DELEGATED DECISION REPORT

SMD/2020/0425 **Valid 11/08/2020**	**5 TALGARTH NEW LANE BROWN EDGE**	**PROPOSED DORMER WINDOWS TO THE FRONT AND REAR OF DWELLING** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Design and neighbour amenity

DESCRIPTION OF SITE

The application site consists of a detached dwelling sited at the northern end of its wedge shaped plot. The dwelling has been previously extended, most recently with a bedroom formed above the garage under SMD/2017/0793. The dwelling has off-road parking.

There are residential properties surrounding the application site which vary in size and design. New Lane slopes significantly towards the south, meaning that the dwelling is elevated above its garden, and the nearest neighbour, Church View, sits at a higher level.

PROPOSAL

It is proposed to replace the current roof windows with box dormers, one to the front elevation and one to the rear. These will be constructed in matching materials to the existing dormer windows on the property.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (Adopted 9th September 2020)

SS 1 Development Principles
SS 2 Settlement Hierarchy
SS 8 Larger Villages Areas Strategy
DC 1 Design Considerations
T 1 Development and Sustainable Transport
Design SPD

National Planning Policy Framework

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

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2000/0568
00/00968/FUL
Alterations/extension to form dormer bedrooms
REFUSED 02/11/2000

SMD/2017/0360
Bedroom formed over garage with interior alterations and erection of rear porch.
REFUSED 06/10/2017

SMD/2017/0793
Proposed bedroom formed over the garage with interior alterations and replacement porch.
APPROVED 20/02/2018

CONSULTATIONS

Publicity

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

Public Comments (1)

One letter of objection has been received citing concerns regarding overlooking, visual intrusion, and overbearing effect on the adjacent house, Church View.

Town / Parish Comments

Brown Edge Parish Council
No objection

OFFICER COMMENTS

Principle of Development

The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.

Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The

Development Plan consists of the Staffordshire Moorlands Local Plan adopted September 2020.

Other material considerations include the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG).

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 policy SS1 of the Staffordshire Moorlands Local Plan the Council will expect all new development 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 National Planning Policy Framework (NPPF).

Development will be directed towards the most sustainable locations. In accordance with the settlement hierarchy, Policy SS2, future growth will be focused in towns.

The site lies within the development boundary of Brown Edge. Brown Edge is described in the Local Plan as a Larger Village, where appropriate development will be enabled to enhance its role as a rural service centre in accordance with the Larger Villages Areas Strategy, Policy SS 8. The principle of development in this location is consequently in accordance with the Local Plan and the NPPF.

Design

Policy DC1 refers to design and states that all new development should be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area. New development should promote a positive sense of place and identity through its scale, height, density, layout, siting, landscaping, character and appearance.

The design of the proposed dormers is in accordance with the property, which already has a significant side box dormer extension. Several other properties in the vicinity have front dormer extensions, so the proposal accords with the character of the area.

The proposal is consequently in accordance with Local Plan Policy DC1.

Amenity

Local Plan Policy DC1 and paragraph 127f) of the National Planning Policy Framework seek to secure development that protects the amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

There are no overlooking issues arising from the rear dormer, which would face towards the gable end of the property at High Tor to the rear.

It is not considered that either of the dormers would have an undue overbearing effect on the rear garden of Church View which lies to the side, given that firstly, the garden area is at a higher ground level that that of Talgarth. Secondly, they are set in from the side roof slope, which is hipped away from the garden and any shadow would be cast over the roof of Talgarth itself.

Church View is at 90 degrees to Talgarth, and the principal windows in its front elevation overlook the front garden of Talgarth. The proposed dormer and the principal windows at Church View would therefore also be at 90 degrees to each other.

The closest principal window in the front elevation of Church View would be c8m from the proposed dormer, but the viewing angle would be very oblique, the furthest window would be c.12m away but at a less oblique angle. The Councils recommended separation distance is 21m between principal windows. Although this would not be achieved, this is mitigated to an extent by the oblique angle of viewing, and the fact that the front dormer would not directly face the principal windows of Church View. Nevertheless it is considered that the potential for some overlooking would remain. Furthermore, the perception of overlooking is likely to remain an issue. As a result of this, a condition of obscured glazing to the front dormer has been agreed. As both this window and the rear dormer (unobscured) would serve the main bedroom, this room would retain an outlook while benefitting from daylight from both dormer windows.

Subject to this condition, the proposal accords with Policy DC1 and the NPPF.

Highway Safety

Policy DC1 and T1 seek to achieve parking and access appropriate to the development it serves. As no new bedrooms are proposed as part of this application, parking provision does not need to increase. The current parking at the property is not proposed to change. Consequently, there are no highways issues arising from the proposal and it is in accordance with Policies DC1 and T1.

CONCLUSION / PLANNING BALANCE

This application is considered to accord with the relevant policies contained in the Staffordshire Moorlands Local Plan and the National Planning Policy Framework. As such a recommendation of approval is provided.

OFFICER RECOMMENDATION : APPROVE WITH CONDITION

Case Officer: Lisa Howard
Recommendation Date: 11th December 2020

X B.J. Haywood

Signed by: Ben Haywood
On behalf of Staffordshire Moorlands District Council