - Conversion of Ivy House into three no 3 bedroomed terraced houses including the erection of two 2 storey rear extensions and alterations to vehicular access and realignment of front wall and railings – <b>Approved</b> 03/12/2010</p> <p><b>P/2011/00205/EW</b> - Erection of 3 detached dwellings and 1 detached double garage – <b>Refused</b> 15/04/2011</p> <p><b>P/2011/01039/EW</b> – Erection of 3 detached dwellings and 1 detached garage – <b>Approved</b> 23<sup>rd</sup> December 2011</p> <p><b>P/2012/00971</b> - Erection of three detached dwellings and garage – <b>Approved</b> 26/09/2012</p>	

<p><b>Consultation Responses</b></p>	<p><b>Environment Agency</b></p> <ul style="list-style-type: none"> <li>- No comments</li> </ul> <p><b>ESBC Environmental Health Manager</b></p> <ul style="list-style-type: none"> <li>- No comments</li> </ul> <p><b>English Heritage</b></p> <ul style="list-style-type: none"> <li>- The application should be determined in accordance with national and local policy guidance, and on the basis of your specialist conservation advice</li> </ul> <p><b>SCC Highway Authority</b></p> <ul style="list-style-type: none"> <li>- No objections</li> </ul> <p><b>Severn Trent Water Ltd</b></p> <ul style="list-style-type: none"> <li>- No objections subject to the submission and approval of a scheme for the disposal of foul and surface water</li> </ul> <p><b>SCC School Organisation</b></p> <ul style="list-style-type: none"> <li>- The School Organisation Team wish to be consulted on any further applications at this site and may wish to make comment with regard to educational contributions</li> </ul>
<p><b>Abbots Bromley Parish Council</b></p>	<p>No objections</p>
<p><b>Neighbour Responses</b></p>	<p>The comments made by the occupiers of nearby dwellings can be summarised as follows</p> <ul style="list-style-type: none"> <li>- There is no provision for low cost housing on the site</li> <li>- The design of the properties is considered appropriate in the conservation area</li> <li>- Concerns regarding the proposed materials to be used – the proposed materials are not reflective of the prevailing architecture</li> <li>- The use of plain concrete tiles is not appropriate</li> <li>- Who was responsible for the safe removal and disposal of the asbestos present in the outbuildings that were demolished? Concerns regarding the process undertaken to remove the material</li> <li>- The boundary wall was removed between the site and the neighbouring property when the outbuildings were removed and to date it has not been replaced, which the neighbour finds unsatisfactory</li> <li>- What will the boundary treatment be along this stretch of the site? Whose responsibility will it be to maintain the boundary treatment that bounds the neighbouring property?</li> <li>- The site has not been secured and has been left open for children and others to access a potentially contaminated site</li> <li>- The neighbour who lives at the adjoining site has requested that the boundary treatment adjacent to their property be a brick wall as it was prior to the outbuildings being demolished</li> </ul>
<p><b>Human Rights Act Considerations</b></p>	<p>There may be implications under Article 8 and Article 1 of the First Protocol regarding the right of respect for a person's private and family life and home, and to the peaceful enjoyment of possessions. However, these issues have been taken into account in the determination of this application</p>

<b>Crime and Disorder Implications</b>	<p>It is considered that the proposal does not raise any crime and disorder implications</p>
<b>Equalities Act 2010</b>	<p>Due regard, where relevant, has been given to the East Staffordshire Council's equality duty as contained within the Equalities Act 2010</p>
<b>Engagement</b>	<p>The Local Planning Authority has taken a positive approach to decision-taking in respect of this application concluding that it is a sustainable form of development which complies with relevant development plan policies and material planning considerations including the National Planning Policy Framework. It is therefore considered that the Local Planning Authority has secured a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of Paragraphs 186 and 187 of the National Planning Policy Framework.</p>
<b>Planning Officer's Assessment</b>	<p>The site comprises a plot of land adjacent to the High Street within the Abbots Bromley Conservation Area.</p> <p>The proposal is for the erection of seven dwellings and associated garages.</p> <p>The site has had a number of previous planning applications, and this application seeks to revise the house types approved on plots 1 to 7 to reflect the design of the dwellings originally approved under planning application PA/02885/027/JR/PO.</p> <p>Policy BE1 of the East Staffordshire Local Plan states that planning permission will only be granted for proposals which are of high quality in design terms and which relate well to their surroundings.</p> <p>Policy H6 expands upon this aim with specific reference to residential development. It requires residential developments to integrate well with the surrounding buildings and have no adverse effects on neighbouring properties through overlooking or reduction of daylight or sunlight.</p> <p>Saved Policy NC19 of the Staffordshire and Stoke on Trent Structure Plan states that proposals within or adjacent to conservation areas should respect, protect and enhance their character and appearance.</p> <p>The principle of the proposed development is considered to be acceptable. The site is located within the Abbots Bromley Development Boundary and the development of the site is considered to be acceptable.</p> <p>With regard to the design of the properties and the layout of the proposed site, the designs are based upon the original approval at the site as submitted under planning application PA/02885/027/JR/PO.</p> <p>The layout of the properties and the proposed house types are considered to be appropriate and will enhance the character and appearance of the site and the Abbots Bromley Conservation Area in accordance with Saved Policy NC19 of the Staffordshire Structure Plan.</p> <p>The relationship between the proposed dwellings is such that there will not be any issues of overlooking and adequate private amenity will be available to each property.</p> <p>There will also be no issues of overlooking, loss of light or loss of private amenity to the existing adjacent dwellings in the vicinity.</p> <p>With regard to highway safety, it is considered that the layout of the site is acceptable and the visibility splays previously approved are adequate to support the development.</p> <p>In light of the above assessment, it is considered that the proposal complies with Saved Policies BE1, H6 and T1 of the East Staffordshire Local Plan, Saved Policy NC19 of the Staffordshire Structure Plan and the provisions within the National Planning Policy Framework (particularly Sections 7 and 12) and the East Staffordshire Design Guide.</p>

<b>Planning Officer's response to Parish Council</b>	None required	
<b>Conclusion  (Including Signature &amp; date)</b>	In light of the above assessment it is considered that the proposal complies with Saved Policies BE1, H6 and T1 of the East Staffordshire Local Plan, Saved Policy NC19 of the Staffordshire Structure Plan and the provisions within the National Planning Policy Framework (particularly Sections 7 and 12) and the East Staffordshire Design Guide	
<b>Section 106 required?</b>	2 <sup>nd</sup> April 2013  No	
<b>Draft Decision Notice checked by Planning Officer or Team Leader</b>		
<b>Team Leader Comments</b>		