DELEGATED DECISION REPORT

SMD/2016/0650 **Valid 30/11/2016**	**GREENACRES CLOUDSIDE CONGLETON**	**RETROSPECTIVE CHANGE OF USE FROM AGRICULTURAL TO RESIDENTIAL AND RETENTION OF GARAGE BLOCK, STORE AND HARDSTANDING** **(FULL - MINOR)**

MAIN ISSUES

- Whether or not the development is inappropriate development in the Green Belt.
- The impact on the openness of the Green Belt.
- The impact on the character and appearance of the area.

DESCRIPTION OF SITE

The site is in the open countryside a short distance to the south of "The Cloud" hill. It is also in the Green Belt. It comprises a farmhouse which has a side elevation facing the road to the east ("Cloudside"). There are other ancillary buildings close to the house. The site is surrounded by fields, some of which (to the west of the house) are within the same property as the application site.

PROPOSAL

The application is for the retention of a subterranean domestic garage structure with three bays and storage space, which has been formed into sloping land that rises upwards immediately to the rear of the farmhouse towards the west. The structure has a pink sandstone finish on the front elevation facing the house, including a parapet wall above the garage openings. The rest of the structure is concealed by the ground and the top of it has been grassed over, up to the parapet, forming part of the existing field. These works are unauthorised and as they lie outside of the domestic curtilage of the house (i.e. in the agricultural fields to the east of the house), the works require planning permission. This retrospective application seeks to authorise the works. The existing yard area between the house and the new garage has been re-surfaced with paving stones/bricks. As this area is already in the domestic curtilage the house, planning permission is not required for the re-surfacing.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives
SS1 Development Principles

SS1a Presumption in Favour of Sustainable Development
DC1 Design Considerations
T1 Development and Sustainable Transport
SS6c – Other Rural Areas Area Strategy

National Planning Policy Framework

Sections 7 (Design) and 9 (Green Belts)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None.

CONSULTATIONS

Publicity

Site Notice expiry date: 11.1.27
Neighbour consultation period ends: 21.12.16
Press Advert: N/A

Public Comments

None.

Town / Parish Comments

None.

OFFICER COMMENTS

New buildings are deemed to be inappropriate development in the Green Belt unless they fall under the limited criteria listed under paras 89 and 90 of the NPPF. The structure, which is for the purposes of domestic garaging and storage, does not fall under the criteria. The proposal is inappropriate development and should only be allowed if there are very special circumstances considered to outweigh the harm to the openness of the Green Belt or the operation of Green Belt policy.

I consider in this particular case, such circumstances exist. The structure is subterranean and is quite innovative in its design and fairly unique in this area. Although it is outside of the domestic curtilage, no agricultural land has been lost as the top of the structure has been turfed over and effectively forms part of the field. The built/solid aspects of the development are not visible when viewed from the open land up the slope to the west or from the north or south of the application site, other than a small parapet wall which rises slightly above the ground level of the extended field (over the garage) and due to the use of pink sandstone, the parapet would be seen against the backdrop of the house which has similar materials. The structure is also not visible from the road to the east, with the existing house blocking views both from the road and from further to the east. There are no nearby public footpaths from where the structure would be visible.

Although the domestic curtilage can be deemed to have been enlarged towards the open Green Belt, I do not consider the development has compromised the openness of the Green Belt as no open agricultural land has been lost and the built works are not visible from outside of the property or from public highways/rights of way. It would not lead to sporadic development in the countryside and increased domestic activity or above ground paraphernalia outside the established residential curtilage as the garage access is from the existing drive as the above ground front is only visible only within curtilage. There would be no additional driveway which would be more intrusive than the existing. Given that there is an existing dwelling on the site there would be no increase in the intensity of the residential use and the proposal would be no more unsustainable than the existing dwelling.

Due to the unusual nature of the development, I do not foresee the approval of it would lead to a precedent which would allow similar developments to be repeated in this part of the Green Belt, albeit that each application does have to be treated on its own merits.

Furthermore, the refusal of the application would lead to the removal of the development and the restoration of the land. As most of the works are subterranean, it is not certain how the land can be restored to result in an improvement in relation to the existing development in terms of appearance and the openness of the Green Belt. The only visible parts of the development are the sandstone walls dividing the entrance to the garage bays and as these mark the edge of the domestic curtilage, such walls can be built under permitted development without needing planning permission. If the application was refused, it therefore may not be expedient to undertake enforcement action.

CONCLUSION / PLANNING BALANCE

The existing works applied for are inappropriate development in the Green Belt. However, it is considered that very special circumstances do exist which outweigh the “harm” to the Green Belt and operation of Green Belt policy and therefore the development can be approved in accordance with Section 9 of the NPPF. It is an unusual development which does not significantly affect the openness of the Green Belt. I therefore consider the existing works applied for can be retrospectively approved and authorised.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 25.1.17

X B.J. Haywood

Signed by: Haywood, Ben

On behalf of Staffordshire Moorlands District Council