DELEGATED DECISION REPORT

SMD/2018/0502 **Valid 07/08/2018**	**FOUR OAKS BOARDMANS BANK** **BROWN EDGE**	**CONSERVATORY ON REAR GARAGE.** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Principle of development;
- Design/visual impact;
- Neighbour amenity;
- Highway safety.

DESCRIPTION OF SITE

The application site is Four Oaks, Boardman's Bank Brown Edge, a detached gable style dwelling fronting Boardman's Bank and backing onto Church Road. The application property is raised from Boardman's Bank and is set behind a high level stone wall (topped with fencing) and double width timber gates. For the purposes of planning policy consideration the application site is located within the Brown Edge Village Development Boundary. The site is not located within a Conservation Area and the dwelling is not Listed. St Anne's Church to the eastern side of Church Road is Grade II Listed but the conservatory is positioned on the opposite side of Four Oaks and would not be seen in the context of the church.

PROPOSAL

Planning permission is sought for the erection of a conservatory which would be built on top of a recently approved, flat roof garage extension. The conservatory would occupy just over half of the garage roof space and a new internal staircase would allow access between the garage and the conservatory. The plans also show the addition of a shower/WC room within the existing house but this does not require planning permission.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

SS1	Development Principles
SS1a	Presumption in Favour of Sustainable Development
SS6a	Larger Villages Area Strategy

DC1 Design Considerations
T1 Development and Sustainable Transport

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 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 (including their weighting) are considered to be relevant to this application:

SS1	Development Principles (Moderate)
SS1a	Presumption in Favour of Sustainable Development (Significant)
SS8	Larger Villages Areas Strategy (Limited)
DC1	Design Considerations (Moderate)
T1	Development and Sustainable Transport (Moderate)

Supplementary Planning Guidance

1. Design Principles for Development in the Staffordshire Moorlands: New Dwellings and Extensions to Dwellings.
2. Space About Dwellings.

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide

National Planning Policy Framework

Section(s)

2: Achieving sustainable development.
9: Promoting sustainable transport.
12: Achieving well-designed places.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2017/0305	Garage extension. Approved.
88/01137/OLD	Details of Dwelling. Approved.
87/00742/OLD	Site for Dwelling house. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 01/10/2018.

Neighbour consultation period ends: 30/08/2018.

Public Comments: No representations received during the consultation period.

Brown Edge Parish Council: No objections.

Severn Trent Water: The proposal has minimal impact upon the public sewerage system, therefore no objections and no drainage condition is required. Officer Note: STW advise that there may be a public sewer crossing the site. In the event that planning permission is approved an informative note to this effect can be added to the decision notice to inform the applicant/developer of their responsibilities.

Minerals (SCC): The County Council as the Mineral and Waste Planning Authority has no comments on this application as the site is not within or near to any permitted waste management facility and is exempt from the requirements of Policy 3 Mineral Safeguarding in the Minerals Local Plan for Staffordshire 2015 2030.

Staffordshire County Council Highways: No objections on highways grounds to the application.

OFFICER COMMENTS

Principle of Development

As the application site is located within the Brown Edge Village Development Boundary there are no 'in principle' objections to the proposed conservatory subject to all other material planning considerations being satisfied. In this instance the matters to be considered are design/visual impact, neighbour amenity and highways.

Design

Having a shallow pitched roof, modest proportions and sitting upon a low level brick plinth, the conservatory is considered to be of an acceptable design in its own right. Land levels within the application site rise from Boardman's Bank (lowest level) up towards Church Road which gives the dwelling a split-level appearance when viewed from the western side. The already approved garage (SMD/2017/0305) has the appearance of being at lower ground floor level and it is upon this part of the dwelling that the conservatory would be positioned. When viewed from Boardman's Bank the conservatory would have an elevated appearance, appearing as a first floor extension.

The Council's Supplementary Planning Guidance (SPG) concerning conservatory design has been taken into consideration. Prior to the application being submitted the applicant sought some general comments regarding the acceptability of the proposal and he was directed towards the contents of the design SPG. The adopted design guidance states that conservatories should always be located to the side or rear of the dwelling and that they should be single story and ground based. A diagram within the 'Extensions' chapter of the design SPG depicts a very similar scenario to this application, indicating that it is not acceptable.

The conservatory would be seen from Boardman's Bank within an elevated position on the elevation of the dwelling which has a principal appearance. The Council's adopted design guidance is clear in stating that 'generally speaking it will not be acceptable to extend in front of, or along the building line, unless design benefits accrue and neighbours are not disadvantaged.' In this instance the neighbours would not be disadvantaged (discussed below) but it is not considered that the scheme would result in design benefits which would outweigh the presumption to restrict front extensions to the dwelling.

The conservatory location is at clear odds with the adopted design guidance and would have an adverse, visually prominent and intrusive visual impact upon the street scene at this particular point by reason of being a raised structure which should and would be expected to be ground based.

It is acknowledged that permission has been granted for a garage in this position previously, on top of which the conservatory would be sited. However, the garage would be largely below ground level and as such would not appear prominent in the street scene, unlike the proposed conservatory.

Amenity

The only property with any potential to be affected by the proposal is 'Sunny Bank' to the north. Sunny Bank is sited at a higher level than the application property and whilst the occupant(s) may be able to view the new conservatory, the scheme would not result in any overbearing impact/overlooking upon principal windows.

Highways

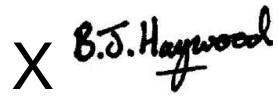
The County Highways officer has assessed the application and raises no objections to it.

CONCLUSION / PLANNING BALANCE

There are no 'in principle' objections to the proposed extension due to the site being located within the Brown Edge Village Development Boundary. However, the fact that this would be a front extension and the proposed elevated position would be in clear contradiction to the Council's adopted design guidance resulting in visual harm to the dwelling and street scene at this point. There are no neighbour amenity or highway safety related objections.

OFFICER RECOMMENDATION : Refuse

Case Officer: Lisa Jackson
Recommendation Date: 13.11.2018.

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council