DELEGATED DECISION REPORT

SMD/2019/0466 **Valid 31/07/2019**	**QUARRY HOUSE FARM** **MOSS HILL** **STOCKTON BROOK**	**PROPOSED PITCHED ROOF FOR GARAGE EXTENSION AS PERMITTED IN THE DEVELOPMENT SMD/2018/0516.** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

– Whether or not the proposal amounts to inappropriate development in the Green Belt

- The impact on the rural character and appearance of the area

DESCRIPTION OF SITE

The site is in Stockton Brook village but also within the Green Belt a short distance to the north of A53. It comprises a dwelling on the east side of Moss Hill, a large domestic garden to the south of the dwelling and a large garage building to the east of it. Another road, Heather Hills, runs along the north boundary. There are other nearby dwellings on the opposite sides of both Moss Hill to the west and Heather Hills further to the north. To the east of the site lies a field/open land with a stables/agricultural buildings within the property and accessed via a separate access to the south of the domestic garden off Moss Hill.

PROPOSAL

This is a full householder planning application for the addition of a pitched roof onto a flat-roofed rear extension to an elongated domestic garage building within the curtilage of the dwellinghouse. The flat-roofed extension is currently being built (under permitted development) following the approval in 2018 of a Certificate of Lawfulness for proposed works for the extension which was found to meet the criteria in Part 1 Class E of the GPDO (and therefore could be deemed to be permitted development not requiring a full planning application). The addition of pitched roof, however, does required planning permission in this case because this would give the extension a maximum height of 4.1 metres, 0.1 metres over the height limit specified in the relevant part of the GPDO. The roof would match that of the existing roof on the original garage and read as an extension or elongation of the original gable ended roof over the flat roofed addition to the garage.

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
R2 Rural Housing
DC1 Design Considerations

National Planning Policy Framework (February 2019)

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 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:

SS10 Other Rural Areas Strategy
DC1 Design Considerations

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

01/00095 – Barn. Refused
01/00462 – Cert of lawfulness for residential curtilage. Withdrawn
01/00050/BOC and 01/00273/BOC – Enforcement Notice for garage building and change of use to domestic curtilage. Appeal dismissed.
SMD/2018/0516: Certificate of lawfulness for proposed flat-roofed rear extension to garage building. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 5.9.19
Neighbour consultation period ends: 5.9.19
Press Advert: N/A

Public Comments

None.

Town / Parish Comments

None.

SCC Minerals

No comments to make.

OFFICER COMMENTS

The garage building was the subject of an enforcement appeal and although dismissed, the Inspector considered the strip of land comprising the garage, to be residential curtilage and was only dismissed as the building was considered to have a height of 4.05 metres, some 5cm higher than what is allowed under residential curtilage permitted development (in Part 1 Class E of the 1995 GPDO) i.e. not needing planning permission. However, the Council subsequently measured the building to be less than 4.0 metres and therefore dropped the case, accepting that the development constituted residential curtilage permitted development.

An extension to the garage (currently being built) was also deemed to be permitted development last year and a certificate was issued for this. However, this new proposal, which adds a pitched roof, requires planning permission. The garage building, when measured at the front elevation, did not exceed the 4.0m height limit. However, due to ground changes, the proposed height of the garage when measured from the proposed rear elevation, with added pitched roof, would exceed this limit (when measured from the submitted elevation drawings) and requires planning permission (hence the submission of this new application) and must be viewed against the policies contained in the Core Strategy and the NPPF.

The site is in the Green Belt and the NPPF resists enlargements of buildings where these are considered to be disproportionate in relation to the original building. It is not considered the proposed pitched roof even together with the flat-roofed extension would amount to a disproportionate enlargement to a building which was accepted to have been provided under permitted development. Furthermore, the pitched roof would have no further significant impact on the openness of the Green Belt in relation to a slightly smaller pitched roof of just 10cm less height than one the proposed, which can be added without needing planning permission.

The pitched roof is also considered to result in an improved appearance to the rear part of the garage and which would harmonise more with the design of the original garage than a flat-roofed rear structure. This would also be more in keeping with the traditional character of the surrounding rural area.

Conclusion

The proposed extension would not amount to inappropriate development in the Green Belt and would not harm the character and appearance of the area. It would comply with the Core Strategy policies and NPPF.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 25.9.19

X 

Signed by: JaneC

On behalf of Staffordshire Moorlands District Council