DELEGATED DECISION REPORT

SMD/2020/0339 **Valid 30/06/2020**	**OLD STAR FARM** **BEELOW LANE** **COTTON**	**ERECTION OF EXTENSION TO DETACHED GARAGE TO FORM ANCILLARY RESIDENTIAL ANNEX** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- amenity
- character and appearance

DESCRIPTION OF SITE

Rural detached two storey dwelling previously much altered and extended. Set back 80m from the public road and not prominent due to intervening trees including dense conifer planting. One near neighbour, Star Green Farm, 50m to SW. Public footpath right of way passes alongside the Star Green Farm access track on the south side of the application property. Otherwise limited public visibility of the premises.

PROPOSAL

As in the application description. The accompanying planning statement includes the following:

> "The application represents a resubmission following the withdrawal of application SMD/2020/0133 which had proposed the conversion and re-use of a nearby Nissan hut to create a residential annex. The Local Authority were not supportive of that proposal, and consequently the applicant has been looking at alternative proposals in order to achieve an annex on the site.
>
> "The proposed annex will occupy a footprint of 62 square metres and will stand to a maximum height of 4 metres. The garage to which it will be attached stands to some 5 metres and is to remain in use as a garage. The proposed annex is to be occupied by the applicant's mother and stepfather, and will comprise of a bedroom, bathroom, kitchen and lounge. The annex will furthermore share the same domestic curtilage, access, parking area and service connections as the main house.

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
DC3 Landscape and Settlement Setting
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
DC3 Landscape and Settlement Setting
H1 New Housing Development
NE1 Biodiversity and Geological Resources
T1 Development and Sustainable Transport

Local Plan process

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". As 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.

National Planning Policy Framework February 2019
Paragraph(s) 1 – 14;

Section(s) 4 – Decision making; 11 – Making effective use of land; 12 – Achieving well designed places; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

Adopted Supplementary Planning Documents/Guidance (SPD/G):
- Space About Dwellings SPG
- Design Principles SPG

Core Strategy Supporting Evidence Documents:
- Landscape and Settlement Character Assessment (2008)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS
87/00860/OLD – proposed double garage with holiday accommodation over – refused
89/00187/OLD – detached double garage – approved
SMD/2020/0022 – removal of existing conservatory and erection of single storey extension with balcony above – approved
SMD/2020/0133 – conversion and alteration of Nissan hut to create residential annex – withdrawn

CONSULTATIONS

Publicity
Site Notice expiry date: 10th August 2020
Neighbour consultation period ends: N/A
Press Advert: N/A

Public Comments
None

Town / Parish Comments
None

Severn Trent Water
Minimal impact on the public sewerage system therefore no objection and no requirement for a drainage condition.

Staffordshire County Council Highways
No objection subject to conditions – visibility splay of 2.4m x 140m to the north of the farm access to be provided and maintained; details of layout of parking and turning; consider condition to retain garage as garage.

There is no parking layout included in the application. There appears to be adequate space within the site to provide adequate parking and turning for the existing dwelling and proposed annex. Proposed annex is attached to an existing garage. This may require condition to retain garage for the parking of vehicles depending on parking layout. Current records show that there are 1 personal injury collisions (PIC) on Beelow Lane within 215m either side of the access for the previous five years. Although all PICs are regrettable, the collision took place at the junction of Star

Bank/Beelow Lane and does not suggest there are any existing safety problems that would be exacerbated by the proposed development.'

OFFICER COMMENTS

Principle of Development

General approach

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.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

(a) any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or

(b) specific policies in that Framework indicate that development should be restricted.

Principle

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).

Policy SS6c provides for the extension of an existing rural building in accordance with policies R1 and R2.

Core Strategy policy R1 expects a balanced consideration of the extent to which a proposal protects and benefits rural qualities and supports rural economic and community needs stating that, "appropriate development should not harm the rural character and environmental quality of the area".

Related but not directly applicable, R2 allows "extensions to existing dwellings provided they are appropriate in scale and design and do not have a detrimental impact on the existing dwelling and character of the rural area".

There would be no change of use at the premises as the development can be accepted as being within the residential curtilage of the host dwelling and the use would be residential, ancillary to the host dwelling.

Design

The design emulates the plain form simplicity of the existing double garage. The existing garage (which is well built) has a traditional clay tile roof in common with the host dwelling and has walls finished in pebble-dash render with stone quoins in common with an adjacent extended wing of the host dwelling. The proposal here is to adopt the same material finishes. In height the proposal is appropriately subordinate to the existing garage and viewed from the front is also well set back. At the rear the proposal does step back but is off-set to one side of the rear and is contained within the low stone walled perimeter of the property's curtilage.

This is not an especially publicly visible location (if at all) and is a contained and secluded spot and given the subordinate scale and form of the extension within the existing property curtilage the scheme is judged not to harm the character and appearance of the area.

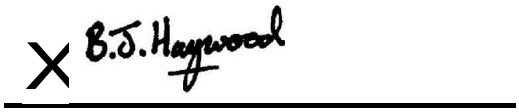
Amenity
It is judged that there would be no new impacts for neighbour amenity as the effective use of the building would be as that of the premises as existing. The separation of the development from the nearest neighbour of some 70m means there would be no issues of overlooking or loss of privacy. In fact there is not likely to be any interlinking line of sight.

Highway Safety
The applicant has indicated, in response to earlier suggestion from the LPA, that a condition to require the garage always to remain as garage would be found acceptable and this is considered important to avoid a cycle of incremental development and maintain current vehicle capacity at the site. Noting that the Highways Officer (HO) says that "There appears to be adequate space within the site to provide adequate parking and turning for the existing dwelling and proposed annex" and the LPA would concur with this view, it is proposed not to attach the second suggested Highways condition to require a parking and turning layout in this case.

CONCLUSION / PLANNING BALANCE
The proposal by way of a subordinate extension to an existing building (garage) within the residential curtilage, in order to create additional ancillary residential accommodation, is found to be of appropriate design and scale without introducing any adverse impacts for neighbour amenity nor any significant harm to character and appearance of the existing development or the rural locality. The development is found compliant with policies SS6c and R1.

OFFICER RECOMMENDATION : approve

Case Officer: Arne Swithenbank
Recommendation Date: 20th August 2020



Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council