

Delegated Report for P/2019/00998

Application Number	P/2019/00998	
Planning Officer	Andrew Huntley	
Site Address	Yoxall Lodge Scotch Hill Road Newchurch DE13 8RL	
Proposal	Erection of a replacement dwelling and detached triple garage and garden store and installation of package treatment plant (Revised Scheme)	
Expiry Dates	Weekly List	
	Neighbours	21/09/2019
	Consultations	18/09/2019
	Site Notice	24/11/2019
	Newspaper Advert	-
Application not Determined within Statutory Time Period - Reason	The application scheme required negotiation in order to achieve a positive outcome.	
Environmental Assessment	Screening opinion undertaken	No
	Schedule 1 or 2	No
	EIA Required	No
Relevant Planning Policies/Guidance	Government Documents	The National Planning Policy Framework The National Planning Practice Guidance
	Local Plan Policies	SP1: Sustainable Development SP2: Settlement Hierarchy NP1: Neighbourhood Plans SP8: Development Outside Settlement Boundaries SP24: High Quality Design SP29: Biodiversity and Geodiversity SP35: Accessibility and Sustainable Transport DP1: Design of New Development DP2: Designing in Sustainable Construction DP3: Design of New Residential Development DP4: Replacement Dwellings in the Open Countryside
	Supplementary Planning Documents	East Staffordshire Design Guide Parking Standards SPD Housing Choice SPD
	Other Policies/Guidance	Yoxall Parish Neighbourhood Plan
Relevant History	P/2019/00184 - Demolition of existing dwelling and erection of a replacement dwelling with detached garage. Withdrawn. P/2018/00689 - Application for a Certificate of Lawfulness for the erection of single storey side and rear extensions and the erection of two detached outbuildings. Approved 06/07/2018.	
Consultation Responses	Severn Trent Water: No objections.	
Parish Council	Yoxall Parish Council:	

Neighbour Responses	No comments received.
Human Rights Act Considerations	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.
Crime and Disorder Implications	It is considered that the proposal does not raise any crime and disorder implications.
Equalities Act 2010	Due regard, where relevant, has been given to the East Staffordshire Borough Council's equality duty as contained within the Equalities Act 2010.
Planning Officer's Assessment	<p>Proposal Planning permission is sought for the demolition of an existing dwelling house and erection of a replacement dwelling and the installation of a package treatment plant.</p> <p>The dwelling would have a maximum width of 32m and depth of 18m arranged in a 'L' shape. It would have a ridge height of 9.06m. The dwelling would provide a kitchen/dining/living room, a second living room, an en-suite bedroom, a laundry, dog room, study and plant room at ground floor and 4 bedrooms at first floor with en-suites. The dwelling would be constructed of brick. The proposed garage and garden store would be located to the north west of the proposed dwelling. The garage would accommodate three cars and be constructed of timber cladding and tile measuring 6.6m depth x 14.8m width x 6.5m in height.</p> <p>Site and Surroundings The application site is located is within open countryside off a private road from Scotch Hill Road in Yoxall. The application site consists of two storey dwelling located on a 100-acre parkland estate. The dwelling is constructed in red brick, the majority of which has been painted white. To the north of the dwelling are converted former agricultural buildings.</p> <p>Principle East Staffordshire Local Plan Policy SP1 lists principles in determining whether proposals constitute sustainable development. One principle is that proposals are located on, or with good links to, the strategic highway network, and should not result in vehicles harming residential amenity or causing highway safety issues. Another principle is that proposals are designed to protect the amenity of the occupiers of residential properties nearby, and any future occupiers of the development through good design and landscaping.</p> <p>The site lies outside of any development boundary (as defined by policy SP2), and as such Policy SP8 is of particular relevance in this instance. Policy SP8 provides criteria for development outside of settlement boundaries, proposals satisfying one of these criteria are then judged against several other criteria, which attempt to ensure that the impact of proposals upon the countryside is minimised.</p> <p>Policy DP4 of the Local Plan states that planning permission for replacement dwellings in the countryside will only be granted where;</p> <ol style="list-style-type: none"> i) The proposed new dwelling is not significantly larger than that which is replaces ii) The proposed new dwelling is not more intrusive in the landscape than that which it replaces iii) Residential use has not been abandoned iv) The replacement would not result in the loss of a building which displays the special qualities of a traditional rural building v) The replacement dwelling is more energy efficient than the original dwelling and where possible reuses building materials <p>It is considered that the principle of the proposal is in accordance with policies of the</p>

Development Plan. Whilst Policy SP8 only allows for development in the countryside in exceptional circumstances, Policy DP4 allows for replacement dwellings subject to adhering to the criteria above. The proposal is considered acceptable for the following reasons (and discussed in detail later in this report);

- i) The proposed dwelling is not significantly larger than that which it replaces
- ii) The proposal is not more intrusive in the landscape
- iii) The use has not been abandoned
- iv) The dwelling does not display any special qualities of a rural building
- v) The replacement would be more energy efficient than the existing dwelling

Visual Amenity

Policy SP24 requires new development to contribute positively to the area in which they are proposed and Policy DP3 provides criteria in terms of the design of new residential development and curtilage buildings, and for extensions of residential curtilages within the countryside. It is stated that extensions of residential curtilages within the countryside will only be permitted where they do not adversely affect the landscape character by intrusion of urban features.

Policy D1 of the Yoxall Neighbourhood Plan seeks to ensure that development in and around Yoxall village must protect, complement or enhance the historic rural character of the settlement and its hinterland, which is identified in the Yoxall Village Design Statement, Yoxall Character Analysis and Yoxall Conservation Area Appraisal.

Policy D2 states that new development must deliver good quality design.

The dwelling dates from the mid-twentieth century. Whilst of traditional design it is not worthy of retention. The existing dwelling has a floor area of 226m². However, a LDC was approved for extensions to the existing dwelling. The approved LDC scheme would result in the dwelling being extended to have a floor area 372m². It is accepted that this is a fall back position in the consideration of this proposal.

The scheme has been amended which has reduced the size of the proposal. The proposed dwelling would have a total floor area of 419m². While the proposed dwelling would be larger, it is not considered that it would be significantly larger than the existing dwelling when the approved LDC is taken into account.

The design of the existing dwelling is not of a high architectural quality and the proposed design of the replacement dwelling would improve the visual amenity of the site. The garage by virtue of its size, siting and design would not have a harmful impact on the character of the surrounding area

The replacement would be more energy efficient than the existing, which is positive gain. Given the above it is considered that the proposal meets the criteria contained within Policy DP4 of the Local Plan. There are no visual amenity issues in relation to the proposed treatment plant.

Residential Amenity

The NPPF states that Local Authorities should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.

Policy DP3 makes specific reference to residential development. It requires residential developments to have no materially adverse effects on neighbouring properties through issues including overlooking, loss of light to principal windows or private amenity space or create an overbearing impact.

The nearest residential dwellings are located approximately 50m to the north west of the site and therefore it is considered by virtue of this distance no harm to neighbouring residential amenity would occur.

In terms of the future amenity of residents the accommodation provided is satisfactory. An indicative floor plan has been provided which supports this. The dwelling sits in a large plot of land so the dwelling will have a generous amenity space.

	<p>Highway Safety and Parking The site is accessed off Scotch Hill Road by a private access road. It does not benefit from street lighting or pedestrian footway.</p> <p>Strategic Policy 35 Accessibility and Sustainable Transport of the East Staffordshire Local Plan states that new development must ensure appropriate infrastructure is provided to mitigate the adverse effects of development traffic and other environmental and safety impacts.</p> <p>Parking Standards SPD recommends that a four bedroom dwelling house is provided with three car parking spaces.</p> <p>There is ample space within the site to accommodate three or more cars as well as providing area for manoeuvring in the site to allow exiting on to the highway in a forward gear.</p>
	<p>Ecology Section 15 of the NPPF states that when determining planning applications Local Planning Authorities should aim to conserve and enhance biodiversity.</p> <p>Policy SP29 of the Local Plan states that in considering proposals the Council will seek to protect, maintain and enhance the biodiversity and geodiversity of the Borough and provides criteria by which to achieve this.</p> <p>A protected species survey report has been submitted with the application. The report states that there is good connectivity and ecological value within the surrounding landscape which offered valuable resources to a range of protected species suggesting their likely presence within the locality of the site.</p> <p>The proposed works were not considered to directly impact upon protected and notable species, however, when considering the value within the surrounding habitats it was considered possible that species may enter the site whilst commuting and naturally dispersing through the landscape in search of foraging, breeding and sheltering opportunities.</p> <p>The report makes suitable recommendations for sensitive working practices to ensure that the impacts to protected species remain negligible as part of the proposed works. In addition to this, recommendations in respect to lighting post development have been detailed to ensure impacts to nearby roosting bats remain limited.</p> <p>A bat and bird survey has also been included with the application. This showed that there were two Brownlong eared bats, one Soprano pipistrelle bats and one Common pipistrelle roosting in the building.</p> <p>The demolition of the property will have a negative impact on bats due of the loss of the roosting in the dwelling. However, with careful demolition and the inclusion of bat boxes into the scheme, the proposal would avoid harm to bats potentially present and provide replacement roosting.</p> <p>It is considered that subject to suitably worded conditions regarding working practices, bat boxes and lighting, the proposal would not have a detrimental impact on biodiversity or protected species.</p>
<p>Planning Officer's response to Parish Council</p>	<p>No response required.</p>
<p>Conclusion (including Signature & date)</p>	<p>However, the proposed replacement dwelling would not be significantly larger than the existing when taking into account the additions shown within the approved LDC application and would not have a harmful impact on visual amenity given its two storey nature within a large mature site.</p> <p style="text-align: center;"> </p> <p style="text-align: right;"> </p>

Engagement	During the course of consideration of this proposal the Local Planning Authority has negotiated with the applicant to ensure the development 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 worked proactively with the applicant to secure a development that improves the economic, social and environmental conditions of the area in accordance with the requirements of Paragraph 38 of the National Planning Policy Framework.	
Section 106 required?	No	
Draft Decision Notice checked by Planning Officer or Team Leader		
Team Leader Comments		

