DELEGATED DECISION REPORT

SMD/2020/0070 **Valid 07/02/2020**	**FOUR OAKS CHURCH ROAD BROWN EDGE**	**PROPOSED SUMMER ROOM OVER EXISTING GARAGE** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Principle of development;
- Design/visual impact;
- Neighbour amenity;
- Highway safety.

DESCRIPTION OF SITE

The application site is Four Oaks, Boardman's Bank Brown Edge, a detached gable style dwelling fronting Boardman's Bank and backing onto Church Road. Visually from Boardman's Bank the dwelling sits at a higher level, it is a split level dwelling due to Church Road running at a higher level. For the purposes of planning policy consideration the application site is located within the Brown Edge Village Development Boundary. The site is not located within a Conservation Area and the dwelling is not Listed. St Anne's Church to the eastern side of Church Road is Grade II Listed but the summer room is positioned on the opposite side of Four Oaks and would not be seen in the context of the church. Building works have commenced to implement planning approval reference SMD/2017/0305 'garage extension.'

PROPOSAL

The application is for the erection of a summer room over an existing garage (garage consent SMD/2017/0305). The extension would occupy the same footprint as the garage below it and contain 7 openings (one of which is a door to allow access to the garden). The application form states that the walls will be of brickwork. The application forms appear to be incorrect in respect of details for the proposed roof. The plans clearly show a shallow pitched roof but the application form states 'flat roof with balcony to garage,' this would have been in reference to an earlier application.

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

Emerging Staffordshire Moorlands Local Plan

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.

Emerging Policies

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

SS1	Development Principles
SS1a	Presumption in Favour of Sustainable Development
SS8	Larger Villages Areas Strategy
DC1	Design Considerations
T1	Development and Sustainable Transport

Supplementary Planning Guidance

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

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/2019/0246	Summer Room over existing garage. Refused.
SMD/2018/0502	Conservatory. Refused.
SMD/2017/0305	Garage extension. Approved.
88/01137/OLD	Details of Dwelling. Approved.
87/00742/OLD	Site for Dwelling house. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 13/03/2020

Neighbour consultation period ends: 28/02/2020.

Public Comments:

One letter received from a neighbour querying whether the three side windows are going to have none opening casements and obscure glass as the windows appear to overlook their back garden

Email representation received from the applicant stating that

'To confirm the intention is side windows are to be fitted with obscure glazing and were to have top openings purely to provide ventilation, they can be fixed if it is deemed necessary to support the application.'

Brown Edge Parish Council: No representations received.

Staffordshire County Council Highways: No objections on highways grounds.

OFFICER COMMENTS

Principle of Development

As the application site is located within the Brown Edge Village Development Boundary there are no 'in principle' objections to a domestic extension however each site is judged on its own merits as to the acceptability of a proposal. In this instance the matters to be considered are design/visual impact, neighbour amenity and highways. It is noted that this application has been submitted following on from the refusal of applications reference SMD/2018/0502 (conservatory) and SMD/2019/0246 (Sun room over existing garage) both of which were proposed to sit above the garage extension in a similar manner to this scheme. The application now being considered is accompanied by a letter from royal Mail confirming that the address of the property has been changed from Boardman's Bank to Church Lane. The previous refusals made reference to the proposed extension being located at the front of the dwelling (Boardman's Bank); the applicant contends that this is the back of the house.

Design and visual impact

The previously approved garage extension faced towards Boardman's Bank. The approved garage scheme included a splayed gable end which was very close to the highway edge. This scheme proposes that the depth of the garage is reduced and that the gable end would be a flat wall running parallel with the wall of the main house. The sun room would sit above the garage and extend as far out as the reduced footprint. Works to the garage extension have commenced. There are concerns with the proposed design irrespective of whether the applicant considers this to be the front or rear of the house. It is noted that the application forms for both SMD/2018/0502 and SMD/2019/0246 gave the property address as Boardman's Bank. Copies of the previously refused schemes are included in the report below to allow ease of comparison between the proposals.

The details from Royal Mail concerning the change of address are noted but the facts of the case remain in that such a large extension above the garage would be visually intrusive within the Boardman's Bank street scene. It is not considered that the visual appearance of the dwelling would be improved. The extension is large and similar to the previously refused scheme would project 8.832m from the house wall. This projection distance is still considered to be disproportionately sized in relation to the existing dwelling and does not relate well with it. From the Boardman's Bank perspective the resultant extension would appear as a very large, two-storey extension which would be visually prominent within the street scene at this point, in contrast to nearby surrounding development which is either low level or set back from the road behind hedgerows and/or drystone walls.



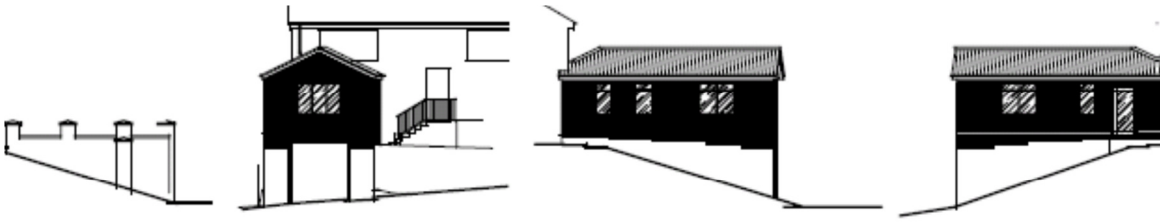
A previously raised concern was that as the footprint of the garage extension encroached beyond the side wall of the house (no issue with the garage development due to its low level); an upper floor enlargement would result in an awkward roof relationship with the corner wall. The roof design has changed slightly from the SMD/2019/0246 application in that a very shallow pitched roof is now proposed in order to avoid an existing upper floor window. Previously the intention was to introduce a hipped feature at the back of the roof which would have seen the roof slope away from the wall of the house to avoid blocking the window opening.

Accordingly it is considered that the proposed extensions is visually unacceptable, and has not addressed the earlier concerns.

Amenity

The dwelling to the north 'Sunny Bank' is sited at a much higher land level than the area where the proposed sun room would be located and as such the proposal would not have any overbearing impact upon any neighbouring windows. Previous applications have raised concerns about windows overlooking the garden belonging to Sunny Bank which slopes steeply from the level of the house towards the Boardman's Bank highway. This is the only meaningful, private external amenity space to Sunny Bank. The proposed extension would be set at a considerably higher level than the neighbour's garden and the introduction of three windows within the side wall would be unacceptable and intrusive. It is noted however that the applicant has confirmed in writing that the intention is for the side windows to be fitted with obscure glazing. The applicant states that the windows would have 'top openings' for ventilation purposes but they could be fixed if necessary. It is considered that a suitably worded condition could deal with this matter, either to fix the openings and use obscure glazing or to omit the windows completely given that there are windows proposed on the other side and one within the gable end.

SMD/2019/0246 – Refused

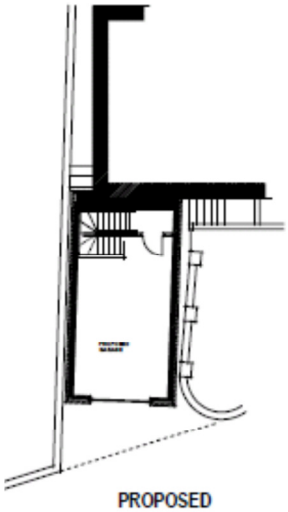


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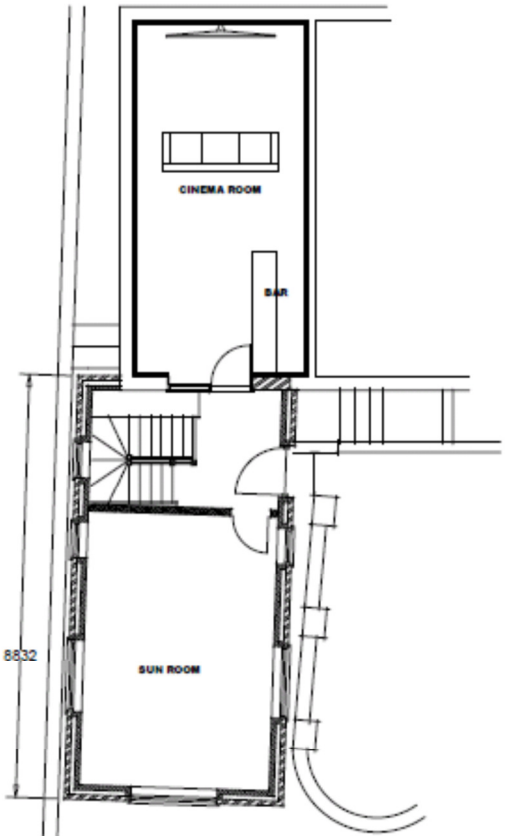
PROPOSED REAR
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PROPOSED SIDE
(REAR)
ELEVATION

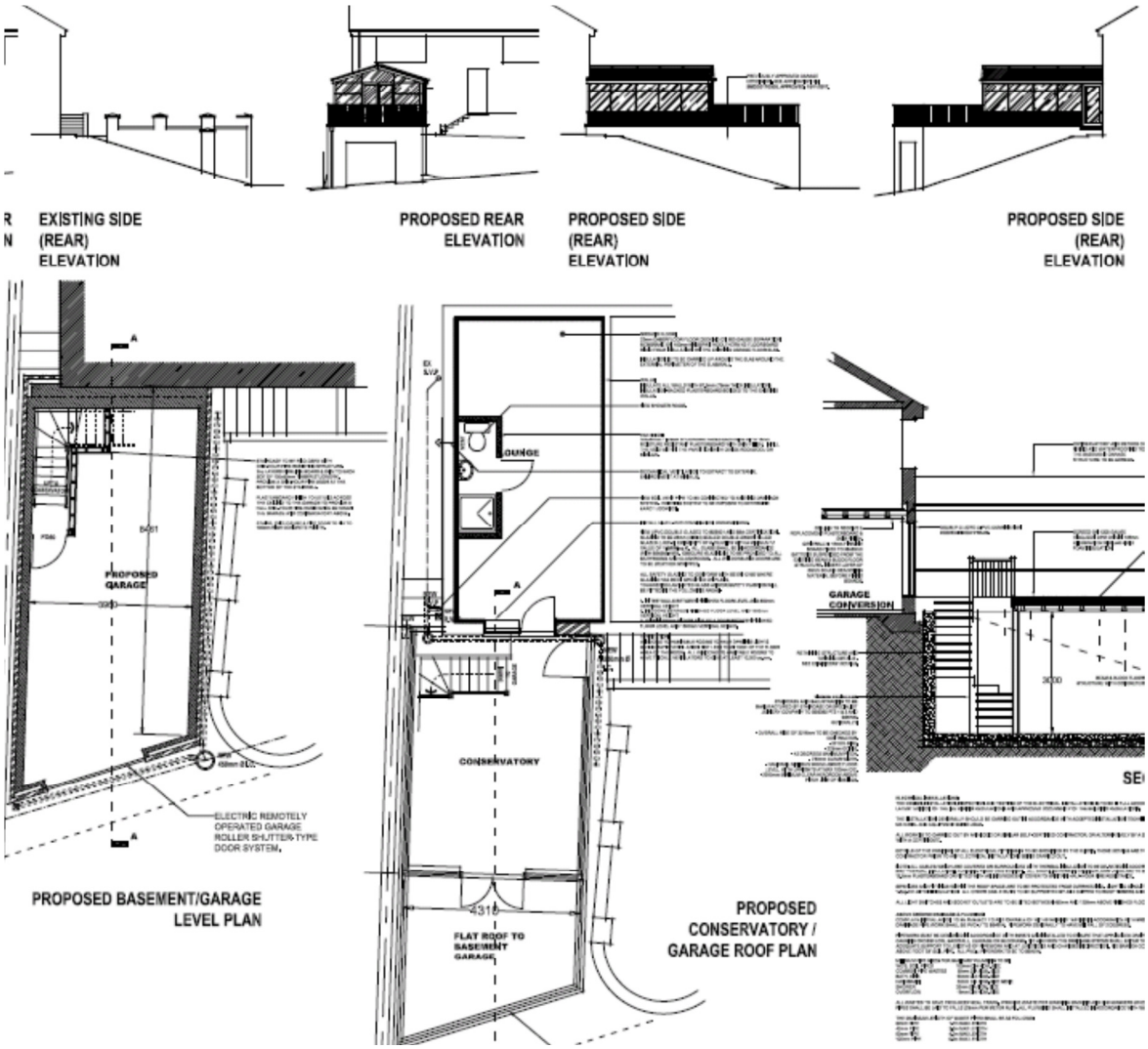
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PROPOSED
BASEMENT/GARAGE
LEVEL PLAN



SMD/2018/0502 – Refused



Highways

The County Highways officer raises no objections to the application.

CONCLUSION/PLANNING BALANCE

For the reasons outlined above it is recommended that the application is refused. Whilst a minor alteration has been made to the appearance of the roof (which is welcomed) and the applicant has confirmed he is willing to fit obscure and fixed glazing, the revised scheme does not address the matter of the extension being a disproportionate addition and the visual street scene harm that would result. Amendments to the application have not been sought as the fundamental objection of building upon the garage cannot be overcome.

OFFICER RECOMMENDATION : Refuse

Case Officer: Lisa Jackson
Recommendation Date: 08/04/2020.

X

Signed by: JaneC
On behalf of Staffordshire Moorlands District Council