DELEGATED DECISION REPORT

SMD/2019/0401 **Valid 28/06/2019**	**THE CROFT 7** **CHEDDLETON HEATH ROAD** **LEEK**	**RETROSPECTIVE APPLICATION FOR THE CONVERSION OF EXISITNG GARAGE TO CREATE AN ANNEX, CONTAINING LIVING SPACE, BEDROOM AND BATHROOM** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

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

DESCRIPTION OF SITE

The site is to the north of Cheddleton village in an area of ribbon development and cul-de-sacs within the Green Belt. The site comprises a detached two-storey dwelling which is one of a long row of houses facing Cheddleton Heath Road to the south. Open land lies to the other side of the road and also to the rear of the site. A track runs along the east side boundary of the site.

PROPOSAL

This is a full application for the change of use of an attached flat-roofed side garage into a one-bed family annex. The garage door has recently been replaced with a window and "front door" and a rear window replaced with patio doors leading into the rear garden. The former garage is currently used as a holiday let which is an unauthorised use. It appears no further works, either internal or external would be needed to assist with the further change into an annex ancillary to the main house.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES
Core Strategy Development Plan Document (Adopted 2014)

DC1 Design Considerations

National Planning Policy Framework (February 2019)

Sections 12 (Design).

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:

DC1 Design Considerations

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None relevant

CONSULTATIONS

Publicity

Site Notice expiry date: 14.8.19
Neighbour consultation period ends: 3.9.19
Press Advert: N/A

Public Comments

One letter of objection has been received from a nearby resident pointing out that the garage is being used as a holiday let leading to anti-social behaviour and is detrimental to the neighbourhood.

Town / Parish Comments

Recommend for approval.

Local Highways Authority

No objection subject to a condition.

Severn Trent Water

No objection.

OFFICER COMMENTS

There would be no impact on the character and appearance of the area. The recent external changes have not harmed the appearance of the dwelling or the surrounding area and no further changes are needed.

A boundary fence has been erected in the garden separating the rear garden area of the house from a rear garden directly to the rear of the converted garage, used by the holiday let occupants. The use is unauthorised but this is a separate matter that has no bearing on the proposal and its impacts. A condition can be added requiring

its removal and PD rights also removed to help restrict any future re-use as a holiday let or other completely separate unit of accommodation.

The use of the garage as a one-bedroom family annex would have less impact on residential amenity than a holiday let as it would be ancillary to the main residential use of the house. Despite the presence of a front door for the annex, the layout drawings show the annex would be integrated with the main dwelling and can be accessed internally from the main house.

There is enough space to park four cars on the existing hard-standing in front of both the house and garage and this is sufficient parking provision for the house plus 1-bed annex.

Conclusion

The proposed annex would not harm the visual or residential amenities of the area and would not lead to any significant harmful impacts on the general environment and amenities of the area with the safeguard of conditions. The amended proposal would comply with the Council's Design Guide and in that respect would also comply with the Core Strategy and the government planning guidance in the NPPF.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 18.9.19

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council