

DELEGATED DECISION REPORT

SMD/2021/0834
Valid 20/12/2021

70 ASH BANK ROAD
WERRINGTON

PROPOSED REPLACEMENT
GARAGE

(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 relates to a two-storey detached, pitched roofed dwelling. It is situated within a row of two-storey dwellings which form a ribbon development on Ash Bank. The dwelling and detached garage are finished in brickwork and partial render that reflects the predominant facing materials in the area. The dwelling has previously extended via a two storey and single storey rear, front porch and attached pergola that does not have formal planning consent.

The application site is located in the North Staffordshire Green Belt and sits outside of the settlement boundary of Werrington.

PROPOSAL

Planning permission is sought for the construction of a replacement garage which would be attached to the side/ rear of the property.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

SS10 Other Rural Areas Strategy
DC1 Design Considerations

National Planning Policy Framework

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

SITE HISTORY

None

CONSULTATIONS

Publicity

Site Notice expiry date: 23/02/22

Neighbour consultation period ends: 14/01/22

Public Comments: None

Town / Parish Comments: None

OFFICER COMMENTS

Whether or not inappropriate in the 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 (2019) are applicable. Paragraph 149 of the Framework under chapter 13 states that the construction of new buildings should be regarded as inappropriate in the Green Belt other than in a number of exceptions. One exception is 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.

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.

What constitutes a disproportionate addition is not defined within the Framework nor within the policies of the Local Plan. An assessment of whether the proposed extension would be 'disproportionate' in the context of paragraph 149 is therefore a matter of planning judgement. The Council's guideline as a rule of thumb is that extensions of up to 30% of the original volume of the dwelling would typically be accepted as not being disproportionate.

When considering the volume calculations, this is as follows:

The original dwelling and garage equates to 578.55cu.m.

The original dwelling, garage and extensions equates to 774.79cu.m.

The original dwelling, extensions and proposed garage equates to 1050.67cu.m.

Overall, the existing extension and replacement garage will exceed the original volume of the property by 108.20%. This is above the 30% additional volume that the Council would support. The agent and applicant have not provided any evidence to dispute these figures.

Based on the purely statistical figures, the integral garage would lead to a substantial increase in the volume of the dwelling over that of the original dwelling. This said, it is also important to consider this issue in terms of the layout, scale, bulk and mass of

built form relative to the size of the original building. While it is recognised that the garage would be single storey in scale, the attached garage located to the side extends out at least 3.2 times the length of the original dwelling (principle to original rear wall) which visually represents a substantial addition. Therefore, this would give the dwelling a significantly greater depth and mass of built form when compared to that of the original dwelling.

The applicant has advised the Council that the purpose of a large garage is for his disabled mother for the purpose of getting her out of the car into a dry place in all weathers. The mother would live in the house and not the large garage that is being considered. While the Council recognises the applicant's personal circumstances, the justification for an excessively large garage does not outweigh the harm to the Green Belt and therefore, the very special circumstance is given limited weight.

The applicant has challenged the Council by illustrating that they can build a 62m length detached garage scheme under permitted development. However, this is an undoubtably large garage with limited 'real prospect' of being built as the applicant has provide no evidence to show clear possibility of being built and if such intent was made, would not require formal planning consent.

From this, the development would result in disproportionate extensions over and above the original dwelling and would therefore be inappropriate development.

The effect on the openness of the Green Belt

Paragraph 137 of the Framework sets out that the fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open and that the essential characteristics of Green Belts are their openness and their permanence. It has been held in the High Court that openness is epitomised by the lack of buildings or development. Openness is a separate issue from the effect of a development on the character and appearance of an area.

The dwelling sits within a row of dwellings on Ash Bank and land to the rear of the site backs onto open countryside. The immediate neighbour known as 68 Ash Bank, to the side of the property, is considerably large; it is worth noting that when permission was granted in 2008 for a replacement dwelling, the property was originally large that the rebuild added an additional volume of 20% which was deemed acceptable at the time of approval. In addition, the property was assessed under superseded national policies that would not apply for this application, as well as, being considered on its own merits.

From this, other than from neighbouring properties the visual effect on openness would be largely limited to localised views of the side extension in views from the road on Ash Bank. In that regard the development would be seen in context with existing residential development along Ash Bank. From a spatial perspective the proposals would undoubtedly increase the footprint and volume of the dwelling. When these factors are considered together, there would be a modest but nonetheless harmful effect on the openness of the Green Belt.

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 NPPF (2019) 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 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.

With regards to the impact on the character and appearance of the area, the proposed garage would not appear prominent from the road on Ash Bank as it is single storey and largely discreet as much of its bulk is to the side and rear of the property, screened by No.68 Ash Bank. Nevertheless, when considering the bulk of the integral garage in relation to the property, the proposal is excessively large, as previously noted in the assessment, and would result in the enlarged dwelling having a sprawling and somewhat disjointed appearance.

It is for these reasons that the proposed is considered not to be compliant with policy DC1 of the Local Plan (2020) and the NPPF.

Amenity

Paragraph 127(f) of the NPPF (2019) and policy DC1 seeks to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

The main neighbouring property that this proposal would impact upon is the neighbouring property at No.68 Ash Bank located to the west of the site.

The integral garage would not impact upon the immediate neighbour's amenity as the neighbour has no side facing windows to cause any overlooking or loss of light into. It is for these reasons that the proposal will comply with policy DC1 of the Local Plan (2020) and the NPPF.

CONCLUSION

The development would result in disproportionate extensions over and above the original dwelling and would therefore be inappropriate development. The Framework states that inappropriate development is by definition harmful to the Green Belt and should only be approved 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, is clearly outweighed by other considerations. The other considerations put forward in favour of the proposal

carried limited weight. The proposal is contrary to policy SDC1, SS10 and chapter 13 in the NPPF.

The development is also considered to significantly harm the character and appearance of the host property by virtue of its scale and mass. The length of the integral garage would result in the enlarged dwelling having a sprawling and somewhat disjointed appearance that is contrary to policy SDC1 in the Local Plan.

OFFICER RECOMMENDATION : Refusal

Case Officer: Lisa Li

Recommendation Date: 18/05/22

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council