

DELEGATED DECISION REPORT

SMD/2021/0423
Valid 25/06/2021

WESTERLY
BIDDULPH PARK ROAD
BIDDULPH

THE ADDITION OF A FIRST
FLOOR TO A BUNGALOW

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Whether the proposal comprises an exception to inappropriate development in the Green Belt.
- Impact on the character and appearance of the existing dwellinghouse and the surrounding area.
- Impact on neighbouring amenity.
- Impact on highway safety.

DESCRIPTION OF SITE

The application site comprises a detached bungalow with a shallow pitched roof that is gable-on to the road. The bungalow is constructed of brick with a concrete tiled roof. To the front gable is horizontal white panelling. The bungalow has been extended to the rear with a single storey flat roofed extension with a glazed roof lantern. The bungalow is set back from the road by a sizable front garden and driveway that is used for off-street parking.

The bungalow comprises one of 8 dwellinghouses that form a row on the northeastern side of Biddulph Park Road. A woodland is located on the opposite side of the road from the application site and open fields are located to the rear. A detached bungalow is located to the northwest of the application site and a dormer bungalow is located to the southeast.

The application site is located in the North Staffordshire Green Belt.

PROPOSAL

Full planning permission is sought for the erection of a first floor to the existing bungalow to create a two-storey dwellinghouse.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

SS1 Development Principles
1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS10 Other Rural Areas Strategy

DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 - 14
Section(s) 4, 12, 13

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None

CONSULTATIONS

Publicity

Site Notice expiry date: 29/07/2021
Neighbour consultation period ends: 21/07/2021
Press Advert: N/A

Public Comments: None

Town / Parish Comments: Biddulph Town Council recommend approval subject to valid neighbour planning concerns and non-contravention of the Green Belt.

Severn Trent Water: The site is outside of Severn Trent's waste water area and therefore we have no comment to make.

OFFICER COMMENTS

Principle of Development

Paragraph 11 of the National Planning Policy Framework (NPPF, 2021) 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 (2021) identifies three dimensions to sustainable development as being economic, social and environmental. In accordance with policies SS1 and 1a of the Staffordshire Moorlands Local Plan, 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 NPPF (2021).

The application site is located in the Open Countryside and Green Belt whereby policy SS10 of the Local Plan (2020) is applicable. Policy SS10 states that these rural areas will provide only for development that has an essential need to be located in the countryside, supports the rural diversification and sustainability of the rural areas, promotes sustainable tourism or enhances the countryside.

Part (1) of policy SS10 seeks to meet housing requirements and specific need by allowing 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 Council will assess schemes having regard to the original dwelling, in cases where cumulative change has occurred.

The principle of the development is therefore considered acceptable as it will comply with policy SS10 of the Local Plan (2020).

Green Belt

The application site is located in the Green Belt whereby policy SS10 of the Local Plan (2020) and chapter 13 of the NPPF (2021) are applicable. Part (6) of policy SS10 states that strict control will continue to be exercised over inappropriate development within the Green Belt, allowing only for exceptions as defined by Government policy.

The proposal is for the erection of a first floor with a new roof design. The ridge height of the roof will increase by 2.2 metres. The roof to the front of the dwellinghouse will extend down to the eaves of the existing ground floor, giving the appearance of a 1.5 storey dwellinghouse. Whilst the rear of the dwellinghouse will have two-storeys with a gable facing down the length of the rear garden.

Paragraph 149 of the NPPF (2021) outlines that the construction of new buildings should be regarded as inappropriate in the Green Belt unless it meets an exception. One such exception is: (c) the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building.

Neither the Local Plan nor the NPPF (2021) provide a definition of what is regarded as being '*disproportionate*' for the purposes of Green Belt policy however, previous policy guidance considered a development resulting in a 30% increase in the size of the original building as being acceptable.

The original bungalow has been extended to the rear with a single storey extension. This extension equates to an increase in floorspace of 20% over and above the size of the original dwellinghouse. The addition of the proposed first floor extension will equate to an increase in floorspace over and above the original house of 120%, far exceeding the 30% guideline. In addition, the bulk and volume of the original bungalow will be significantly altered. Although the eaves height to the front elevation

will be retained, the eaves height to the rear will increase by 2.1 metres and the ridge height will increase by 2.2 metres. The proposed extension, together with the existing extension, will result in disproportionate additions over and above the size of the original building and will therefore comprise inappropriate development in the Green Belt.

Paragraph 147 of the NPPF (2021) states that *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*.

Although not submitted as part of the original application, the applicant's planning agent drew attention to the new permitted development right under Part 1, Class AA of the General Permitted Development Order (GPDO) that allows for additional storeys to be added to dwellinghouses. The planning agent felt that this was a genuine fallback position that should be taken into consideration as part of this application.

Class AA does indeed allow for additional storeys to be added to certain dwellings. However, prior approval is required for Class AA in order to determine whether the proposal is acceptable. Prior approval has not been applied for, nor granted, for the proposed development and therefore no weight can be attached.

In addition, in respect of prior approval applications under Class AA, Part 12 of A.3.3 of the GPDO states:

The local planning authority must, when determining an application—

(a) take into account any representations made to them as a result of any notice given under sub-paragraph (5) and any consultation under sub-paragraph (6) or (8); and

(b) have regard to the National Planning Policy Framework issued by the Ministry of Housing, Communities and Local Government in February 2019, so far as relevant to the subject matter of the prior approval, as if the application were a planning application.

Part (b) requires that a Prior Approval application under Part 1, Class AA is considered against the policies in the NPPF. This includes an assessment of the proposal against Green Belt policy and whether the development will comprise a disproportionate addition to the original dwellinghouse. The same concerns would therefore apply to an application for Prior Approval for an additional storey to the existing dwellinghouse, as there is for this application. It is for these reasons that Class AA does not comprise a material planning consideration in the determination of this application and it does not comprise a Very Special Circumstance that clearly outweighs the harm caused by inappropriate development in the Green Belt.

The proposed development is therefore contrary to policy SS10 of the Local Plan (2020) and chapter 13 of the NPPF (2021).

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 130 of the NPPF (2021) 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 Council's Design Guide SPD outlines the Council's expectations in respect of design and states that extensions should harmonise with the parent building. An extension should respect the dominance of the original building and be subordinate to it in terms of its size and massing. In terms of alterations it states that *'alterations need to be undertaken with care. Insensitive changes can easily spoil a building...The aim is to revitalise the building without altering its fundamental character'*.

The row of dwellinghouses of which the application forms part, comprise a mix of detached bungalows, dormer bungalows and two-storey cottages. The cottages are constructed of stone with traditional Staffordshire blue tiled roofs, whilst the bungalows and dormer bungalows are constructed of brick with concrete roof tiles. The cottages are sited in close proximity to the road with just a small front garden, whilst the bungalows and dormer bungalows are set further back with a large front garden and off-street parking.

Biddulph Park Road rises upwards from northwest to southeast and each dwellinghouse in the row is set on a slightly higher ground level. Although the ridge height of the proposed dwellinghouse will increase, a street scene drawing has been submitted that demonstrates that the proposed extension will follow the existing step up in ridge heights when travelling along the road. Replacing the forward facing gable with a pitched roof will alter the character of the existing bungalow but it will follow the same roof design as the dwellinghouses on either side. Due to the mix of property types and styles within the row, it is not considered that the addition of a first floor to the bungalow will have a detrimental effect on the character or appearance of the street scene.

To the front elevation, the increase in the height of the ridge will result in a 'top-heavy' design that is out of proportion with the scale of the ground floor of the original bungalow. In addition, the 2no. roof lights in the front roof slope are overly large, dominate the roof slope and do not reflect the proportions or siting of the windows in the ground floor below. The design of the front elevation of the dwellinghouse is therefore considered to adversely affect the character and appearance of the existing dwellinghouse.

The rear elevation will comprise a two-storey dwellinghouse with a shallow pitched roof. Within the centre of the gable there will be a Juliet balcony with floor to ceiling glazing to either side and feature windows extending up to the roof. 2no. floor to ceiling windows will be positioned to either side. The rear elevation of the

dwellinghouse will not be highly visible from public vantage points and no public footpaths are located in close proximity to the application site to the rear. No alterations are proposed to the ground floor openings and 1no. first floor window will be positioned within either side elevation (although these are not shown on the proposed floor plans). The application form states that the extension will be constructed of materials to match (i.e. brick, cladding and tile) although the drawings do not indicate where the cladding is to be positioned, although this could be conditioned accordingly. No objection is therefore raised to the design of the rear elevation of the dwellinghouse or the proposed materials.

The proposed extension is not considered to have a detrimental effect on the character or appearance of the street scene due to the mix of property types within the row of dwellings. However, concern is raised regarding the proportions of the front elevation and the scale and positioning of the proposed rooflights. It is for these reasons that the proposed extension is considered to be contrary to policy DC1 of the Local Plan (2020), the Design Guide SPD and the NPPF (2021).

Amenity

Policy DC1 and paragraph 130(f) of the NPPF (2021) seek to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

The dwellings to either side of the application site have windows within their side elevations. However, these windows comprise secondary or non-habitable windows. 2no. additional windows are proposed within either side elevation of the proposed first floor. These windows will serve a landing/stairs and a secondary window to a snooker room and therefore they can be obscure glazed in order to protect neighbouring amenity.

It is for these reasons that the proposed first floor extension will comply with policy DC1 of the Local Plan (2020) and the NPPF (2021).

Highway Safety

Policies DC1 and T1 seek to achieve a level of parking and an access that is appropriate to the development it serves.

The proposed extension will result in the number of bedrooms at the property increasing from two to three, although there is potential for the 'snooker room' to become a fourth bedroom. The property has a large front garden that includes a driveway with space for the parking of a minimum of 4no. vehicles. The proposed development will therefore comply with the Parking Standards detailed at Appendix 2 of the Local Plan, whether it comprises a three or a four bedroom property.

It is therefore not considered to have a detrimental effect on highway safety. The development will therefore comply with policies DC1 and T1 of the Local Plan (2020) and the NPPF (2021).

CONCLUSION / PLANNING BALANCE

The proposed extension, together with the existing extension, will result in disproportionate additions over and above the size of the original building and will therefore comprise inappropriate development in the Green Belt.

Paragraph 147 of the NPPF (2021) states that *'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'*. No weight is attached to the Very Special Circumstance that a first floor could be erected under Schedule 2, Part 1, Class AA of the General Permitted Development Order as prior approval has not been granted and such a prior approval application would be subject to the policies in the NPPF (2021), which would result in the extension being considered disproportionate to the original dwellinghouse.

The proposal also results in 'other harm'. This is due to the design of the front elevation of the proposed first floor extension being 'top-heavy' and disproportionate to the original ground floor of the bungalow. The proposed rooflights within the front roof slope are considered overly large, dominate the roof slope and do not reflect the proportions or siting of the windows in the ground floor below. The design of the front elevation of the dwellinghouse is therefore considered to adversely affect the character and appearance of the existing dwellinghouse.

Whilst no harm has been identified from the proposal on neighbouring amenity or highway safety grounds, these do not outweigh the harm identified.

No Very Special Circumstances therefore exist that clearly outweigh the harm caused by reason of inappropriateness and the other harm identified. The proposed development is therefore contrary to policies SS10 and DC1 of the Staffordshire Moorlands Local Plan (2020), the Design Guide SPD and chapter 13 of the NPPF (2021).

As such the application is recommended for refusal.

OFFICER RECOMMENDATION: REFUSE

Case Officer: Ailsa Berry

Recommendation Date: 20/08/2021

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

