DELEGATED DECISION REPORT

SMD/2019/0430 **Valid 23/07/2019**	**LAND ADJACENT TO WHITEHAVEN LEEK ROAD LONGSDON**	**VARIATION OF CONDITION 1 RELATING TO APPLICATION SMD/2018/0698** **(FULL - MINOR)**

MAIN ISSUES

- The impact on the character and appearance of the area
- The impact on residential amenity

DESCRIPTION OF SITE

The site is in the small village of Longsdon and a short distance along the A53 to the west of what could be described as the centre of the village. It comprises a vacant field between rows of detached houses in spacious plots (to the west and east) which face the main road to the north. There is a mix of open land and dwellings in spacious plots to the north of the road. Open fields lie to the rear. The site (and the rest of the village) lie within the Green Belt. Also included in the site is the front garden of "Wyndene", the adjacent residential property to the west. A dwelling has been approved for the garden area to the other side of Wyndene (to the west). The foundations for this appear to have been completed.

PROPOSAL

Outline permission and a Reserved Matters approval was given for two large new houses on the site. Works have not yet commenced and the applicant wants to change aspects of the design of the house approved for the rear plot. The main changes comprise the enlargement of a rear sunroom/conservatory and the swapping of a front bedroom with a dressing room for the master suite (the house would therefore lose one bedroom, from six to five). The exact changes include the following:

Front elevation: Reduction in height of a first-floor dressing room window (was previously a bedroom window).
East side Elevation: Fenestration changes including addition to two new secondary kitchen windows. Chimney stack moved forward.
Rear elevation: Enlargement of sun-room, enlargement of bedroom and kitchen windows to become full height French windows, addition of bedroom Juliet balcony and addition of small en-suite bathroom window.
West side elevation: Fenestration changes including additional secondary lounge window and widening of other side windows.

The Reserved Matters approval given in January 2019 has a condition requiring the houses be built in exact accordance with the approved drawings. This is Condition

1. The proposed changes to the rear house would result in the development not being built in accordance with the earlier approved plans and therefore this new planning application, a “Variation of Condition” application seeks to vary Condition 1 to swap the earlier approved drawings with the new proposed drawings showing the changes to the house and allowing it to be built in accordance with the new drawings, thereby complying with the new varied condition.

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
DC1 Design Considerations
H1 – New Housing

National Planning Policy Framework

Sections 12 (Design) and 13 (Green Belts)

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 has

recently been held. Subject to the findings of the appointed inspector, the Local Plan is expected to be adopted in late 2019/early 2020. At this 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. 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:

H1 Housing
DC1 Design Considerations

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2015/0634 – Outline application for two dwellings. Refused.

SMD/2016/0822 – Outline application for two dwellings. Approved

SMD/2014/0748 – Permission for the dwelling to the other side of Wyndene.

SMD/2018/0698 – Reserved Matters approval for the 2016 outline permission.

CONSULTATIONS

Publicity

Site Notice expiry date: 29.8.19
Neighbour consultation period ends: 29.8.19
Press Advert: N/A

Public Comments

None.

Town / Parish Comments

No objection.

Staffordshire County Council Highways

No objection.

Waste Services

No objection

OFFICER COMMENTS

The enlargement of the sun-room would result in the enlargement of the house but not to the extent whereby the restrictive Green Belt openness policies would be compromised. The form and design remains the same and this elevation is not visible from the road and not easily visible from anywhere outside of the site. In this respect, the enlargement of glazing and additional patio doors would not harm the appearance of the area and would not unsympathetic to the design and style of the house approved. The house would also not be harmed by the changes to the other elevations which are mainly fenestration changes and the re-positioning of a side chimney stack.

With regard to residential amenity, the window changes or the addition of the Juliet balcony would not lead to any significant scope for overlooking of neighbouring properties. Furthermore, a condition was attached to the Reserved Matters approval requiring all first-floor side facing windows to contain obscured glazing in order to block views from those windows into the neighbouring properties which lie either side of the site to the west and east. This condition will be repeated so that the changed first-floor windows will contain such glazing, to protect privacy.

The enlargement of the dwelling would not result in a private garden of inadequate size affecting the living conditions of the proposed occupants of the altered house.

Conclusion

The new proposed changes to the rear dwelling are acceptable in that they would not harm the character and appearance of the proposed house or that of the surrounding area or the openness of the Green Belt. The living conditions of the occupants of the existing dwelling to the west and the other proposed dwelling to the north and east side would also not be harmed. The Core Strategy and NPPF policies would continue to be complied with and as a result approval should be given for the Variation of Condition 1 of the Reserved Matters approval so that the dwelling can be built in exact accordance with the new altered plans. All other conditions attached to the earlier approval will be repeated. The conditions attached to the outline permission are unaffected.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 17.9.19

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council