DELEGATED DECISION REPORT

SMD/2019/0431 **Valid 15/07/2019**	**177 ASH BANK ROAD** **WERRINGTON**	**REDESIGN AND RELOCATION OF GARDEN ROOM IN REAR GARDEN.** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Design
- Amenity

DESCRIPTION OF SITE

Like its neighbours to either side (which are laid out in very uniform plots along an extend roadside ribbon) the property has a c. 30m rear garden of width just over 10m. The Green Belt boundary is along the rear edge with the development site falling within the Werrington and Cellarhead larger villages development boundary.

Some neighbouring gardens have rear garden buildings including the immediate attached neighbour at no.179 to the east.

There are minor trees within the garden including a Silver Birch close to one corner of the proposed building.

PROPOSAL

A rectangular building 6.6m x 4.7m of brick with concrete roof tile 2.8m to the eaves and 3.8m at the apex of a dual pitched roof. The building would be set in from the rear boundary by 4.5m and by 5m from the westerly neighbour's boundary. It would be 0.7m from the boundary with the neighbouring garden to the east side.

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
SS6a Larger Villages Area Strategy
DC1 Design Considerations

Local Plan Submission Version (February 2018)

SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS8 Larger Villages Area Strategy
DC1 Design Considerations

National Planning Policy Framework July 2018
Paragraph(s) 1 – 14;
Section(s) 4 – Decision making; 11 – Making effective use of land; 12 – Achieving well designed places.

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 was held in November 2018 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 later in 2019. At that 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. Where reference is made in this report to any emerging policies the level of outstanding objections to each policy will be noted and recommendation made as to the amount of weight to be given to the policies 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.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS
SMD/2018/0187 – proposed two storey side extension, front porch and rear garden summer room.

CONSULTATIONS

Publicity
Site Notice expiry date: 3rd September 2019
Neighbour consultation period ends: 13th August 2019
Press Advert: N/A

Public Comments
None

Town / Parish Comments
Werrington Parish Council – none

SCC minerals
None – no requirement to consult

Severn Trent Water
No significant impact on the public sewer network – no objections and no requirement for a drainage condition.

OFFICER COMMENTS

Principle of Development
Within the development boundary therefore development acceptable in principle. In respect of the garden building significant PD fall back would be available under Class E. Furthermore there is consent under SMD/2018/0187 for a similar slightly smaller building though with mono-pitch roof and area 5m x 4m and a mono-pitch roof to 4m along its higher south facing edge ie. towards the backs of the houses. The eaves height would be c.2.6m. The approved building is in the north westerly corner and closer to the rear garden boundary.

Design
The design is plain form and un-obtrusive. The use of brick stated as being to match the existing dwelling can be considered a preferred design option in terms of the LPA's design guidance.

Amenity
It was commented in the report which considered the 2018 approval that "Given the limited height of the outbuilding and PD fall back no overbearing or overshadowing impacts are anticipated. Boundary treatments are sufficient to prevent overlooking. However Environmental Health conditions to control noise and ensure that the use remains ancillary are appropriate."

In the current proposal no openings face directly east into the neighbour's garden on that side (no.179); there are some facing west and the main opening would face towards the back of the extant dwellings at a distance some 20m from the rear elevations. This is close to achieving the required stand off (22m) for principal windows in facing elevations of a main dwelling and on this basis is found acceptable for a garden room annex.

The previously added conditions in respect of noise is considered important along with one to prevent sale or sub-letting or the operation of a business .

Although there is a tree close to the proposed footings it may be that this small to medium sized specimen can survive the development but otherwise its loss is not judged significant to wider public amenity.

Highway Safety
The proposed outbuilding has the potential to accommodate numbers of people, which could potentially impact on parking but no more than could attend a party in the main house or large garden. Again conditions to ensure that the use remains ancillary are appropriate.

CONCLUSION / PLANNING BALANCE
With a dual pitched roof under 4m in height at the ridge a closely similar dimensioned building with maximum eaves height of 2.5m (instead of 2.8m proposed) would have the potential to be constructed as PD under Part 1 Class E if it were set in from all boundaries by at least 2.0m. PD therefore represents a realisable fall back.

As with the previous approval the proposal is found acceptable subject to a condition that the purpose of use shall be only that which is incidental to the enjoyment of the dwelling.

OFFICER RECOMMENDATION : approve

Case Officer: Arne Swithenbank
Recommendation Date: 9th September 2019

X B.J. Haywood

Signed by: Ben Haywood
On behalf of Staffordshire Moorlands District Council