DELEGATED DECISION REPORT

SMD/2020/0012 **Valid 09/01/2020**	**306 ASH BANK ROAD** **WERRINGTON**	**RETROSPECTIVE APPLICATION FOR RETENTION OF SINGLE STOREY REAR EXTENSION** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Principle of development;
- Design/visual impact;
- Neighbour amenity;
- Highways;
- Drainage;
- Coal.

DESCRIPTION OF SITE

The application site is number 306 Ash Bank Road Werrington, a previously extended, detached dwelling sitting within generously sized grounds. Positioned to the southern side of Ash Bank Road the dwelling is orientated to face towards the north. There is a generously sized off-road parking area at the front of the house and a good size garden to the rear. Land levels drop steeply from the back of the house towards the rear boundary. Boundaries are marked by hedgerows and timber panel fencing.

For the purposes of planning policy consideration the application site is located within the Werrington and Cellarhead Village Development Boundary and is within an identified low risk development (coal) area. The site does not form part of any Conservation Area and there are no Listed Buildings or protected trees which need to be considered.

PROPOSAL

This is a retrospective application for the erection of a kitchen/dining room extension to the rear of the dwelling. The steeply sloping rear garden has resulted in a property with split-level appearance, the extension provides ground floor accommodation but when viewed from the rear of the building it has more of a 1.5-2 storey appearance. At lower ground floor level there is a store room accessed from the garden area. The extension has been built from brick and has a flat roof.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

SS1	Development Principles
SS1a	Presumption in Favour of Sustainable Development
SS6a	Larger Villages Area Strategy
DC1	Design Considerations
T1	Development and Sustainable Transport

<u>Supplementary Planning Guidance</u>

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

2. Space About Dwellings.

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide

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 was agreed by the Council and the subject of public consultation between 18th September 2019 and 31st October 2019. The schedule consisted of modifications that the Inspector has deemed necessary to make the Local Plan sound. Following the consultation, the Inspector concluded that further hearing sessions were necessary to consider; proposals for safeguarded land at Gillow Heath in Biddulph, housing land supply, Local Green Spaces in Cheddleton (Ox Pasture), Biddulph (Dorset Drive and implications for the emerging neighbourhood plan) and Blythe Bridge. They were held on 4th and 5th February.

On 27th February, the Inspector issued his post hearing advice. Key recommendations in the letter include:

- The proposed safeguarded land at Gillow Health, Biddulph should be removed. Neither should the site be allocated for housing as requested by the landowners as the case for exceptional circumstances has not ben met. The land will remain Green Belt as per the Local Plan Submission Version agreed by the Council in June 2018
- No further housing allocations in Biddulph are required
- No further amendments to the housing trajectory are required aside from pushing back the predicted commencement of the Wharf Road, Biddulph site (excluding BDNEW) until 2022/23.

- Monitoring of housing supply will determine if a full or partial Local Plan review is required within 5 years
- Land at Ox Pasture (Cheddleton) and Dorset Drive (Biddulph) should revert back to the Local Green Space designations as per the Local Plan Submission Version as agreed by the Council in June 2018.
- Other modifications were considered during the recent hearings sessions are necessary to make the plan sound, including; updating neighbourhood area housing requirements (Policy SS4) to reflect the latest monitoring data, updating the employment land area for the Tunstall Road allocation to reflect the masterplan and other adjustments to the wording of Policy SS4 and Policy DC2.

No further representations will be sought by the Inspector. As such, the Local Plan policies as proposed to be modified in September 2019 along with the Inspector recommended revisions (February 2020) provide a strong indication of the final policies likely to be adopted in the Local Plan. The Inspector's final report is expected within 2 months and will reflect the post hearing advice. The Council will be able to consider the adoption of the Local Plan at this point. As such, the plan is at a very advanced stage of preparation with some of the key outstanding objections now having been resolved following the February 2020 hearing sessions.

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 considered below:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the main modifications have been subject to consultation
- The extent to which there are unresolved objections to relevant policies this varies depending on the policy in question – the Inspector wishes to explore outstanding objections on a limited number of issues at the February hearing sessions further before drawing conclusions.
- The degree of consistency of the relevant policies in the emerging plan to this Framework – policies have been modified to address soundness issues identified by the Inspector to date. It is the Council's view that the policies (as modified) are consistent with national policy. The Inspector has yet to draw final conclusions, particularly on the matters subject to further hearing sessions.

Given the above, the majority of policies (as modified) can be given substantial weight

<u>Emerging Policies</u>

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

SS1	Development Principles
SS1a	Presumption in Favour of Sustainable Development
SS8	Larger Villages Area Strategy
DC1	Design Considerations
T1	Development and Sustainable Transport
Appendix 8	Parking Guidance

National Planning Policy Framework

Including sections;

2:	Achieving sustainable development
9:	Promoting sustainable transport
12:	Achieving well-designed places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2019/0577	Proposed two storey, pitched roof side extension to existing dwelling. Raising of existing garage roof and conversion to study. Refused. Appeal decision pending.
SMD/2020/0013	Proposed two-storey side extension. Pending a decision.

CONSULTATIONS

Publicity

Site Notice expiry date: 27/02/2020.
Neighbour consultation period ends: 31/01/2020.

Public Comments: No representations received within the consultation period.

Werrington Parish Council: No representations received within the consultation period.

Severn Trent Water: No objections to the application.

OFFICER COMMENTS

Principle of Development
The application site is located within the Werrington and Cellarhead Village Development Boundary. Core Strategy policy SS6a identifies the area as a 'Larger Village' within which a range of developments can be supported. There are no 'in principle' objections to a domestic extension to this dwelling and consideration is therefore given to material planning matters including design, visual impact, neighbour amenity, highways/parking, drainage and development within coal risk areas. It is noted that an appeal decision is currently awaited, but this relates to a proposal to add a two-storey side extension (following refusal of application SMD/2019/0577) and does not include any works relating to this (rear extension) application.

Design and visual impact
Planning permission is required for the rear extension as it does not comply with the Permitted Development rights limits for either single-storey or two-storey rear extensions. It is noted that pitched roofs are preferable to flat roofs however each application must be considered on its own merits. The actual new build works relate only to where a conservatory (floor to ceiling glazing and conservatory roof) once stood (see conservatory photo within planning file). The conservatory did not span the full width of the dwelling and the lower ground floor walls have not been altered. The extension simply enlarges a section of flat roof which was already in place, the choice of brickwork is acceptable and the replacement of large areas of glazing with a more solid looking brick structure is welcomed. The extension does have a subordinate appearance when viewed in the context of the original house, its proportions and materials choice does not result in a development which takes away/detracts from the character of the existing house, and wider visual impacts are limited to a number of neighbouring dwellings. Although flats roof are considered to be poor design, particularly when viewed against the pitch roof of the host dwelling, its visual impact on the wider street scene is limited to the glimpsed viewed from the front. On balance it is considered that there is no material planning objections to the application, the extension abuts an existing flat roof structure and is relatively secluded.

Neighbour amenity
The application site is surrounded by dwellings to the south, west and east. To the north is the main Ash Bank Road with residential properties on the other side of it. The extension includes two windows, one to the rear and one to the eastern side. Consideration is given to the positioning of the dwelling in relation to its neighbours, boundary treatments, separation distances and the provision of full height windows on the original conservatory. It is considered that the neighbour amenity relationship is now much improved due to the provision of smaller window openings in lieu of the

larger conservatory openings, and therefore overlooking is less harmful than the conservatory which previously existed. The extension is positioned no closer to the neighbours, which are positioned at a reasonable distance to assist in overlooking concerns. It is noted that no neighbour representations have been received in respect of the rear extension. It is therefore considered that, on balance, the extension would have no greater impact on the residential amenities of the adjacent neighbours.

Highways
The application does not include any alterations to the existing vehicular access. There is a large block-paved parking/turning area at the front of the house, which would remain. In addition this application is not proposing to increase the number of bedrooms therefore consideration of Local Plan parking standards is not triggered. Accordingly it is considered that there would be no harm to highway safety.

Drainage
Severn Trent Water have confirmed they have no objections to the application stating that 'As the proposal has minimal impact on the public sewerage system I can advise we have no objections to the proposals and do not require a drainage condition to be applied.' STW recommend a number of informative notes which could be added to the decision notice in the event of planning permission being approved; these relate to the possibility of a public sewer running through the site.

Coal
Planning records show that the application site sits within a Coal Development Low Risk area and therefore it is considered reasonable to consider the surrounding area and any coal mining features/hazards. A Coal Mining Risk Assessment would not be required for this application. The Coal Authorities' 'Exemptions List' for the Risk Based Approach to Development Management identifies a householder application as one instance where an assessment is not required. In the event of planning permission being approved it is recommended that a coal related informative note is added to the decision.

CONCLUSION / PLANNING BALANCE

For the reasons outlined above it is recommended that the application is approved subject to conditions. It is recognised that flat roof extensions are not as preferable as those with pitched roofs but in this instance it is considered to be acceptable. On balance (retrospective application/relatively secluded location/matching materials) the application is supported. It is noted that the proposal replaces a conservatory which (at a raised level) would have been contrary to the councils adopted design SPG anyway.

OFFICER RECOMMENDATION : Conditional approval

Case Officer: Lisa Jackson
Recommendation Date: 03/03/2020

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Signed by: JaneC

On behalf of Staffordshire Moorlands District Council