DELEGATED DECISION REPORT

SMD/2020/0516 **Valid 17/09/2020**	**6 HUNTERS COTTAGE** **CHAPEL LANE** **BROWN EDGE**	**PROPOSED FIRST FLOOR ROOF TERRACE** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

Whether or not the proposal amounts to inappropriate development in the Green Belt
The impact on the character and appearance of the area
The impact on residential amenity

DESCRIPTION OF SITE

The site lies to the north of Brown Edge village in a semi-rural location outside of the development boundary and within the Green Belt. It comprises a small two-storey traditional detached cottage, mostly white-rendered, directly fronting Top Chapel Lane, a narrow country lane with sporadic dwellings huddled close together either side. The site is on the eastern side of the lane and the house has a front elevation abutting it although the front door and a modern porch lies on the north-facing side elevation, facing a parking area and side garden which mostly belongs to the neighbouring property to the north and the side elevation of the neighbouring dwelling is on the other side of this area. The two properties are separated by a stone boundary wall. There is another dwelling (a semi-detached house) abutting the lane on the opposite side with the site facing its side elevation. To the rear (west) and to the south side of the site lies open land.

PROPOSAL

This is a full householder planning application for a first-floor level roof terrace on the north side elevation of the dwelling. There is an existing flat-roof on top of the modern porch-like structure and there is an existing external access up to it, in the form of stone steps built into a landbank on the eastern boundary of the site (the land here rises upwards from west to east) which is also used to access raised outbuildings belonging to the property and which adjoin the wall of the house. The only works proposed involve the installation of safety post-and-rail timber balustrading, with glass infills on the terrace edges which would have a height of approx. 1.0 metre.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffs Moorlands Local Plan (adopted September 2020)

SS10 – Other Rural Areas Strategy
DC1 – Design Considerations

NPPF (Revised February 2019)

Sections 12 (Design) and 13 (Green Belts).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None.

CONSULTATIONS

Publicity

Site Notice expiry date: 23.10.20
Neighbour consultation period ends: 23.10.20
Press Advert: N/A

Public Comments

None.

Town / Parish Comments

"The Council would like to ask the Planning Officer to check the technical elements of the drawing as it appeared to overlook the adjoining property although there are already windows in this position anyway it was not clear how this could affect the properties neighbours."

OFFICER COMMENTS

Policy SS10, the strategy for the countryside, requires strict control over inappropriate development in the Green Belt. The NPPF defines inappropriate development, considering it harmful to the Green Belt but also lists in paras 145 and 146 the forms of development which are, exceptionally, not deemed to be inappropriate. Works to create a household terrace area are not specifically listed and would not relate to any of the categories of development which could be allowed. However, the terrace area already exists in the form of a flat roof above an extension and it is clear that the formation of about 6.0 metres of safety railing with a height of 1.0 metres is not going to have any impact on the openness of the Green Belt.

In terms of appearance, the structure comprising timber posts and railings separated by glass panels is not visually intrusive and as it would be placed on top of a small modern timber clad extension, it would not harm the character and appearance of the dwelling.

With regard to residential amenity, raised terraces and balconies have the potential to harm the privacy of neighbours particularly where neighbouring residential properties are adjacent to the site as they lead to a significant scope for overlooking through windows and garden areas and the perception of being overlooked and

possible noise creation can also harm the amenities and living conditions of neighbouring residential properties. There are two nearby dwellings. The terrace would directly face the side wall of the dwelling to the north but there are no windows on this elevation. The terrace area would overlook an open curtilage area of the neighbouring property 2.5 metres in front of the terrace (over a stone boundary wall) but there is already aan approx. 2.0 metre high fence on top of the section of stone wall in front of the terrace which blocks views into the garden area and only the parking area in front can be viewed from the terrace.

With regard to the property to the west on the other side of the lane, on the first floor of the elevation facing the lane, there is a bedroom window and landing window both with approximate widths of 1.0 metres. On the ground floor of the same elevation, there are two kitchen windows, with widths of 1.0 metre and 0.5 metres. It is possible to view into those windows from the terrace approx. 10.0 metres away.

If the terrace area was a proposed addition to the house, for example on top of a proposed extension, then the proposed terrace would introduce some degree of harm to residential amenity by virtue of introducing a platform which allows some overlooking into the windows of the property to the west. There are no existing windows on site directly facing the road-side windows of the property to the west. Although the longest edge of the terrace faces north rather than in the direction of the windows to the west, there is a shorter section of terrace edge which directly faces the side elevation (which includes the four windows) of the dwelling to the west although overlooking into all four windows would be at a slightly obscure angle. However, the terrace area is existing and is easily accessible via the existing external stairs leading up to the two store buildings adjacent to the terrace. It appears to be used as a balcony/outdoor terrace area judging from the presence of hanging baskets and plants on the terrace. The applicants have verbally stated they use the flat roof for this purpose. The only proposed works would be the safety balustrading. As the flat roof already appears to be in use, the proposal would not therefore lead to any greater degree of harm by virtue of additional overlooking which would amount to a significant increase in privacy loss or any other residential amenity harms. Although it could be argued that the railings would make the area safer and therefore increase the propensity to be sued, it is also noted that the cottage benefits from few other external seating areas at present. The small paved area in front of the store could also be used as a seating area which would cause a similar degree of overlooking. It is noted that the neighbour to the side has a similar seating area in front of their store and on the terrace below at the neighbouring is a further seating area including timber bench. Arguably therefore these windows are already heavily overlooked. It is noted that no letters of objection have been received. On balance, therefore it is concluded that the scheme is acceptable in amenity terms.

Therefore in this instance, as the proposed works are not in themselves harmful and have an acceptable design and appearance, the proposal is recommended for approval.

CONCLUSION / PLANNING BALANCE

The proposal would not harm the openness of the Green Belt and would also not harm the amenities of the area, including the living conditions and overall residential amenities of the neighbouring properties. The proposal therefore complies with the Council's adopted Local Plan and the government planning guidance contained within the National Planning Policy Framework (NPPF).

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 12.11.20

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council