DELEGATED DECISION REPORT

SMD/2017/0514 **Valid 08/08/2017**	**HALLS CROFT THE DRIVE RUDYARD**	**ALTERATIONS AND EXTENSIONS TO EXISTING DWELLING SIMILAR TO PREVIOUS APPROVAL SMD/2014/0819.** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Appropriateness of Development in Green Belt
- Impact upon heritage assets
- Design
- Amenity

DESCRIPTION OF SITE

The application site comprises the two storey detached dwelling 'Halls Croft' and associated curtilage located off The Drive, a private cul-de-sac in the heart of Rudyard village and within the Conservation Area which is subject to an Article 4 Direction. The site is also situated within the Green Belt.

The site was subject to an application (SMD/2014/0819) approved by the council that involved the construction of two dwellings within the curtilage to the south east, which on inspection of the site have now been built, and an extension to 'Halls Croft' which has not yet been built.

To the north of 'Halls Croft' is the neighbouring property 'Orchards Cottage' which is situated at the end of the cul-de-sac. To the south west of the site sits the rear gardens of properties which adjoin Lake Road. This boundary is defined by a thick hedgerow which significantly restricts views in and out of the site in this direction.

PROPOSAL

The application seeks consent for a side and rear extension at Halls Croft. The side element of the proposal mirrors that of the extension approved under SMD/2014/0819).

The proposed rear extension did not form part of the 2014 application and comprises a small single storey lean to structure which extends outwards from the proposed side extension by 1.13m, and would have a height to eaves level of 2m. The overall height would be 3.2m and would be constructed of material which correspond with the existing dwelling.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The local development plan for this site comprises the Saved Policies of the Staffordshire Moorlands Local Plan (1998); Staffordshire Moorlands Core Strategy (adopted 26th March 2014) and any relevant Supplementary Planning Documents (SPD's).

The National Planning Policy Framework (NPPF) published in March 2012 sets out the Governments planning policies for England and how these are expected to be applied. As stated in paragraph 2 of the NPPF, the document is a material consideration which must be taken into account in planning decisions.

Core Strategy Development Plan Document (Adopted 2014)

SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS6b Smaller Villages Area Strategy
DC1 Design Considerations
DC2 the Historic Environment

National Planning Policy Framework

Achieving Sustainable Development	Paragraphs 1-17
Requiring Good Design	Chapter 7
Conserving and enhancing the historic environment	Chapter 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2002/0503	Alterations and first floor/two storey extensions and conversion to holiday accommodation (Approved)
SMD/2014/0819	Erection of two detached dwellings and extension of existing dwelling (Approved)

CONSULTATIONS

Publicity

Site Notice expiry date: 29th September 2017
Neighbour consultation period ends: 22nd September 2017
Press Advert: 4th October 2017

Public Comments

None received

Town / Parish Comments

Horton Parish Council – No comments received

Conservation Officer

This application seeks minor design changes to an approved extension (2014/0819). The extension is out of public view and very minor in detail – No Objections.

Please ensure that the conditions listed previously are re-attached.

OFFICER COMMENTS

Principle of Development

Policy SS1a of the adopted core strategy reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF).

Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with the development plan without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies indicate development should be restricted.

The site is situated within the Green Belt and within the Rudyard Conservation Area which is a designated heritage asset. The application is therefore subject to policy DC2 of the adopted core strategy and restrictive policies set out within Chapter 9 and Chapter 12 of the NPPF respectively.

Whilst the site is clearly within the centre of the village, a definitive settlement boundary is yet to be produced. However, it is highly likely that given its location, the site will be included within the development boundary in the emerging local plan.

Chapter 9 of the NPPF contains restrictive policies relating to Green Belt. Paragraph 87 of the NPPF states that development in the Green Belt is inappropriate by definition unless very special circumstances can be demonstrated which outweighs the significant harm to the Green Belt by reason of inappropriateness.

Paragraph 89 sets out a list of development types which are exceptions to paragraph 87 and are therefore not considered inappropriate. One such exception is "*the extension or alteration of an existing building provided that it does not result in disproportionate additions to the original building*".

Chapter 12 of the NPPF contains restrictive policies relating to conserving and enhancing historic assets.

Paragraph 132-134 of the NPPF sets out how the significance of a heritage asset and the potential impact of a development should be assessed. Where a proposed

development would lead to substantial harm, local authorities should refuse consent. Where a proposed development would lead to less than substantial harm, the harm should be weighed against the public benefits of the proposal.

In order for the application to be acceptable in principle, the application must demonstrate that the proposed extensions and alterations are not disproportionate to the original dwelling and will conserve or enhance the overall character and appearance of the Rudyard Conservation Area.

Appropriateness of development within Green Belt

There is no definition within the NPPF as to what constitutes 'disproportionate' within the context of paragraph 89. Previous planning policy has attempted to quantify this as development which does not exceed an increase of more than 50% when compared to the existing volume of development. Whilst this policy has been revoked, it stands as a useful tool for planners to assess applications. Although what constitutes proportionate additions remains a matter of planning judgement on a case by case basis.

The committee report for SMD/2014/0819 states that the previous proposed side extension, together with previous additions, represents an increase of 50% in total volume compared to the original dwelling and was considered to accord with paragraph 89 of the NPPF.

The proposed extension within this application mirrors that approved under SMD/2014/0819 with a small lean to extension being added to the rear. The proposed single storey rear extension would result in approximately 6 square metres of additional development in addition to the previously approved development. This addition, even when considered cumulatively with the side extension, is considered to not be significant and not 'disproportionate' to the original dwelling. The proposed extension as a whole therefore, is considered to accord with restrictive policies within Chapter 9 of the NPPF.

Impact upon Historic Assets

Policy DC2 of the adopted Core Strategy seeks to safeguard and where possible enhance the historic environment by resisting development which would harm or be detrimental to the special character and historic heritage of the District's towns and villages and those interests of acknowledged importance and promoting development which sustains, respects or enhances buildings and features which contribute to the character or heritage of an area

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An Article 4 Direction is in place on this site which withdraws Permitted Development rights under Schedule 2, Part 1, Class A of General Permitted Development Order (GPDO) which refers to the extension of alterations of the dwellinghouse.
The proposed rear aspect of the development falls within the limitations allowed within the GPDO and is therefore a material consideration in the assessment and determination of the application.

The Conservation Officer was consulted as part of the previous application (SMD/2014/0819) and supported the application in its revised (approved) form. The Conservation Officer has no objection to the proposed addition to the rear or to this application as a whole.

In light of the above it is considered that the application will not result in any adverse harm to the character and appearance of the dwelling or wider conservation area as a whole, and therefore accords with policy DC2 of the adopted core strategy and relevant policies within Chapter 12 of the NPPF.

Design

Policy SS1 of the adopted core strategy sets out a number of development principles which new development should adhere to in order to contribute positively to the social, economic, and environmental improvement of the Staffordshire Moorlands.

Chapter 7 of the NPPF highlights the importance of good design, that good design is indivisible from planning and should contribute positively to making places better for people.

The proposed extensions to 'Halls Croft' are considered to be of an appropriate scale, height, massing and visual appearance which compliment the design and style of the original building. The Application Form states that the materials and finishes used in the construction of the extension (including the rear single storey aspect) will mirror those used in the construction of the main dwelling.

For the reasons above, it is considered that the application accords with policy DC1 of the core strategy and relevant policies within Chapter 7 of the NPPF.

Amenity

Policy DC1 of the core strategy requires all new development to protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, and privacy.

The proposed side extension does not introduce any new fenestration that was approved under the previous application, and nothing has changed at other neighbouring properties which would result in any adverse harm arising in respect of residential amenity.

Due to the nature and scale of the proposed rear single storey element, the current or future occupants of 'Orchard House' or any other neighbouring property are

considered to be adversely affected by the proposed extension with regards to residential amenity, in line with policy DC1 of the core strategy.

CONCLUSION / PLANNING BALANCE

The application seeks to construct a two storey side extension and small single storey lean to rear extension at Halls Croft; a two storey detached dwelling located within the heart of Rudyard Village at the end of a private cul-de-sac called The Drive.

No defined development boundary has been adopted for Rudyard and as such the site currently lies within the Green Belt. The site is also located within the Rudyard Conservation Area which is subject to an Article 4 Direction.

The application mirrors the extensions previously proposed and approved under SMD/2014/0819 with the addition being the small lean to rear extension which amount to an addition of 6 square metres. This aspect of the development would normally be permitted under Class A of the GPDO however these rights have been withdrawn under the Article 4 Direction.

An assessment of the application has found the proposed development not to amount to 'disproportionate additions' to the original dwelling and is therefore complaint with paragraph 89 of the NPPF.

The Conservation Officer has no objection to the proposed development and as such the application is considered to result in no adverse harm to the character and appearance of the dwelling or the Conservation Area as a whole, in accordance with policy DC2 of the core strategy and restrictive policies within Chapter 12 of the NPPF.

The proposed extension is considered to comprise an appropriate design which compliments the design and style of the existing dwelling. No amenity issues are considered to arise due to the nature of the development and relationship with neighbouring properties.

Overall, the application is considered to constitute a sustainable form of development which accords with relevant restrictive NPPF policies relating to Green Belt and the Historic Environment, and all other national and local policies relating to Design and Amenity.

In line with policy SS1a of the core strategy and paragraph 14 of the NPPF the application is recommended for approval subject to appropriate conditions being attached.

OFFICER RECOMMENDATION: Approve with Conditions

Case Officer: James Stannard
Recommendation Date: 5th October 2017

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council