DELEGATED DECISION REPORT

SMD/2019/0292 **Valid 08/05/2019**	**HOLMLEA LEEK ROAD** **CELLARHEAD**	**SINGLE STOREY REAR EXTENSION WITH FLAT ROOF TO REPLACE EXISTING REAR EXTENSION.** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Principle of Development / Green Belt
- Design
- Neighbour Amenity
- Access and Parking

DESCRIPTION OF SITE

The application site relates to a two storey, end terraced property situated on Leek Road, Cellarhead within the North Staffordshire Green Belt and Open Countryside.

PROPOSAL

The application is for a single storey rear extension to provide a new kitchen following demolition of the existing rear extension. The proposed extension would project approx. 4.6m from the rear elevation of the property with a width of 4.6m. The extension would have a flat roof with a roof lantern to a height of approx. 2.7m. Materials used in construction would comprise red brick walls with a GRP flat roof.

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
SS6 Rural Areas
SS6c Other Rural Areas
R1 Rural Diversification
R2 Rural Housing
DC1 Design Considerations
DC3 Landscape and Settlement Setting
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 is ongoing in order to determine whether the Local Plan is sound and legally compliant. Hearing sessions were conducted in October 2018 and the Inspector issued his initial post-hearing advice in January 2019 which set out some actions for the Council and a range of modifications that would be necessary to make the plan sound. The full schedule of modifications is to be determined and will be subject to consultation in due course. The Inspector will then be in position to write his final report. Subject to the findings of the appointed Inspector, the Local Plan can then be adopted by the Council. This will be towards the end of 2019 at the earliest. Upon adoption, the Local Plan 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:
SS1 - Development Principles
SS1a - Presumption in favour of sustainable development
SS2 - Settlement Hierarchy
SS10 - Other Rural Areas Strategy
DC1 - Design Considerations
DC3 - Landscape and Settlement Setting
DC1 - Design Considerations
SD1 – Sustainable Use of Resources
T1 - Development and Sustainable Transport

National Planning Policy Framework

Paragraph 11 – Presumption in Favour of Sustainable Development
Section 2 - Achieving Sustainable Development
Section 4 – Decision making
Section 9 – Promoting Sustainable Transport
Section 12 – Achieving well designed places
Section 13 – Protecting Green Belt Land

Other Material Considerations

Staffordshire Moorlands Space About Dwellings Supplementary Planning Guidance (SPG)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2003/0553 (03/00423/FUL) – Construction of car parking area – Approved 02/06/2003.

CONSULTATIONS

Publicity

Site Notice expiry date: 08/06/2019
Neighbour consultation period ends: 06/06/2019
Press Advert: N/A

Public Comments

No comments received.

Town / Parish Comments

No comments received.

Severn Trent Water

No objections. Advise that there may be a public sewer located within the application site.

OFFICER COMMENTS

Principle of development / Green Belt

The site is situated within designated Green Belt land as shown on the adopted core strategy proposals map. Policy SS6c comments that within such areas development will be limited to that which meets an essential local need, supports rural diversification and promotes sustainable tourism.

Core Strategy policy R1 comments that appropriate development should not harm the rural character and environmental quality of the area. Where new building is proposed, development should have minimal impact on the countryside. Policy R2 outlines what forms of development will be permitted in the rural areas outside of the settlement and infill boundaries of the towns and villages. Amongst other things, this includes extensions to existing dwellings provided that are appropriate in scale and design and do not have a detrimental impact on the existing dwelling and the character of the rural area.

Paragraph 143 of the NPPF states that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 144 requires that substantial weight is given to any harm to the Green Belt. 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.

CS Policy R2 is consistent with paragraph 143 of the National Planning Policy Framework where it is regarded that the extension of a building is considered an exception to inappropriate development, provided that the development does not result in disproportionate additions over and above the size of the original dwellinghouse. Neither the Core Strategy nor the NPPF provide a definition of what is regarded as being 'disproportionate' for the purposes of Green Belt policy; however previous policy guidance considered a development resulting in a 30% increase in the size of the original building as being acceptable. Consideration is also given to matters of massing, height, siting, volume and floorspace.

The volume of the original house is approx. 320m3. The proposed extension would add 53m3 increasing the size of the property to approx. 374m3 which represents a 16% increase on the volume of the original building. Given the scale of the proposal there would be very little harm to the openness of the Green Belt. The proposed extension is not considered to be a disproportionate addition to the property and accordingly it may be concluded that the proposal is not an inappropriate form of development in Green Belt terms and in this respect accords with CS Policy R2 and Chapter 13 of the NPPF.

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 single storey rear extension will replace the existing single storey outrigger. From a design perspective the proposed flat roof construction with a roof light gives the proposed extension a rather box appearance which does not reflect the roof form of the main roof of the property. However, the proposal will be situated at the rear where it will not have any significant visual impact on the street scene. In addition, given that the applicant could construct the proposed extension using their permitted development rights (subject to a Householder Notification Prior Approval submission), it is considered that the design of the proposal is acceptable in this particular instance. It is noted that there are no neighbour objections so no reason why such an approval should not be forthcoming.

Materials used in construction of the proposed extension would comprise red brick to match existing and a GRP flat roof. These materials are considered to be acceptable.

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 proposed siting of the extension the main impact would be upon the attached neighbouring property, known as Haymere, which has a conservatory extending up the boundary with the site. It is considered that the proposal will result in some minor loss of light to the neighbour's conservatory, however, the proposal will not project beyond the conservatory which will continue to receive ample light from the windows to the rear and side elevations and from the glazed roof. The flat roof construction also minimises loss of light to the conservatory. The proposed extension, at 2.7 metres in height, would not be significantly more oppressive than a 2 metre high fence along the side boundary, which the applicant could erect using their permitted development rights. In addition, as noted above, the applicant could construct the proposed extension using their permitted development rights (subject to a Householder Notification Prior Approval submission), and it is noted that the neighbour has no submitted any representations against the application. The proposed extension does not contain any windows to the side elevation facing towards this neighbouring property and the proposal will improve privacy levels to both properties by screening the side windows of the conservatory.

The neighbouring property to the other side of the site, St David's, is situated further away from the proposal and would not be significantly affected.

The proposed development therefore accords with Policy DC1 in this respect.

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 dwelling is served by an access driveway and parking provision to the front. No alterations are proposed to these arrangements. It is considered that the proposed development would have no adverse impacts upon parking or highway safety generally and the proposals comply with policy T1 of the adopted Core Strategy.

CONCLUSION / PLANNING BALANCE

The proposed development would result in limited harm 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. The application complies with the relevant policies of the Core Strategy and the NPPF and is therefore recommended for approval.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Mark Ollerenshaw
Recommendation Date: 22/07/2019

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council