DELEGATED DECISION REPORT

SMD/2017/0279 **Valid 02/05/2017**	**BEECHNUT BUNGALOW** **HULME ROAD** **HULME**	**ERECTION OF DOUBLE GARAGE WITH PITCHED AND TILED ROOF** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Principle of development / Green Belt
- Design
- Highway Safety
- Residential Amenity
- Trees

DESCRIPTION OF SITE

The application relates to a detached bungalow and associated domestic curtilage situated within Hulme Village. The site is within the North Staffordshire Green Belt.

PROPOSAL

The proposal seeks full planning permission for the erection of a detached garage within the rear garden of the property. It is proposed to be sited in the north western corner of the domestic curtilage adjacent to a neighbour's detached garage and close to the boundary with the curtilage of Hulme House. The proposal would be accessed from the existing vehicular access to the rear of the property. There is a line of mature trees on the adjacent property, Hulme House close to the boundary of the site.

The proposed garage would have a footprint of 5.5m by 5.5m, an eaves height of 2.4m, and a ridge height of 3.8m. Materials used in construction would comprise red brick and concrete interlocking roof tiles.

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
SS6c Other Rural Areas Area Strategy
DC1 Design Considerations
DC3 Landscape and Settlement Setting
R1 Rural Diversification

R2 Rural Housing
T1 Development and Sustainable Transport

National Planning Policy Framework

Chapter 7 - Requiring Good Design
Chapter 9 - Protecting Green Belt land
Chapter 10 – Meeting the challenge of climate change, flooding and coastal change

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2013/1145 – Erection of single storey infill between bungalow and garage – Approved 07/02/2014.

SMD/2008/0793 – Single storey rear extension and detached double garage – Approved 23/07/2008.

SMD/2005/0493 – First floor side extension – Refused 19/09/2005.

CONSULTATIONS

Publicity

Site Notice expiry date: 12/06/2017
Neighbour consultation period ends: 05/06/2017
Press Advert: N/A

Public Comments

One online objection has been received which states that the plans do not show clearly the layout of the proposed garage, it appears to be sited at an angle which indicates its doors face away from the entrance to the property. This seems to contradict the use of the building. More information on the exact siting of the garage is requested.

Town / Parish Comments

No comments received.

Arboricultural Officer

Original comments 12th July 2017

Object and recommend that planning permission be refused, on the grounds of adverse impact on significant trees as the application details fail to demonstrate that such harm would be avoided.

The applicants have subsequently submitted an arboricultural survey/report and

construction details of the proposed detached garage. The arboricultural report identifies a line of 4 off-site mature trees situated in the grounds of the adjacent property Hulme House alongside the north-west boundary of the application site at Beechnut Bungalow. Although detailed assessment of all aspects of the condition of these trees was not possible due to them being in separate ownership, no significant defects were noted and they are assessed as being in good condition. In common with other mature trees elsewhere at Hulme House, these 4 trees along the application site boundary are considered to be of significant amenity value.

The arboricultural report identifies that the Root Protection Areas (RPAs) of these trees, derived in accordance with British Standard 5837:2012 Trees in Relation to Design, Demolition and Construction – Recommendations, extend significantly into the application site. In turn, the footprint position of the proposed new garage is partly but notably within the RPAs of two trees (T1 Sycamore and T2 Lime). The report advises that special construction measures to avoid excavation (realistically pile and beam foundations) would be required within the RPAs to avoid damage to tree roots.

However, the submitted construction details for the garage (Rev A dated 07-06-2017) shows that standard strip foundations to 1m deep are proposed. This form of construction would be anticipated to cause substantial damage to the trees by root severance during excavation for foundations, and also by soil compaction in laying and compacting the floor supporting base layer. Such damage would be likely to lead to decline in condition of the trees, and even potentially death and/or instability.

Revised comments 17th July 2017

There's a fair chance the applicant could indeed come up with a foundation design which accommodates tree roots without damaging them by excavation or by causing soil compaction, either of which would be likely to lead to adverse impact on tree condition and/or stability.

However, whilst I can understand the reluctance to commission detailed foundation design until planning permission has been granted, and that this relates in turn to building control issues, we really need to see such details in order to know whether it would be acceptable to grant such planning permission in the first place. (It is not unheard of for pile and beam construction to be proposed in principle, only for subsequent details to show internal finished floor level at the same as external ground level with the depth of floor slab and ground beam, which can be 400-500mm or more, needing to be dug in by excavating into the ground – given that the majority of main structural and sensitive feeder roots are typically located within the upper 600-900mm of soil profile this could still cause significant damage.

This would need to show:

- Number, position and sizes of piles;
- Any flexibility in precise piling positions (eg to slightly adjust specific pile positions if primary roots are detected by exploratory hand-digging prior to piling or by surveying using other technology such as ground-penetrating radar);

- Indication of size of piling rig required where working beneath tree canopies (unlikely, I guess, that a very large rig would be required for piles to support a garage structure, but we do need to know what we're dealing with so we know what the impact on trees would/would not be);
- Existing and proposed ground levels sections drawings showing ground beam and floor slab construction all above existing ground level to avoid excavation and compaction within the Root Protection Area, and showing how internal finished floor level relates to and is accessed from external drive level. In turn, finished floor level has implications for ridge height so again we need to see how it all works.

Revised comments 05 12 2017

No objection subject to conditions requiring implementation of tree protection measures, submission and approval of an arboricultural method statement and submission of construction details, including garage foundations/footings and any hard surfaced areas.

OFFICER COMMENTS

Principle of development / Green Belt

The application site lies within the North Staffordshire Green Belt where restrictive development plan policies apply and accordingly Chapter 9 of the National Planning Policy Framework (NPPF) and Policy R1 (Rural Diversification) of the Core Strategy are applicable. Policy R1 states that appropriate development should not harm the rural character of the area or any sites designated for their nature conservation, or historical interest by virtue of the scale, nature and level of activity involved. Where new or replacement buildings are involved, development should have minimal impact on the countryside and be in close proximity to an existing settlement. Within the Green Belt, inappropriate development which is otherwise acceptable within the terms of this policy, will still need to be justified by very special circumstances.

Paragraph 89 of the NPPF states that Local Planning Authorities should regard the construction of new buildings in the Green Belt as being inappropriate.

It is considered that the proposal represents inappropriate development in the Green Belt since it does not fall under any of the exceptions listed in paragraphs 89-90 of the NPPF.

In relation to the impact on openness of the Green Belt, such impact would be modest given the scale of the proposal and its siting at the rear of the dwelling, where it would be surrounded by other, taller buildings on all sides, including the dwelling itself, the neighbouring dwellings, and the neighbour's detached garage to the north of the site. The scale of the garage in relation to the host dwelling is considered appropriate and it would not appear out of character with its surroundings or the wider Green Belt.

Consideration should be given to whether the harm by reason of inappropriateness and any other harm is clearly outweighed by other considerations so as to amount to the very special circumstances necessary to justify the development. The fall back

position of GPDO Class E permitted development rights for the erection of a detached garage/outbuilding represents a material consideration in this case. Exercising permitted development rights would allow the applicant to construct a detached garage of the same footprint and in the same position up to a height of 2.5m. Whilst such a garage would be lower in height than the current proposal (which has a ridge height of 3.8m), the difference between the two in terms of the impact on openness would be quite limited. A building having a maximum height of 2.5m would be likely to have a flat roof, which, from a design perspective, would result in a development which would be less sympathetic to its surroundings than the current proposal, which has a pitched tiled roof. The proposal is a relatively modest garage which it is not unreasonable to expect to be provided to cater for normal domestic requirements in association with a detached property such as the one on the application site. Overall, taking into account the fall back position outlined above together with the modest impact on the openness of the Green Belt lead me to conclude that there are very special circumstances which justify the proposal and outweigh the presumption against inappropriate development in the Green Belt.

Design

Policy DC1 (Design Considerations) outlines that all new development should be of a high quality and add value to the local area and also be designed to respect the site and surrounding area, through scale, density, layout, siting, character and appearance, in line with the Council's Design SPG.

The proposed building is considered to be of an appropriate size and scale. Materials used in construction would comprise red facing brick and concrete roof tiles and these are considered to be in keeping with the surrounding area. It can be concluded that the proposal complies with Policies DC1 and DC3.

Residential Amenity

Policy DC1 states that new development should protect residential amenity in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping. Given the separation distances between the proposed garage and neighbouring dwellings, lack of windows, boundary treatments presence of intervening buildings and the relatively low overall height of the proposed garage it is not considered that the proposed development would be prejudicial to the reasonable enjoyment of any of the surrounding residential properties.

Highway Safety

Policy DC1 states that development should provide a safe and satisfactory access and make a contribution to meeting the parking requirement arising from necessary car use.

The proposed development would be accessed from the existing vehicular access to the rear of the property and no alterations to the access are proposed. The garage door is located to the south east elevation of the proposed building facing towards the rear elevation of the dwelling. It is considered that the proposal can be safely accessed and it would not be detrimental to highway safety.

There are no public rights of way within the site and the proposal would not encroach upon any nearby public rights of way.

Trees

The Arboricultural Officer notes that there is a line of mature trees on the adjacent property, Hulme House, which are situated alongside and significantly overshadow the application site at the north-west boundary, adjacent to the position of the proposed garage. The Arboricultural Officer originally recommended refusal of the application based on the fact that the footprint of the garage is partly but notably within the RPAs of two trees. The form of construction anticipated would be anticipated to cause substantial damage to the trees by root severance during excavation for foundations and also by soil compaction. Such damage would be likely to lead to decline in condition of the trees, and potentially death and/or instability.

Following correspondence with the applicant, the Arboricultural Officer advised that there is a possibility that the foundations of the garage could be designed to accommodate tree roots without damaging them by excavation or by causing soil compaction, either of which would be likely to lead to adverse impact on tree condition and/or stability.

The Arboricultural Officer does not object to the proposal, subject to conditions requiring implementation of tree protection measures, submission and approval of an arboricultural method statement and submission of construction details, including garage foundations/footings and any hard surfaced areas.

CONCLUSION / PLANNING BALANCE

The proposed development would result in limited harmful to the openness of the Green Belt and the principle of the development is considered acceptable having regard to the fall back position of permitted development rights, which constitute very special circumstances. The proposal is of a size, scale, form and design which is acceptable and reflective of the character of the site and surroundings. The proposed development would not harm the valued characteristics of the site nor does it raise any adverse amenity issues or highway safety concerns. Subject to appropriate conditions, the proposal would not be harmful to nearby mature trees.

The application complies with the relevant policies of the Core Strategy and the NPPF and is therefore recommended for conditional approval.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Mark Ollerenshaw
Recommendation Date: 05/12/2017

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council