DELEGATED DECISION REPORT

SMD/2018/0748 **Valid 03/12/2018**	**RED RIDGE CLEWLOWS BANK STOCKTON BROOK**	**REAR EXTENSION TO EXISTING DWELLING** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Principle of development (inc. Green Belt consideration)
- Design/impact on the street-scene and the character & appearance of the area
- Impact on residential amenity
- Highway safety
- Sustainability

DESCRIPTION OF SITE/CONTEXT/RECOMMNEDATION

The property to which the application relates is a detached bungalow constructed of rendered elevations under a tiled roof with gardens to front and rear. The property is set back from the road at a higher level due to the land rising from the road. The property has benefitted from previous approved planning applications. The site is located on the eastern side of Clewlows Bank, Stockton Brook, towards the southern end of a short ribbon of development. To the west and east is open countryside/Green Belt with Stanley Pool not far beyond the eastern boundary. A Public Right Of Way (Bagnall) also runs past the eastern boundary of the site. The site lies within the Green Belt and Staffordshire Moorlands Special Landscape Area, as defined in the Development Plan.

It is noted (as the planning history below shows) that an application to raise the ridge height (to create space in the roof for habitable floor space) was approved in October 2018 (SMD/2018/0600). This application followed a refused application (SMD/2018/0072) for raising the ridge height and a single-storey rear extension, which also followed a refused application (SMD/2017/0523) for similar.

It is noted that application SMD/2018/0072 was refused due to: a) the extensions constituting disproportionate additions and therefore being inappropriate development in the Green Belt which would impact on the openness of the Green Belt and b) the scale of the extensions overall were considered to be out of scale with the host dwelling, which would be detrimental to the character of the area.

Application SMD/2018/0600 removed the single-storey rear extension that formed part of the SMD/2018/0072 application, thereby enabling the LPA to conclude that the extension to the roof (to create habitable floor space in the roof) was proportionate. However, the Officer Report noted that

> *…such alterations*…[i.e. the roof extension]…*would result in extensions to the property having reached a maximum permissible under current planning policy.*

The description of the current application is for *"rear extension to existing dwelling".* Notwithstanding the description, the following are noted: a) when the Officer visited the site to erect the site notice, although some works may have been undertaken on the site related to approved application SMD/2018/0600 (e.g. clearing), when viewed from the Road there were no works visibly being undertaken on the roof, and as such even if works were deemed to have started they certainly were not 'substantially complete'; consequently the current application could be deemed to be premature; b) in light of point 'a' the application should probably comprise of an application for the single-storey rear extension AND raising the ridge height; c) bearing in mind point 'b', a comparison of the plans submitted with this current application (numbered 1710-02A) are virtually the same as the plans submitted with refused application SMD/2018/0072 (the difference being that the ridge raising aspect that now has approval is shown as approved on the submitted plans), and d) the existing plans submitted are the plans of the dwelling as was/is before any implementation of approved application SMD/2018/0600.

In light of the above the application in essence is the same as the refused application SMD/2018/0072. Bearing this in mind, the question that can be posed is: have there been any changes to site circumstances or planning policies since determination of SMD/2018/0600?

As regards site circumstances it is considered that there have not been any changes that would lead to a different decision being reached to that reached on application SMD/2018/0072. As regards policies, there have been the following changes: i) a revised National Planning Policy Framework was introduced in July 2018 and ii) there have been developments regarding the Staffordshire Moorlands Development Plan in that the Submitted Version of the Local Plan was examined in public in October 2018. Further information regarding the Local Plan is provided below. However, again, none of these policy changes provide any grounds for now approving what amounts to the same application the Council has already refused (SMD/2018/0072). Consequently it is recommended at the outset that the current application be refused for the same reasons that application SMD/2018/0072 was refused.

PROPOSAL

As noted, the application seeks full planning permission for what is described as *"rear extension to existing dwelling".*

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES, GUIDANCE AND OTHER MATERIAL CONSIDERATIONS

Core Strategy Development Plan Document (Adopted 2014)

SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS2 Future Provision of Development
SS3 Distribution of Development
SS6 Rural Areas

SS6b Smaller Villages Area Strategy
SS6c Other Rural Areas
DC1 Design Considerations
DC3 Landscape and Settlement Setting
C1 Creating Sustainable Communities
T1 Development and Sustainable Transport
R1 Rural Diversification
R2 Rural Housing

SPD Design Principles for Development in Staffordshire Moorlands

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

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 was held in October 2018. Additional information is to be submitted to the Inspector after which Modifications will be required; the Proposed Main Modifications will be subject to public consultation. The timescale for the adoption of the Local Plan currently remains as Spring 2019, though this is now unlikely to be achieved. Once adopted 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 examination in public has been undertaken.
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question. The level of outstanding objections to each policy indicates the amount of weight to be given to each of the policies at this stage in the process.

- The degree of consistency of policies with the NPPF – At this stage, the Council considers the submitted version of the Local Plan to be sound and policies are deemed to be consistent with the NPPF. As noted above, additional information is to be submitted along with Modifications.

Emerging Policies

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

- SS1 Development Principles
- SS1a Presumption in favour of Sustainable Development
- SS2 Settlement Hierarchy
- SS9 Smaller Villages Areas Strategy
- SS10 Other Rural Areas Strategy
- SD1 Sustainable Use of Resources
- SD3 Sustainability measures in development
- SD5 Flood Risk
- DC1 Design Considerations
- DC3 Landscape and Settlement Setting
- T1 Development and Sustainable Transport

National Planning Policy Framework (July 2018)

1. Introduction
2. Achieving sustainable development,
6. Building a strong, competitive economy
9. Promoting sustainable transport
12. Achieving well-designed places
13. Protecting Green Belt land
14. Meeting the challenge of climate change, flooding and coastal change

National Planning Practice Guidance

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2018/0600 – Raise existing roof ridge height. Approved, 30.10.2018

SMD/2018/0072 – Proposed raising of existing ridge and single storey rear extension (Re-submission of SMD/2017/0523). Refused, 21.05.2018

SMD/2017/0523 - Proposed rear extension, raising ridge to accommodate rooms in roof space. Refused, 18.10.2017

SMD/2006/0764 – Rear extension and conservatory. Approved, 01.09.2006. It is noted that the rear extension has been built but the conservatory has not been implemented.

CONSULTATIONS

Publicity

Site Notice expiry date: 09.01.2019
Neighbour consultation period ends: 25.12.2018
Press Advert: N/A

Public Comments

No comments received.

Town / Parish Comments

Bagnall Parish Council

No objections.

SCC Highways

No comments received.

Severn Trent Water

As the proposal has minimal impact on the public sewerage system it is advised that STW has no objections to the proposals and do not require a drainage condition to be applied.

Severn Trent Water advise that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

OFFICER COMMENTS

Principle of Development (Inc. Green Belt issues)

As noted above, the application seeks full planning permission for what is described as *"rear extension to existing dwelling."* As noted above, when the Officer visited the site the approved application SMD/2018/0600 had not been implemented to the extent that could be defined as being "substantially complete". Notwithstanding this the proposed extension has been assessed as if the previous approval was substantially complete.

The NPPF states that new buildings in the Green Belt are inappropriate development, which is harmful by definition, and such applications should be refused unless there are very special circumstances to overcome the identified harm (paras

143-145). There are exceptions to the general rule of new buildings being inappropriate development, one of which is

> *…the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building…*(NPPF para. 145 'c').

Hence, the proposed extension ***could*** be acceptable in principle provided such changes do not result in *"disproportionate additions over and above the size of the original building."*

From the information provided on previous applications and the plans for the current application, the comparative sizes of the original dwelling, previous extensions and the current proposal and the overall resultant size have been detailed in Table 1 of the Officer Report for refused application SMD/2018/0072.

It was previously concluded (and there is no reason to think that current conclusions should be any different) that the proposed extension would result in the following total increases over the size of the original dwelling: a) Footprint - 60%; b) Floor Area – 112%; c) Height – 22%, d) Depth – varying between 61% and 25% and volume – 74%. The increase in height and depth and the resultant increases in footprint, floor area and volume inevitably increase the mass of the building. Given these increases in size over the original dwelling it is concluded that the proposed extension would result in 'disproportionate additions' to the property over and above the size of the original dwelling. Consequently, the proposed extension constitutes 'inappropriate development' in the Green Belt. 'Inappropriate development' is by definition harmful to the Green Belt and should be refused, unless there are 'very special circumstances' that outweigh the harm to the Green Belt identified, and any other harm. The disproportionate addition identified is also considered to be harmful to the openness of the Green Belt. Further harm (as outlined below) is the impact on the character of the area.

Fall-back position

It has been previously noted that a conservatory which was part of approved application SMD/2006/0764 could still be implemented; as such, regardless of the current application, the footprint and floor area of the dwelling could increase by 11sqm each and the volume could increase by 27cum. The question is: Does this fall-back position constitute very special circumstances that outweigh the harm to Green Belt identified, i.e. impact on the openness of the Green Belt? It is noted that the essential characteristics of the Green Belts are their openness and permanence

Should the conservatory be implemented the key differences between the fall-back position and the current proposal would be as follows: 1) the footprint of the proposed would result in an 11% increase over the fall-back; 2) the floor area of the proposed would result in an 11% increase over the fall-back; 3) the volume of the proposed would result in a 29% increase over the fall-back and 4) the height of the ridge of the proposed would be 1.2m (22%) higher than the fall-back. Hence, the proposed scheme is considered to have a significantly greater impact on the openness of the Green Belt than the fall-back position and consequently would be

more harmful. As such the fall-back position is considered not to constitute very special circumstances which clearly outweigh the significant harm identified.

Stockton Brook is identified as one of the 'smaller villages' in policy SS6b of the CS (Smaller Villages Area Strategy). Policy SS6c of the CS (Other Rural Areas Strategy) covers other rural areas in the countryside and green belt outside of the development and infill boundaries. The application site is located on the outskirts of Stockton Brook within the Green Belt and Countryside. The policy seeks to meet essential local needs by allowing for certain forms of development, including extensions to buildings (in accordance with policies R1 and R2 as necessary). The quality of the countryside is to be enhanced and/or conserved by, amongst other things, requiring development proposals to respect and respond positively to the distinctive qualities of the surrounding landscape. The policy also seeks to maintain the Green Belt (subject to any detailed boundary review). The policy states that

> *Strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government policy.*

Bearing all the above points and policies in mind, it has been concluded that the proposed development would result in disproportionate additions to the original dwelling and therefore does not accord with policy SS6c of the CS or section 12 of the NPPF. As such the application should be refused.

Design/impact on the street-scene and character & appearance of the area

The proposed extension is located on the eastern, rear elevation of the existing dwelling. The depth of the extension at ground-floor level is approx. 3.3m, over the previously approved schemes (not original). The max. height of the proposed extension is approx. 4.2m.

At 'first-floor' level an additional floor is to be created as a result of raising the roof ridge height under approved application SMD/2018/0600..

The proposed materials of the external elevations are all to match existing, i.e. rendered walls and clay tiles to roof.

Policy SS1 of the Core Strategy (CS) seeks, amongst other things, to ensure that all development contributes positively to the Staffordshire Moorlands environment, maintaining the distinctive character of the Moorlands and its individual towns, villages and their settings.

Policy DC1 of the CS seeks to ensure that all development is well designed and reinforces local distinctiveness. New development should be of a high quality, respect the site and its surroundings and promote a positive sense of place and identity through (amongst other things) the scale, siting, character and appearance.

Policy DC3 of the CS seeks to protect or enhance the local landscape by, amongst other things, resisting development that would harm the character of the local or wider landscape.

Policy R2 of the CS allows for certain forms of housing development in rural areas, including extensions to existing dwellings

> *…provided they are appropriate in scale and design and do not have a detrimental impact on the existing dwelling and the character of the rural area.*

Section 12 of the NPPF relates to 'achieving well-designed places'.

Bearing in mind that it has been concluded above that the proposed extension would result in disproportionate additions to the original dwelling, t is considered that the proposed extension would consequently result in additions that would be out of scale with the original host property. Consequently, it is considered that the proposed development does not comply with CS policies R2 SS1, DC1 and DC3 and section 12 of the NPPF. For these reasons the application should be refused.

Impact on residential amenity

It is noted that the properties immediately to the south and north of the application dwelling are in effect two-storey dwellings. It is also noted that the property to the south has recently been extended and renovated. Having been on to both neighbouring sites and clarified which windows serve which rooms it is considered that the proposed extensions would not have any detrimental impact on the amenities of either of the immediate neighbouring properties. As such, the proposal accords with the amenity tenets of policy DC1 of the CS and bullet point 'f' of para. 127 of the NPPF.

Highway Safety

The proposed extension does not alter the circumstances that have been deemed to be acceptable re highway safety and locational sustainability. Therefore it is considered that there are no highway/transport issues arising from the proposed development that would warrant a refusal. As such the proposal complies with Local Plan policy T1 and section 9 of the NPPF.

CONCLUSION / PLANNING BALANCE/SUSTAINABILITY

Bearing all the above matters in mind the proposed development is considered to be inappropriate development in the Green Belt that would impact on the openness of the Green Belt; there are no very special circumstances that outweigh the harm identified. The additional extension proposed would result in the extensions overall being out of scale with the host dwelling and therefore detrimental to the character & appearance of the area. As such the proposed is considered to be an unsustainable form of development which does not accord with Core Strategy policies SS1, SS1a, C1, SS6c, DC1, DC3, R2, the SPD 'Design Principles for Development in Staffordshire Moorlands' or sections 9 and 12 of the NPPF nor the sustainability thread at the heart of the NPPF. The very minor economic and social benefits that would arise from the application do not outweigh the harm identified. Therefore it is recommended the application be refused.

OFFICER RECOMMENDATION: REFUSE

Case Officer: John Williamson
Recommendation Date: 28/01/2019

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council