DELEGATED DECISION REPORT

NMA/2019/0019 Valid 03/09/2019	FRESHWATER HOUSE MACCLESFIELD ROAD RUDYARD LEEK	NON MATERIAL AMENDMENT IN RELATION TO SMD/2018/0622: 1) AMENDMENTS TO ALL WINDOWS TO OMIT HORIZONTAL GLAZING BARS 2) AMENDED TO APPEARANCE OF WINDOWS IN FRONT PROJECTING GABLES 3) INTRODUCTION OF FULL HEIGHT OPENINGS AND JULIETTE BALCONIES TO REAR FACING BEDROOM WINDOWS WITH PROVISION OF GLASS BALUSTRADES 4) INCREASE IN SIZE OF FIRST FLOOR LANDING WINDOW TO FRONT ELEVATION 5) GROUND FLOOR UTILITY WINDOW CHANGED TO A REAR ACCESS DOOR TO LEAD INTO THE GARDEN (NON MATERIAL AMENDMENTS)

MAIN ISSUES

- To consider whether the amended proposal is materially different from the scheme approved at appeal (SMD/2018/0622);
- Neighbour amenity;
- Design/visual impact/street scene.

DESCRIPTION OF SITE

The application site is Freshwater House Macclesfield Road Leek. The site is a substantially sized plot of land with a wide road frontage. The application dwelling is a large, previously extended property which is accessed directly off Macclesfield Road by a long driveway. The existing dwelling (frontage) sits at 90 degrees to the roadside and is close to the west/north-western boundary. Whilst the house is set back from the road it is very visually conspicuous due to the land level differences and the wide site frontage.

PROPOSAL

The application is for a Non-Material Amendment to a scheme (replacement dwelling) which has been allowed at appeal. The proposed alterations consist of the following;

- Amendments to all windows to omit horizontal glazing bars;
- Amendment to appearance of windows in front projecting gables;
- Introduction of full height openings and Juliette balconies to rear facing bedroom windows with provision of glass balustrades;
- Increase in size of first floor landing window to front elevation;
- Ground floor utility window changed to a rear access door to lead into the garden.

The application requires consideration of the design merits of the proposed alterations, including whether there would be any wider and adverse visual or street scene impact.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

SS1	Development Principles
SS1a	Presumption in Favour of Sustainable Development
DC1	Design Considerations
DC3	Landscape and Settlement Setting

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.

<u>Emerging Policies</u>

The following policies are considered to be relevant to this application:

SS1	Development Principles (Moderate)
SS1a	Presumption in Favour of Sustainable Development (Significant)
DC1	Design Considerations (Moderate)
DC3	Landscape and Settlement Setting (Significant)

<u>Supplementary Planning Guidance</u>

1. Design Principles for Development in the Staffordshire Moorlands: New Dwellings and Extensions to dwellings.
2. Space About Dwellings.

<u>Supplementary Planning Document</u>

1. Staffordshire Moorlands Design Guide

National Planning Policy Framework

Including sections;

2: Achieving sustainable development
12: Achieving well-designed places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

77/04606/OLDDC	Erection of house at Trout Farm. Approved.
04/01537/FUL	Steel framed domestic storage buildings. Refused.
SMD/2017/0724	Extension and alteration of dwelling house. Refused.
SMD/2018/0622	Demolition of existing bungalow and erection of replacement dwelling. Refused but then allowed at appeal (reference APP/B3438/W/19/3221223).

CONSULTATIONS

Publicity

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

As a non-material amendment the Local Planning Authority has discretion regarding the undertaking of further consultations; it is noted that the original application did not generate any third party objections.

OFFICER COMMENTS

The proposed amendments relate only to window and door openings. There are no immediate neighbouring dwellings so the proposed enlargements and design alterations would not result in any overlooking objections.

The alterations to the windows will reduce the level of detail on the frames and would generally result in the openings having a more simplistic appearance (ie larger glazing panes). There are no objections to this change, the number of openings remains the same and the change would not result in any significant harm to the appearance of the approved dwelling. The enlargement of the first floor landing window (increased width) causes no concern, whilst it is wider it still remains balanced in terms of its size when compared to the window and door arrangement directly below at ground floor level. The new utility room door and Juliette balconies are all positioned within the rear elevation. The new dwelling is to be set well back

within its plot and therefore the amendments will not have any significant street scene impact.

CONCLUSION / PLANNING BALANCE

For the reasons outlined above it is considered that the proposed amendments are acceptable and that the application should be approved.

OFFICER RECOMMENDATION : Approve

Case Officer: Lisa Jackson
Recommendation Date: 17/10/2019.

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council