**DELEGATED DECISION REPORT**

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| **SMD/2019/0103** | **7 CHURCH LANE** | **PROPOSED KITCHEN EXTENSION WITH BEDROOM OVER.** |
| **Valid 11/03/2019** | **CHECKLEY** | **(FULL - HOUSEHOLDER)** |

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**MAIN ISSUES**

- Heritage
- Design
- Amenity

**DESCRIPTION OF SITE**

A character detached two storey brick and tile previously extended dwelling in prominent slightly elevated road side position adjacent to the east of the church yard of the Grade 1 Listed Church of St Mary and within the Checkley Conservation Area. The west and south church yard walls are separately Listed Grade II.

**PROPOSAL**

An in-keeping two storey rear extension flanking an earlier two storey rear extension and building on and extending a previous single storey rear extension in the NE corner of the L plan layout of the dwelling.

**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
SS6b Smaller Villages Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
DC3 Landscape and Settlement Setting
T1 Development and Sustainable Transport

**Local Plan Submission Version (February 2018)**

SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS9 Smaller Villages Area Strategy
DC1 Design Considerations
DC2 The Historic Environment
T1 Development and Sustainable Transport

**National Planning Policy Framework July 2018**
Paragraph(s) 1 – 14;
Section(s) 4 – Decision making; 12 – Achieving well designed places; 16 – Conserving and enhancing the historic environment.

**SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS**
99/00409/OLD – construction of vehicular access and garage – approved – implemented
03/00250/FUL – two storey extension – approved – implemented
04/00214/FUL – single storey rear extension and erection of garage – approved – implemented

**CONSULTATIONS**

**Publicity**
Site Notice expiry date: 5th May 2019
Neighbour consultation period ends: 10th April 2019
Press Advert: 24th April 2019

**Public Comments**
None

**Town / Parish Comments**
Checkley Parish Council – no representations

**Conservation Liaison Panel**
No objection

**SMDC Conservation Officer**
Site within Checkley Conservation Area and adjoins St Mary and All Saint's Church (Grade I Listed). The proposed extension is sited at the rear of the property with no public views. It will sit alongside and parallel to a relatively modern rear extension and will mirror its details.

Conditions
- Facing materials (including ridge tiles)
- Joinery details including position in openings and details of cills and lintels

No objections

**OFFICER COMMENTS**

**Principle of Development**

In it's general approach, in accordance with policies SS1 and SS1a, the Council expects the development and use of land to contribute positively to the social,

economic and environmental improvement of the Staffordshire Moorlands. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF. This means that planning applications that accord with the policies in the Core Strategy shall be approved without delay, unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether: any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or specific policies in that Framework indicate that development should be restricted.

There is no express provision relevant to this proposal in the Smaller Villages Area Strategy SS6b.

Subject to being acceptable in terms of design, heritage and amenity the development may be considered acceptable in principle.

**Design**

The scheme mirrors the existing detailing of both the original house and its previously approved (and built) two storey extension. The scheme proposes brick, roof tiles and ridge tiles – which are distinctive – to match the existing. In proportion the extension is generally subordinate and is contained within the L plan layout of the present building. The extension would not be recessed relative to the existing side elevation which is unfortunate but is due to the existing previous single storey extension not having been recessed. The development is however well set back from the road front and there would be limited visibility in the street scene. On balance the compromise is found acceptable in this case.

**Heritage**

The extension would be unlikely to be seen in conjunction with views of either the Grade II Listed churchyard walls and gates to the west and south boundaries of the church yard nor with the Grade 1 church itself. Therefore no adverse impact on the setting of these Listed buildings or structures would arise.

The proposed extension is also sufficiently set back from the street scene to not have any noticeable adverse impact on the Conservation Area.

Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 places a duty on the LPA in assessing planning applications in respect to any land or buildings in a Conservation Area to pay special attention to the desirability of preserving or enhancing the character or appearance of that area. In reaching its decision the LPA has to demonstrate that the Section 72 Duty has been applied and discharged. Section 72 (and Footnote 6 of NPPF para.11) creates a strong presumption in favour of the preservation of Conservation Areas and their setting

and requires that considerable weight be given to the desirability of preservation. An LPA can only discharge its duty if it has carried out a proper assessment of the impact on a Conservation Area and/or a Listed Building, is conscious of the duty and has demonstrably applied it in assessing the proposal. This assessment extends to setting – the surroundings in which a heritage asset is experienced.

In this case as evidenced in the first two paragraphs under Heritage above, the implications for the Conservation Area and the Listed Buildings / structures have been considered and a clear conclusion that the proposal would not impact adversely on the heritage features or their setting has been set out. There is no objection from the Council's Conservation Officer.

**Amenity**

There would be no adverse impact on public amenity. There is a neighbouring dwelling to the east with facing side windows. It has not been established what rooms are served by these windows but in any event the development as proposed introduces no new side windows and therefore raises no conflicts in terms of privacy, nor would the extension be in any way overbearing on the neighbouring property given the side-on relationship and the separation which is in the order of 10m to 11m. The proposal is therefore acceptable in amenity terms.

**Highway Safety**

The development would result in a four bedroom dwelling as against the current three bedrooms. For three bedrooms and more the planning expectation is that there should be a minimum of three off-street parking spaces. This proposal will not result in any loss of existing parking or turning space as the extension would occupy in part the footprint of an existing single storey and extend into a garden patio space.

The property has a c.18m drive leading to a wide single garage of c.6m length. Although there are some limitations to the parking arrangements with limited manoeuvrability the access is linked to a quiet village lane. As the development would not lead to any loss of parking and the required standards are met the scheme is acceptable in highways terms.

**CONCLUSION / PLANNING BALANCE**

With no harm to heritage there is no requirement to balance with public benefits and being also acceptable in design, amenity and highways terms the development is recommended for approval.

**OFFICER RECOMMENDATION :** approve

**Case Officer:** Arne Swithenbank

**Recommendation Date:** 24th May 2019

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Signed by: Ben Haywood

**On behalf of Staffordshire Moorlands District Council**