DELEGATED DECISION REPORT

SMD/2019/0198 **Valid 27/03/2019**	**THE HOLLIES** **CLEWLOWS BANK** **STOCKTON BROOK**	**PROPOSED EXTENTION AND ALTERATIONS TO EXISTING COTTAGE AND CREATION OF FIRST FLOOR LEVEL.** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Green Belt
- Design
- Amenity

DESCRIPTION OF SITE

Clewlows Bank rises southwards from Stanley Road and is bounded on its easterly side by initially a cluster of short side road development before narrowing to a ribbon of roadside residential development. The Hollies is a small single storey bungalow towards the southerly upper end of the ribbon. In common with its neighbours the dwelling is elevated from the road on the crest of a slope overlooking Clewlows Bank with a 20m front garden sloping down to roadside retaining wall and hedge. The rear garden extends 14m backing on to land in seeming ad hoc use for vehicle parking but apparently not in the ownership of the Hollies. Clewlows Bank is bounded by rural field countryside to the west.

The adjacent neighbour to the south is a similar modest bungalow as is next-door-but-one to the south at Red Ridge. Other near neighbouring dwellings in the row are two storey. The eaves height is c.2.9m and the ridge height 4.5m.

The now existing lean-to across the majority of the back which has brickwork evidence of having been added to in phases was not fully present as of the 1963 air photo (therefore not all 1948 original). There appears to have been a small / partial projection along the first c.5m of the rear from the southerly end. The air photo shows that there was a chimney on the east wall corresponding to a change in brick work visible at the present day where it has been removed. To the north of the present day rear door there is evident newer brick work in place.

PROPOSAL

An initial proposal in drawing 00846 AL(0)02A effectively to form a two storey dwelling raising the eaves to 4m and roof ridge to 6.5m and incorporating a prominent full height glazed gabled projection to the front has been revised to that shown in 00846 AL(0)03C. In the amendment the eaves would be raised c.600mm to c.3.5m and the ridge by 1.4m to c.5.9m when compared with the original dwelling.

There would also be a flat roofed rear extension in a posit beyond the current eastern-most wall line of the current rear leant-to.

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
SS6c Other Rural Areas Area Strategy
DC1 Design Considerations
R1 Rural Diversification
R2 Rural Housing
NE1 Biodiversity
T1 Development and Sustainable Transport

Local Plan Submission Version (February 2018)

SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS10 Other Rural Areas Area Strategy
DC1 Design Considerations
NE Biodiversity and Geological Resources
T1 Development and Sustainable Transport

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.

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; 13 – Protecting Green Belt Land;

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS
None

CONSULTATIONS

Publicity
Site Notice expiry date: 22nd May 2019
Neighbour consultation period ends: 30th April 2019
Press Advert: N/A

Public Comments
None

Town / Parish Comments
Bagnall Parish Council – no objections

Severn Trent Water
Minimal impact on the public sewerage system therefore no objections and no requirement for drainage condition.

Staffordshire County Council Highways
No objections. The proposal does not affect existing parking arrangements.

OFFICER COMMENTS

Principle of Development

General Approach
In its 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: (a) 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 (b) specific policies in that Framework indicate that development should be restricted.

Subject to Green Belt requirements Policy SS6c provides for the conversion extension or replacement of an existing rural building in accordance with policies R1 and R2.

Green Belt Extensions

In the rural areas outside of the development boundaries Policy SS6c is that strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government Policy.

The NPPF states at paragraph 144 that: "When considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt."

The fundamental aim of the Green Belt is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence. The Government identifies five purposes of the Green Belt:

- To prevent the unrestricted sprawl of large built up areas;
- To prevent neighbouring towns from merging into one another;
- To assist in safeguarding the countryside from encroachment;
- To preserve the setting and special character of historic market towns and
- To assist in urban regeneration by encouraging the recycling of derelict and other urban land.

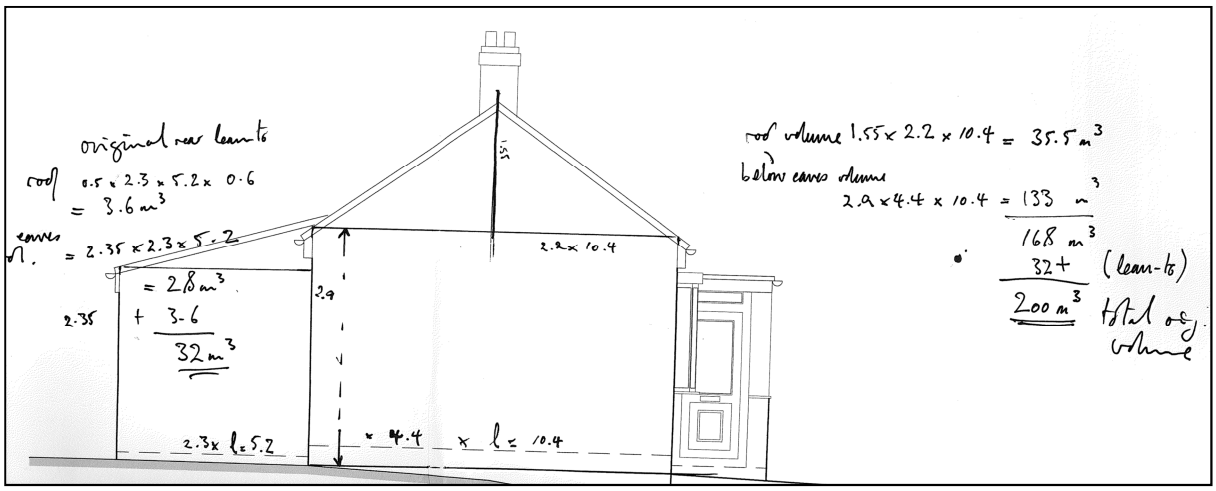
Inappropriate development is by definition harmful to the Green Belt and should not be approved except in very special circumstances (NPPF 143). 'Very special circumstances' will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations (NPPF 144).

NPPF paragraphs 145 and 146 set out specific exceptions by which certain forms of development can be considered as being not inappropriate in the Green Belt. One of these exceptions 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 145 c).

It has not been established whether the lean-to element across the rear elevation is original but from the LPA's 1963 air photo and from the variation in brick work to the

rear it is concluded that not more than a 5.2m length of the 2.3m wide lean-to element can have been original.

From the submitted drawings of the present building, and counting not more than the 5.2m length of lean-to referred to, the original building ground plan is assessed as being 58m2. Its total volume is found to be 200m3 (working notes pasted below).



The proposed scheme would create a total ground plan area of 97m2 (including front porch). This represents an increase over the original building of 39m2 [39/58] or 67%. Extensions of this scale would normally be regarded as disproportionate additions and therefore inappropriate in the Green Belt.

To take account of the increased heights of the proposal a volume comparison is also made. The **original building** has a below eaves volume of 4.4m x 10.4m x 2.9m = 133m3; roof volume is 35.5m3; rear out section = 32m3 therefore all totalling **200m3**.

The proposal building would comprise the following elements: main building below eaves level 10.4 x 6.7 x 3.5 = 244m3; above eaves level 10.4 x 3.4 x 2.5 = 88m3 (approximate) and rear flat roofed element 3.2 x 3.4 x 6.8 = 74m3. Therefore its total volume would be approximately **405m3**. This represents a 205m3 increase over the original building volume [205/200] or 102%. This is further clear indication that the proposal would result in disproportionate additions and therefore inappropriate development in the Green Belt.

The planning agent has drawn attention to the PD opportunities which would be available at this property. Single storey rear extensions in accordance with GPDO (2015) Schedule 2 Part 1 Class A are possible. The agent illustrated these on drawing 00846 AL(0)04. The agent stated the volume of these PD extensions as being 163m3 (e-mail dd 15th July 2019) although the LPA measures these as c.138m3 after deducting 32m3 being the part equating to original building. In other words the LPA finds that the PD potential is significantly less than the 205m3 volume increase which would arise from the proposal as amended.

Design

In external materials finish the scheme proposes render to the walls and some use of 'duro clad' composite cladding to the sides and rear. The LPA would normally expect materials to match the existing building and brick is much the more predominant external wall finish in the Staffordshire Moorlands in accordance with the provisions of the Council's Adopted Design Guide the use of cladding would not normally be accepted. Whilst it is accepted that the use of cladding at sides and rear would not be strongly visible in the street scene, nevertheless views would be possible, particularly on the higher parts of the gable and in this position the material would appear at odds with it's context. .

It is also noted that the proposal would necessitate a raising of the existing wall elevations including the front elevations. It is unfortunate also that the eaves height would be raised so as no longer to sit at the normal design position of a single storey dwelling so that the overall design form is something of a hybrid between a single storey with dormers and a two storey dwelling. At the same time it is recognised that the dwellings in this section of Clewlows Bank are of mixed form and that at Grasmere two doors to the south has a similar mid eaves position.

Amenity

With no side elevation openings in the proposal no conflicts of amenity in terms of privacy or overlooking would arise with neighbours to north or south. Despite the raised heights no undue overshadowing and no overbearing impacts would arise for neighbours. Sufficient garden space to meet the LPA's minimum adopted amenity standard of 65m2 would remain taking into account the front garden of c.60m2 – the rear garden on its own would be reduced to some c.45m2.

Highway Safety

No issues arising – the property would be reliant on on-street parking as currently. It appears that the land to the rear beyond the back garden is in neighbouring ownership.

CONCLUSION / PLANNING BALANCE

On putting to the agent that the proposed extensions would result in disproportionate additions contrary to Green Belt policy (SS6c and the NPPF) the scope for PD extensions has been cited as potentially demonstrating that a volumetrically equivalent scheme could be built without needing consent and that the proposal is no more harmful than that and should therefore be approved.

The LPA calculations however are that the proposal would result in extensions significantly larger by some 60+m3 than the PD limits. It must further be noted that the PD scheme would be largely out of sight to the street scene whereas the proposal would have a marked impact on the street scene by raising the frontage elevation and by the addition of dormers to the forward roof slope. This in itself is plain to see is disproportionate in size even without calculated dimension comparisons.

The fall back to PD would need to represent very special circumstances in order to have bearing on the assessment. Even if the PD fall back were equivalent to what is proposed – which the LPA finds it is not but is in fact less – this of itself would not represent very special circumstances.

OFFICER RECOMMENDATION : refuse

Case Officer: Arne Swithenbank
Recommendation Date: 10th September 2019

X 

Signed by: JaneC

On behalf of Staffordshire Moorlands District Council