DELEGATED DECISION REPORT

SMD/2019/0512 **Valid 19/08/2019**	**THE SPINNEY LEEK ROAD LONGSDON**	**PROPOSED REPLACEMENT GARAGE WITH ANNEXATION OVER** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Green Belt
- Design, character and appearance

DESCRIPTION OF SITE

The application site occupies an isolated position within the Green Belt and is found on the northern side of Leek Road, Longsdon. The site is of a sylvan and spacious character and comprises of a detached dwellinghouse and detached garage building that are positioned circa 50m north of the highway boundary. The site slopes upwards from south to north and as such the dwellinghouse occupies a visually prominent position. The site is served by gated vehicular access from Leek Road. An area of hardstanding for the parking of vehicles is found forward of the principle elevation of the dwellinghouse. Agricultural land neighbours the site to the north, south and west. A paddock, which falls under to ownership of the applicant, bounds the residential curtilage to the east.

PROPOSAL

Approval is sought for the demolition of the existing garage and for the construction of a replacement garage with annex accommodation above.

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
SS6 Rural Areas
SS6c Other Rural Areas Area Strategy
DC1 Design Considerations
R1 Rural Diversification
R2 Rural Housing
T1 Development and Sustainable Transport

Emerging Staffordshire Moorlands Local Plan

On July 20th 2020, the Council published the Inspector's final report thereby drawing a close to the examination in public. The report concludes that with the recommended main modifications, the plan satisfies the requirements of Section 20(5) of the 2004 Act and meets the criteria for soundness in the National Planning Policy Framework (NPPF). As such, the main modifications which accompany the Inspector's report provide a clear indication of the final policy wording when read in conjunction with the Local Plan Submission Version (2018).

In this context, the Council's position on the weight to be given to the policies (as modified) 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 the most advanced stage of preparation prior to adoption as the Inspector has concluded that the Local Plan is sound subject to the recommended modifications being made.
- The extent to which there are unresolved objections to relevant policies – the Inspector has now drawn his final conclusions and there are no further matters to resolve
- The degree of consistency of the relevant policies in the emerging plan to this Framework – the policies (as modified) have been found by the Inspector to be sound in the context of the 2012 NPPF under which the Local Plan has been examined. One of the "tests of soundness" that the Local Plan has successfully been measured against is whether it is "consistent with national policy". Because the Local Plan has been prepared and examined under the 2012 NPPF, it should be noted that in some limited cases, its policies do not directly reflect current national policy. However, planning law requires that applications be determined in accordance with the development plan, unless material considerations indicate otherwise. Current national policy is a material consideration and should be given weight accordingly.

Given the above, all policies (as modified) should be given substantial weight.

Emerging Policies:

SS1 Development Principles
1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS10 Other Rural Area Strategy
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 - 14
Section(s) 12, 13

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None.

CONSULTATIONS

Publicity

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

Public Comments

No comments received.

Town / Parish Comments

Longsdon parish Council:- Councillors had no objections, in principle, subject to normal planning guidelines, but expressed some concerns as to whether this was actually a new dwelling in its own right for which they would have no support.

Staffordshire County Council Highways

No objection.

OFFICER COMMENTS

Principle of Development

Paragraph 11 of the National Planning Policy Framework (NPPF) promotes a 'presumption in favour of sustainable development'. For decision takers this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless: i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 8 of the NPPF identifies three dimensions to sustainable development as being economic, social and environmental.

In accordance with Core Strategy policies SS1 and SS1a of the Staffordshire Moorlands Core Strategy the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protecting, and where possible enhancing the environment. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF).

The application site falls outside of a defined settlement boundary as defined in the Site Allocations DPD. In accordance with Core Strategy policy SS6c, these areas will provide only for, amongst other things, development which meets an essential local need. This includes allowing for the replacement of an existing building in accordance with Core Strategy policy R1.

Similarly, policy SS10 of the Emerging Local Plan permits extensions or additional domestic outbuildings to existing dwellings provided they are appropriate in scale and design and do not have a detrimental impact on the existing dwelling and the character of the rural area.

Core Strategy policy R1 states that appropriate development should not harm the rural character and environmental quality of the area by virtue of scale, nature and level of activity involved.

Green Belt

Paragraph 145(d) of the National Planning Policy Framework (NPPF) identifies "*the replacement of a building"* as being appropriate development in the Green Belt, provided that the new building is in the same use and not materially larger than the one it replaces. Additionally, paragraph 145(g) considers *"the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings, which would not have a greater impact on the openness of the Green belt than the existing development"* as constituting appropriate development in the Green Belt.

Approval is sought to replace a domestic outbuilding with a building of the same use and will serve a garage at ground floor with ancillary annex accommodation within the roof space above. Amendments have been negotiated during the course of the application and the current proposal seeks to construct a building that is to sit on the same footprint as the building it is to replace. The existing building has a dual pitched roof with a very shallow pitch, measuring circa 2m above ground level at its highest point. The replacement building has also been designed with a dual pitch, however in order to provide accommodation at first floor level the ridge height measures 5.6m above ground level. An increase in height of 3.6m will invariably have a greater impact on openness than the existing structure.

NPPF paragraphs 143 and 144 advise that *"inappropriate development is, by definition, harmful to the Green belt and should not be approved except in very special circumstances…'very special circumstances' will not exist unless the potential harm to the Green belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations."*

A garage is a reasonable expectation to meet modern day living standards and it is therefore reasonable to conclude that the provision of a garage would *"meet an essential local need"* in accordance with policy SS6c. This view is further supported by the emerging Local Plan under policy SS10 which permits *"extensions or additional domestic outbuildings to existing dwellings provided they are appropriate in scale and design and do not have a detrimental impact on the existing dwelling and the character of the rural area".*

The proposed garage and annex is considered to be of an appropriate scale and design which reflects the design and proportions of the host dwelling. The additional volume gained by the development is the result of an increased ridge height as apposed to any increase in footprint. Permitted development rights are in tact and it is noted that a detached domestic building of slightly lesser height (4m) could be constructed within the residential curtilage without the need for planning approval. With this in mind, it is considered that although the garage/annex would be higher than what could be built under permitted development rights, the proposed height is not considered unreasonable or significantly harmful to the openness of the green belt.

Taking account of these factors it is considered that the potential harm to the Green Belt by reason of inappropriateness is clearly outweighed by other considerations.

Design

Policy DC1 refers to design and seeks to secure development of a high quality which is designed to add value to the area and to respect the site and its surroundings. New development should promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance. Paragraph 127 of the National Planning Policy Framework requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture.

The proposed development is considered to respect the massing and character of the host dwellinghouse. The proposed garage and annex will be visible from the public highway; however the development is to sited in close proximity to the host dwelling and will not be read in isolation to it. The development is to replace and existing domestic outbuilding and as such the proposal is not likely to appear incongruous. Externally, building materials are to include brickwork to match the existing house and forticrete concrete roofing tiles which are considered to be acceptable.

Amenity

Sufficient distance will remain between the proposed development and the nearest neighbouring dwellinghouse to not raise undue concern.

Highway Safety

The proposed annex would provide two additional bedrooms. The development would not result in the loss of existing on-site parking provision. Sufficient on-site parking exists to serve the additional accommodation as such the development is not likely to result in harm to the wider highway network.

CONCLUSION / PLANNING BALANCE

This application is considered to accord with the relevant policies outlined. As such a recommendation of approval is provided.

OFFICER RECOMMENDATION : Approve

Case Officer: Lisa Howard
Recommendation Date: 30.07.2020

X

Signed by: Jane Colley

On behalf of Staffordshire Moorlands District Council