DELEGATED DECISION REPORT

SMD/2016/0494 **Valid 19/01/2017**	**FOX BROOK HOUSE** **SANDON ROAD** **CRESSWELL**	**PROPOSED SINGLE STOREY SIDE AND REAR EXTENSIONS AND TWO STOREY SIDE EXTENSION** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Is the proposal inappropriate development in the Green Belt?
- Would the proposal harm openness or result in any other harm to the Green Belt?
- Are there any other considerations that would outweigh harm to the green belt?
- Design and Appearance

DESCRIPTION OF SITE

In the Green Belt

Pre war, red brick, detached dwelling in a relatively isolated location at the end of an unmade track next to a water pumping station. Occupies a relatively large plot and sits opposite one other dwelling.

It is apparent that the original two-storey dwelling that sat on a square footprint has been extended with a whole new wing on the side that introduces a large gable feature on the front elevation. This pre existing extension ties into the hipped roof formation of the original dwelling. This extension was granted planning permission in 1985.

PROPOSAL

The proposal is to extend the dwelling again with a further two storey side extension adjacent to the existing gable that would have a greater width than that of the existing extension and have the effect of making the gable a central feature with wings on either side. On the other side of the dwelling and to the rear there would be single storey extensions.

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
SS6 Rural Areas Strategy
SS6c Other Rural Areas Strategy
DC1 Design Consideration
DC3 Landscape Character and Appearance

National Planning Policy Framework

Section(s) 9 Green Belt
Paras. 79-89

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

Plotting Sheet ref. Two Storey Side Extension. Approved 1985.

CONSULTATIONS

Publicity

Site Notice expiry date: 16/3/2017
Neighbour consultation period ends: 10/02/2017

Public Comments

None Received

Town / Parish Comments

Awaited

OFFICER COMMENTS

Is the proposal inappropriate development in the Green Belt?

The dwelling is in the Green Belt and the proposed extensions would be inappropriate. New buildings should be regarded as inappropriate in the Green Belt. Exceptions to this are listed at para. 89 of the NPPF and one of those exceptions include the "extension….of a building provided that it does not result in disproportionate additions over and above the size of the original building". The original building should be taken as the building that existed in 1948 or if constructed after 1948 as originally built (NPPF definition). The original dwelling in this case was a detached 3 bedroom red brick pre war dwelling. That original dwelling was extended in 1985 with a two storey side extension that added around 75% to footprint and volume. The proposed extension would bring considerable additions over and above that 75% increase that has already occurred. The volume and footprint of the original dwelling would be added to by what is estimated to be at least 150%.

Would the proposal harm openness or result in any other harm to the Green Belt?

Paragraph 79 of the NPPF states that the fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open. The development would harm the openness of the Green Belt by further and considerably increasing the footprint, width and volume of built form in this relatively isolated location. The development would be at odds with a fundamental aim of the Green Belt identified at Paragraph 79 of the NPPF.

Are there any other considerations that would outweigh harm to the Green Belt?

The applicant says that if permission is not granted for the extension he could build a flat roof extension to the rear and a detached triple bay garage to the side that would be close to the side of the dwelling and would, it is said, be more harmful to the Green Belt and be permitted by the GPDO. This is presented as a 'fall back' position and I am asked to accept that this is a consideration that clearly outweighs the substantial weight attributed to the harm that the proposal would have on the Green Belt.

Importantly, a detached outbuilding can only be provided, very specifically, if it is *required* for purposes *incidental to the enjoyment of the dwelling*. 'Incidental' should be framed with some sense of reasonableness and is not open to the unrestrained whim of the occupier. The applicant clarifies that if he is able to build the two storey extension with integral double garage at ground floor, that would limit access to a double garage to the rear, he is prepared to surrender the right to build such a building in exchange for a planning permission to extend the dwelling, in my mind this raises doubt as to whether a triple garage in addition to the existing double garage is genuinely *required* at all and whether, in light of this, they could rely on those provisions of the GPDO. Thirdly, purposes that are incidental to the enjoyment of the dwelling house are distinct from the purposes of providing primary or ancillary/living accommodation. A permitted building under Part 1, Class E could not be built to provide habitable accommodation for the applicant. To that extent I'm not sure that this could be fairly described as a 'fall back' position given that the proposed garage is not an alternative or less desirable way of providing the accommodation that they want and it has a relatively tenuous relationship or relevance to the development proposed in the application. The LPA is now asked to grant consent for harmful development under the threat of something that is different in form and purpose, and said to be even more harmful, being built instead.

The GPDO permits a whole range and variety of developments on land all across the country, some of which is in the Green Belt. Where the development is permitted an LPA will have little or no control over that development and in reality all manner of planning harms can be introduced at the will of a developer. Clearly though a developers ability to exercise these rights can not automatically prevail as leverage to obtain planning permission for development that is contrary to policy. I accept however, that what an applicant could or might do instead can be a material consideration that can be attributed varying weights depending on the differing circumstances. However, in this case I have already concluded that the presented considerations do not amount to a genuinely comparable 'fall back' position, they would be building a different type of development for a different purpose, and because of this I can only give them very limited weight.

In any event the rear flat roof extension may arguably be better sited and less harmful because it will have a low profile, limited volume and have less of an impact in terms of scale, proportion and design on the character and appearance of the original dwelling. Particularly when viewed from the exposed frontage the proportions and character of the dwelling as it currently stands would be unaltered. Moreover, the detached garage would also have a lesser effect on the character, appearance and proportions of the dwelling as it stands. Therefore, questions of design, appearance and Green Belt impact do not necessarily or strongly favour the application scheme over that of the more recently presented PD options.

Additionally I have given consideration to the likelihood of the permitted building and extension being constructed in this location and form. I am firstly mindful that a triple garage in addition to his serviceable detached double garage is not exactly what the applicant wants, demonstrable by their willingness to surrender rights under the GPDO, it will not provide them with all of the habitable accommodation that they seek and they clearly do not think that the building or the extension will be aesthetically pleasing or have a good relationship to the dwelling and site, I believe that this will have a limiting effect on their motivation to commence with such a building project. If there were a requirement to provide a building for a purpose that is incidental to the dwelling, additional garaging for example, I consider there to be the more practical, aesthetically pleasing, and easier option of extending or altering the existing detached garage. All matters considered, even if it were conceded that they could rely on Part 1, Class E of the GPDO, I don't think that there is an overly persuasive likelihood of the 'permitted' building, in particular, being constructed in this form and location.

All things considered, I can only conclude that the presented considerations should be attributed very limited weight and that they do not clearly outweigh the harm that the proposed extension would have on the Green Belt.

Design

The original dwelling was a modest pre war red brick dwelling, a typical dwelling of relatively traditional value, to the Moorland's rural areas. The extension proposal would make the 1985 side extension with the front facing gable a central feature with the original dwelling and an additional two storey extension on the other side forming symmetrical wings on either side. Although it has already been altered and extended the original dwelling does still make an established and positive contribution to the character and appearance of the local landscape. The proposed extension would be of an inappropriate scale and design that would dominate and completely change, to its detriment, the traditional character, scale and appearance of the original dwelling. As such the development would contravene Policies SS6, SS6c, R2, DC1, DC2 and DC3 o the Staffordshire Moorlands Core Strategy.

CONCLUSION / PLANNING BALANCE

The proposal, by virtue of it's size and scale, taken cumulatively with the existing large extension to the property clearly constitutes inappropriate development in the Green Belt and is harmful by definition and as a result of it's impact on openness. The proposed Permitted Development "Fall-back" position does not represent a

viable or realistic alternative option and on this basis does not constitute Very Special Circumstances. Finally, The proposed extension would be of an inappropriate scale and design that would dominate and completely change, to its detriment, the traditional character, scale and appearance of the original dwelling. As such the development would contravene Policies SS6, SS6c, R2, DC1, DC2 and DC3 o the Staffordshire Moorlands Core Strategy.

The proposals is therefore recommended for refusal.

RECOMMENDATION: REFUSE

Case Officer: Ben Hurst
Recommendation Date: 24/03/17

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council