DELEGATED DECISION REPORT

SMD/2019/0548 **Valid 05/09/2019**	**43 STUART AVENUE** **DRAYCOTT IN THE MOORS**	**2 STOREY SIDE EXTENSION, SINGLE STOREY REAR EXTENSION & FRONT PORCH.** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Green Belt
- Neighbour amenity
- Street scene
- Design

DESCRIPTION OF SITE

A modestly sized two storey two bedroom pre-war brick and clay tile semi in fairly uniform avenue of similar.

The gap to the side boundary is c. 2.8m. There is a close boarded dividing fence to height c.1.2m. The adjacent dwelling at 45 Stuart Ave has previously been extended so that its two storey side elevation comes to c.0.5m of the boundary fence.

In common with its neighbour and the others of its type in the row there is an original single storey narrow (2.5m) build-out of c.3.0m projection to the rear with dual pitched roof. This has been extended into the driveway at the side with a makeshift brick lean-to of 1.8m width.

A dropped kerb serves the property and the front garden and the space to the side of the dwelling are laid to gravel available for cars to pull-in / reverse out or vice versa.

In plan area the original dwelling (omitting the small side lean-to) scales as being 4.7m x 7.3m = 34m2 plus rear build out 2.6m x 3.25m = 8.45m2 giving a total ground plan area of c.42.5m

PROPOSAL

Two storey side extension to width 2.6m recessed from the front at first floor by 0.45m; roof also recessed and set down relative to that of the original house at the front though continuing in the same roof plain at the rear.

A single storey lean-to extension to 3m across the full width of the original house and to the rear of the side extension is proposed.

A square ‘sentry’ style porch 1.7m in width and 1m in projection is proposed over the existing front doorway.

Materials for the porch and two storey side extension are given as Staffordshire blue clay tiles and red brick to match existing. For the lean-to with shallow roof slope the tiles are given as 'smooth grey Marley modern concrete interlocking'. No reference to brick type.

The plan areas of the extensions scale as rear single storey 3 x 7.3 = 22m2; side extension 2.6 x 7.3 = 19m2 plus porch 1.6 x 1m = 1.6m2 therefore all totalling 42.6m2 – effectively a 100% increase in ground plan area.

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
H1 New Housing Development
NE Biodiversity and Geological Resources
T1 Development and Sustainable Transport

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 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; 15 – Conserving and enhancing the natural environment;

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS
None at the application site.

At 45 Stuart Avenue: 90/01074/OLD (SMD/1990/0171) side extension to form bedroom over garage – approved; 89/00214/OLD (SMD/1989/1642) extension to form garage, play room and laundry – approved.

At 41 Stuart Avenue: 00/00096/FUL (SMD/2000/0109) extension to form porch, kitchen and first floor bathroom – approved.

CONSULTATIONS

Publicity
Site Notice expiry date: 13th November 2019
Neighbour consultation period ends: 26th September 2019
Press Advert: N/A

Public Comments
From the occupier of 41 Stuart Avenue – the attached neighbouring semi: The external south side wall of the dining room extension will have a major impact on the light entering my living room window. The tunnelling effect of the external wall of my own kitchen, c.3 m deep and 3m high combined with the new south wall of the planned extension 3m deep 3-4m high will form a 3 sided enclosed space 3m deep and 2m wide. I feel that the impact of this part of the extension on my living space would be significant and is unacceptable.

Town / Parish Comments
Draycott Parish Council – no objection

Severn Trent Water

Minimal impact on the public sewer network therefore no objection and no requirement for a drainage condition. Advisory re potential for public sewer within the site.

OFFICER COMMENTS

Principle of Development

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.

The location is outside of any development boundary and therefore – arguably somewhat anomalously – falls to be assessed under policy SS6c for rural areas. Subject to Green Belt requirements Policy SS6c provides for the extension of an existing rural building in accordance with policies R1 and R2.

Policy SS6c for the rural areas supports only development which meets an essential local need and supports rural diversification and sustainability of the rural areas (or supports sustainable tourism or enhances the countryside).

Within the Green Belt, Policy SS6c is that strict control will continue to be exercised over inappropriate development 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).

In this case the plan area of the proposed extensions all combined represent a 100% increase over the original plan area and therefore must normally be regarded as disproportionate thus making the development inappropriate in the Green Belt and harmful by definition (NPPF 143). By omitting the infill corner rear of the side extns c. 7m2 reduces the extensions form 43m2 to 36m2. This still would represent an 84% increase.

In volume terms the existing house is 288m3 and the extensions proposed would be 196m3 or c.68%. Although less severely disproportionate than the plan area figures this is still a proportionately large extension.

Consideration should however also be given to the possible PD options available. These would provide for single storey extensions along the side and rear elevations of the original dwelling. In plan area terms this would equate to the majority of the proposal scheme save for the rear corner marked as kitchen on the proposal plan. This latter element can reasonably be judged inconsequential in Green Belt harm. Although it does represent one option for reducing the scheme the case for this is not strong since its presence or absence would have no impact on openness as it is enclosed on 3 sides by built form.

A more significant amendment could be to omit the first floor to the side extension. Ultimately the applicant could respond by seeking to build to a larger PD footprint at the rear potentially including a limited two storey element. These options however are all likely to be less satisfactory in design terms than the existing scheme.

It is also noted and considered significant that the proposal as submitted is properly recessed and the ridge line set down so that it is suitably subordinate.

Although the combined proposed extensions may be assessed as being disproportionate and therefore inappropriate development in the Green Belt which is harmful by definition, the above considerations can reasonably be considered as representing very special circumstances which in accordance with NPPF 144 can be held to outweigh the harms discussed.

Design
As already considered above the design is fully acceptable, properly observing the Council’s design guidance. The recessing and setting down helps avoid mismatch of materials and helps to create a subservient appearance, which is relevant to the Green belt consideration of proportionality discussed above. It also does at least minimise the terracing effects of a uniform series of non-recessed front facing extensions. Although the neighbouring property alongside has been extended (which is not set back) it is set down from the overall ridge which creates a subordinate appearance and combined with the recessed nature of the current proposal will avoid a terracing effect.

Amenity

The attached neighbour at 41 makes understandable representation objecting to the adverse impacts of the proposed extension on the light and openness of a rear window aspect – photos 5790 and 5793 show the window in question. This is considered a principal window. The proposal however does not project further than can be achieved at this point under Permitted Development rights (3m single storey). Given this fall back it would not be appropriate to further restrict the development at this point as the minimum safeguards provided for under the national PD legislation are met by this proposal.

Highway Safety
Not at issue. Although there is loss of space to the side of the property it is questionable whether this represents utilisable parking space given the narrow width and anyway it could be developed under PD without consideration to parking. Finally, although somewhat restricted, the property has pull-in space in the front garden area which could continue to provide for two vehicles which is the minimum standard expected for properties of up to three bedrooms which this would become.

CONCLUSION / PLANNING BALANCE
A suite of considerations, as discussed under Principle above, taken together are found to represent very special circumstances sufficient to outweigh the harm to the Green Belt by reason of inappropriateness due to – in measured terms of the dimensions – being disproportionate additions. In fact in design the appearance to the street scene would not be of a disproportionate addition nor on its own would this this element scale as being especially disproportionate in volume terms at c.122m3 or c.42%. But for the corner kitchen element the remainder at the rear could be built at a later date under PD if only the side were put forward at this stage.

The scheme amounts to good design. The impacts on the window at 41 have been considered and for the reasons discussed are accepted.

OFFICER RECOMMENDATION : approve

Case Officer: Arne Swithenbank
Recommendation Date: 20th November 2019

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council