DELEGATED DECISION REPORT

SMD/2018/0505 **Valid 28/08/2018**	**TREE TOPS 246A PARK LANE KNYPERSLEY**	**PROPOSED EXTENSION TO FORM BALCONY AND NEW DETACHED GARAGE** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Whether or not the proposal amounts to inappropriate development in the Green Belt
- The impact on the character and appearance of the rural area
- The impact on residential amenity

DESCRIPTION OF SITE

The site is on the eastern fringe of Knypersley and is at the end of ribbon development along Park Lane which encroaches into the Green Belt. It comprises a detached dwelling which faces the road to the north. Other dwellings lies to the west side and also on the other side of the road to the north. A track runs along the eastern side boundary and houses, a farm and open fields lie to the other side of this. Open land also lies to the rear to the south. The land slopes downwards towards the west and the dwelling could be described as being “split-level”.

PROPOSAL

This is a full householder planning application for a triple garage with room above to be placed in the gap between the dwelling and the west side boundary of the site. Also included is a front balcony for the existing house. The garage would be a brick-and-tile building with dormer windows added in the roof as features to match the house. The upper floor would be used for domestic storage purposes. The balcony would comprise a white painted metal balustrading/railings and brick supporting piers. It would project 2.0 metres out from the ground floor living room, above a lower ground floor/basement part of the house. The balcony is part of amended plans replacing a previously proposed unpainted metal and glass structure originally submitted with this application.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

SS6c Other Rural Areas
DC1 – Design Considerations
R2 – Rural Housing

National Planning Policy Framework (Revised July 2018)

Sections 12 (Design) and 13 (Green Belt).

Emerging Staffordshire Moorlands Local Plan

National Policy Guidance

Paragraph 48 of the newly adopted NPPF states that:

> *"…decision-takers may also give weight to relevant policies in emerging plans according to:*
> - *the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);*
> - *the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and*
> - *the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).*

Local Plan process

The Council agreed to publish the Local Plan Submission Version for representations in February 2018. At this point, the Council agreed that the Local Plan was "sound". Formal representations were then invited from residents, businesses and other stakeholders to provide them with the opportunity to support or challenge the soundness or legal compliance of the Local Plan. This stage in the process followed three previous public consultations since 2015 which had informed the preparation of the Local Plan alongside a comprehensive evidence base.

In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public will now be held this Autumn in order to determine whether the Local Plan is sound and legally compliant. Subject to the findings of the appointed inspector, the Local Plan is expected to be adopted in the Spring of 2019. At his point, it will supersede the adopted Core Strategy and become part of the statutory development plan for the District.

In this context, the Council's position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is as follows:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the Council has submitted it to the SoS for examination
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question. The Officer Comments section of this report identifies the level of outstanding objections to each policy and

recommends the amount of weight to be given to them at this stage in the process
- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

Emerging Policies

The following policies are considered to be relevant to this application:

SS10 Rural Areas strategy
DC1 – Design

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2016/0672: Outline permission for one dwelling to the side of the existing dwelling. Approved.

SMD/2017/0733: Extensions to dwelling. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 23.10.18
Neighbour consultation period ends: 23.10.18
Press Advert: N/A

Public Comments

None.

Town / Parish Comments

No adverse comments.

OFFICER COMMENTS

With regard to the proposed triple garage, new buildings in the Green Belt are not normally considered to amount to appropriate development in the Green Belt, in order to protect the openness of the Green Belt, unless they fall under the criteria of exceptional development listed under para. 145. New domestic garages do not fall under the criteria and would normally be considered inappropriate development in the Green Belt and would be harmful to its openness. However, a dwelling was granted outline permission in the same siting as the proposed garage, under a 2016 planning permission. Green Belt policy does allow “limited infilling in villages” and a Planning Inspector allowed an appeal further along Park Lane, amongst the existing adjacent ribbon development, for a new dwelling, classing it as acceptable infill development. The 2016 permission for a dwelling on this particular site is consistent with the appeal decision. Therefore the triple garage building would therefore be

considered to be acceptable infill development in this location and its impact would be no greater than that of the approved dwelling which has not been implemented. It has an appropriate form, scale and design in relation to the neighbouring house on site and also buildings on neighbouring properties. The one proposed upper floor window would not lead to any harmful overlooking of neighbouring properties if the owner decided to use the storage space as a habitable room at some stage in the future in connection with the use of the house. A significant gap would still be maintained between the garage and the dwelling on the neighbouring property and would not lead to a harmful loss of light or appear overbearing.

With regard to the balcony at the house, despite a previous two-storey side extension and the addition of dormer windows, the addition of a small balcony would not amount to a disproportionate enlargement of the original dwelling that would otherwise amount to inappropriate development in the Green Belt where the policy resists disproportionate enlargements of buildings in the Green Belt in order to protect their openness. The amended plans show a traditional balcony with brick piers and white railings which would harmonise with the appearance of the dwelling and would not dominate it when viewed from the road due to a combination of its scale and materials. This is an improvement on the original plans which showed a modern exposed metal and glass structure which was considered to harmfully contrast with the character and appearance of the house and increase visual prominence to a harmful extent when viewed from the road. Due to the distances between the balcony and side boundaries, the balcony would not give rise to any overlooking problems or loss of privacy and would not be intrusive to neighbours. There is a house immediately opposite the site on the north side of the road. However, the balcony would face the side elevation of that dwelling and small secondary windows. I do not consider the residential amenities of that dwelling would be affected.

CONCLUSION / PLANNING BALANCE

The proposed triple garage building and balcony would not amount to inappropriate development in the Green Belt. There would also be no harm to the visual and residential amenities of the area as a result of the amended plans.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 26.10.18

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council