

DELEGATED DECISION REPORT

SMD/2022/0108
Valid 07/03/2022

**LARK RISE SUTHERLAND
ROAD
LONGSDON**

**PROPOSED DETACHED
GARAGE.**

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Whether the proposal comprises an exception to inappropriate development in the Green Belt
- Design
- Amenity
- Highway Safety
- Impact on Trees

DESCRIPTION OF SITE

The proposed site comprises a detached brick and tile dwellinghouse and its associated curtilage, situated in the Horton ward. Additionally, the proposed site is within an area of greenbelt, where development is more restricted. The site is enclosed by a neighbouring dwellinghouse on the North. High View, Sutherland Road is situated to the North of the site. The Eastern rear and Southern side sections of curtilage of the site adjoin an area of open greenbelt land, scattered with an array of protected trees. The Sutherland Road highway runs adjacent to the proposed site on the West.

It is noted that a number of properties within the estate have been extended and altered. The street scene is comprised of a varied selection of house types and materials, demonstrating how there is no specific character.

PROPOSAL

The proposed development comprises the addition of a garage outbuilding in the side curtilage of the dwellinghouse. The proposed garage outbuilding will have a length of approximately 7.42 metres and a width of approximately 6.29 metres. The proposed garage would have a simple pitched roof, having a maximum height of approximately 5.68 metres and maximum eaves height of 2.88 metres (measured from the highest ground level). It would be constructed from materials including brick and plain clay tiles.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (2020)

SS1 Development Principles
SS2 Settlement Hierarchy
SS9 Smaller Villages Areas Strategy
SS10 Other Rural Areas Strategy
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 – 14
Section(s) 4 – Decision making, 12 – Achieving well designed places, 13 – Protecting Greenbelt Land

Staffordshire Moorlands Design Guide SPD

Part 5 – Alterations, Extensions and Conversions

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/1978/0654 – Site for detached bungalow. Refused.
SMD/2005/0929 – Erection of a bungalow (outline). Refused
SMD/2006/1293 – Certificate of lawful existing development (erection of dwelling pursuant to planning permission 273/48 dated 28th June 1948). Refused
SMD/2007/0258 – Erection of proposed replacement bungalow. Approved
SMD/2007/0436 – Erection of proposed replacement bungalow. Approved
SMD/2016/0128 – Outline application with all matters reserved (except access) for the erection of a single dwelling. Withdrawn.
SMD/2017/0126 – Outline application for the erection of a single dwelling. Approved.
SMD/2018/0145 – Proposed new detached dwelling. Approved.
DOC/2018/0085 – Discharge of conditions 4 & 9 relating to SMD/2018/0145. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 01/08/2022
Neighbour consultation period ends: 28/04/2022
Press Advert: N/A

Public Comments

No public comments have been received.

Town / Parish Comments

Longsdon Parish Council have no objections to the proposed garage.

Arboriculture Officer

"The application seeks full planning permission for a new detached garage to serve the recently constructed new dwelling at the site. The site lies within the extent of Woodland W1 protected under TPO No. SM.89. A Pre-development Tree Survey report in accordance with BS 5837:2012 has been submitted to support the application.

The report demonstrates that the proposed garage footprint position (which is already level ground in relation to the wooded slope to the rear) lies outside of the Root Protection Areas (RPA) of the nearest trees, other than a relatively small incursion within the RPA of T1, mature Beech. There would therefore be no significant adverse impact on trees T2 (Rowan) and T3 (Birch).

Furthermore, the Beech T1 (which is situated on the neighbouring property High View) suffered significant structural damage in a storm a few years ago, with its twin-stemmed form actively splitting open from the base of the union through the lower main stem. I confirmed by letter dated 18/02/2020 to the then owner that this Beech could be removed with immediate effect under the "dead/dangerous" exemption from TPO controls, although in the event only one side of the tree was removed. However, the remaining standing section remains potentially unstable and liable to failure and its removal would be strongly advisable. I understand from the current planning applicant that his new neighbour/current owner of T1 is being more pragmatic and pro-active, and is making arrangements to remove the remaining standing section of this tree, which is both acceptable and reassuring.

Therefore any potential minor impact on the roots of T1 arising from the proposed development encroaching within its RPA is purely academic and not relevant to the determination of this application.

*I have **no objection** to the application and there are no grounds for refusal, nor to seek amendments, in relation to impacts on trees. Given the raised position of the trees in relation to the proposed garage footprint, in this instance I consider that imposition of temporary tree protection conditions would not achieve any further benefit, and therefore none are recommended (as is also reflected in the application tree report)."*

Staffordshire County Council Highways

"The proposed detached garage is to be constructed within the grounds of Lark Rise. The minimal internal dimensions for the proposed garage as shown on submitted drawing No. AL(0)01 Rev. C are 5.9m wide x 6.9 metres long. The minimal internal dimensions, as stated in the Manual for Streets and Staffordshire Moorlands Parking

Standards, for a single garage are 3m wide x 6m long and for a double garage are 6m wide x 6m long.

The proposed garage will not have a detrimental impact on the parking and turning areas previously approved under SMD/2018/0145. It is therefore considered there will be sufficient space for parking and turning for a property of this size.

*I have **no objection**.*"

OFFICER COMMENTS

Principle of Development

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 Policies SS1 and SS2 of the Staffordshire Moorlands Local Plan the Council expects all new development to make a positive contribution towards the sustainability of communities and to protect and where possible enhance the environment. A more limited focus on future growth is to be directed to smaller villages, including Longsdon, only allowing for development of an appropriate nature. 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).

In compliance with Policy SS9, smaller village settlements should only settle for appropriate development which enhances community vitality or that meets a social or economic need of the settlement and its hinterland. The site lies within the smaller village of Longsdon, where all new development will have the aim of reflecting and enhancing the special character and heritage of the settlement.

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 (3) of policy SS10 seeks to protect the quality and character of the area and requires all development proposals to respect and respond sensitively to the

distinctive qualities of the surrounding landscape. 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), subject to conformity with other relevant national and local planning policies. The main issues which need to be considered as part of the assessment of the proposed works include design, neighbour amenity, highway safety, trees and whether the proposal comprises an exception to inappropriate development in the green belt.

Whether the proposal comprises an exception to inappropriate development 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 (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 detached double garage in the side curtilage of the host dwellinghouse. 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. Paragraph 147 of the NPPF (2019) states that 'inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances'. One such exception is (g) limited infilling or the partial or complete redevelopment of previously developed land, whether redundant or in continuing use (excluding temporary buildings), which would: – not have a greater impact on the openness of the Green Belt than the existing development; or – not cause substantial harm to the openness of the Green Belt, where the development would re-use previously developed land and contribute to meeting an identified affordable housing need within the area of the local planning authority.

The proposed garage outbuilding is considered to be a reasonable sized garage for the property. Due to the size of the property and its' substantial curtilage plot, it would be acceptable to erect a modest sized double garage. The use of this curtilage space would be considered as infilling in the green belt. If the garage was applied for at the time of the application, it would have been acceptable as it is considered as appropriate infilling in the greenbelt.

It is now necessary to identify whether there is any other harm arising from the proposed development.

Design

Policy DC1 seeks to ensure that all development is well designed and of a high quality, contributing to local distinctiveness and harmonising with sense of place.

The Council's Design SPD outlines the Council's expectations in respect of design and states that outbuildings should harmonise with the parent building. An outbuilding should respect the dominance of the original building and be subordinate to it in terms of its size and massing.

The proposed development comprises the addition of a garage outbuilding in the side curtilage of the dwellinghouse. The proposed garage outbuilding will have a length of approximately 7.42 metres and a width of approximately 6.29 metres. The proposed garage would have a simple pitched roof, having a maximum height of approximately 5.68 metres and maximum eaves height of 2.88 metres (measured from the highest ground level). For a development to be considered appropriate in terms of its size and massing, the Council would universally expect to see outbuildings subordinate to the dominant parent building. It is important that outbuildings are designed and built in sympathy with the property which they serve. Ideally, materials and the roof pitch of the outbuilding would match those of the parent building.

The simple silhouette of the building with a simple pitched roof course complements the host dwellinghouse, thus it is considered appropriate in this aspect of its design. Although the proposed garage outbuilding is single storey, its 5.68 metre ridge height could create the provision for a two storey building. Regardless of this, its maximum and eaves heights would clearly be lower than the parent dwelling, indicating that it would be subordinate to the parent dwellinghouse. I note that although the garage would be of a large footprint, any size footprint of an outbuilding is permissible under Class E of The Town and Country Planning (General Permitted Development) (England) Order 2015 as amended. This is provided that the total area of ground covered by buildings (other than the original dwellinghouse) would not exceed 50% of the total area of the curtilage. Therefore, the garage would not compete with the proportions of the host dwelling, as it is clearly read as an outbuilding for the ancillary use of the host dwelling. Thus, it would be considered appropriate development in accordance with the Council's Design SPD.

Materials used in the construction of the proposed garage outbuilding would match those used in the construction of the existing dwelling, as well as from surrounding dwellings in the area. Although the surrounding street scene is comprised of a varied selection of house types, a prominent feature of the street scene is the brick used in the construction of the dwellinghouses. Brick and plain clay tiles would be used in the construction of the proposed outbuilding. Therefore, the materials are considered appropriate in relation to the existing dwellinghouse, as well as the surrounding street scene. Thus, the proposed materials would match the existing materials and harmonise with the surrounding street scene, not detracting from the character of the original estate.

The proposal, by virtue of its size, scale and siting maintains the character of the existing dwelling and area. The proposal would therefore accord with the provisions of local plan policy DC1 and section 12 of the NPPF in this regard.

Amenity

Paragraph 130 f) of the NPPF seeks to secure a high standard of amenity for all existing and future occupants. Local Plan Policy DC1 requires development to achieve a satisfactory relationship to adjacent development and to not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The application site is bound by High View, Sutherland Road to the North. Therefore, assessment of amenity impact will be required on the one direct neighbouring dwellinghouse to the side of the site. There are no dwellinghouses with curtilages which adjoin the Eastern rear or Southern side curtilage of the site, thus no amenity impact assessment has been carried out here.

Consideration has been given to whether the proposed garage outbuilding might be seen to adversely affect the amenity of the neighbours at High View, Sutherland Road. The garage outbuilding is close to the boundary between the site and the neighbour, thus amenity impact assessment is important due to the close proximity. The site and the neighbouring plots surrounding the dwellinghouse are all large and spacious, thus creating more scope for development without impacting direct neighbour amenity. Furthermore, the garage outbuilding would be a substantial enough distance from the neighbour at High View, Sutherland Road to mitigate any chance of light loss as its location would comply with the 45 degree line measured from this neighbours' closest windows.

As the outbuilding is only single storey, it is not considered to be overbearing on the neighbouring dwelling due to its subordinate nature to the host dwellinghouse, as well as neighbouring dwellinghouses. The garage would be located on an area of land dug out from the natural grass slope within the curtilage of the dwelling, edged with a dry stone retaining wall. Thus, a large amount of shadowing impact which the proposed garage could create over the neighbour would be eradicated, as the garage would be largely tucked behind the dry stone retaining wall. I note that areas of foliage and a dry stone wall is positioned along the common boundary between the site and High View. The boundary fence as well as the distance between the proposed garage and the neighbouring dwelling would eradicate overshadowing which could be caused as a consequence of the garage outbuilding. Furthermore, all of the aforementioned reasons combined would alleviate loss of light for this neighbour. From these observations, it becomes apparent that the amenity of High View, Sutherland Road would not be adversely impacted by the proposed garage.

There would be no windows on the North facing elevation of the garage which would face the neighbours at High View, Sutherland Road, therefore no privacy amenity impact would occur for them. Furthermore, although there would be two windows on the South elevation of the proposed garage outbuilding, they would only face the host dwellinghouse. Therefore, no adverse privacy impact would occur upon any of the neighbours.

Highway Safety

Paragraph 104 of the NPPF states that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places. Policy T1 seeks to provide safe and sustainable access and ensure that development does not lead to an increase in on street parking.

The proposed garage outbuilding would not increase the number of bedrooms of the dwelling. Additionally, as the garage outbuilding would be to the side of the dwelling, the available off road parking to the front of the dwelling would not be compromised, in compliance with Policy T1. The feature of a large driveway leading up to the garage creates provision for more off-road parking space.

Highways do not believe that the proposed garage would have a detrimental impact on the adopted highway. Their comments highlight that the proposed garage outbuilding would fall within correct dimensional requirements for a double garage. Furthermore, they have stated that the proposed garage would not detrimentally impact on the parking and turning areas previously approved under SMD/2018/0145. Therefore, highways have no objections to the proposed garage.

Thus, the proposed garage would have no impact on highway safety, in accordance with Policy T1.

Arboricultural Impact

The scheme has been considered by the Council's Arboricultural Officer who has commented that the site lies within the extent of Woodland W1 protected under TPO No. SM.89. Thus, a Pre-development Tree Survey report in accordance with BS 5837:2012 has been submitted to support the application.

The application site lies largely within the extent of Woodland W1 protected under Tree Preservation Order No. SM.89. However, this TPO designation excludes most of the existing access track leading into the site (where there are no trees actually on the track). It is also noted, and highly relevant, that on the ground there is a large open clearing/amenity grassed area within the extent of the TPO Woodland which is completely devoid of trees, and this corresponds with the main body of the application site.

The Council's Arboriculture Officer has commented that the report demonstrates that the proposed garage footprint position (which is already level ground in relation to the wooded slope to the rear) lies outside of the Root Protection Areas (RPA) of the nearest trees, other than a relatively small incursion within the RPA of T1, mature Beech. There would therefore be no significant adverse impact on trees T2 (Rowan) and T3 (Birch). Furthermore, the Beech T1 (which is situated on the neighbouring property High View) suffered significant structural damage in a storm a few years ago, with its twin-stemmed form actively splitting open from the base of the union through the lower main stem.

The Arboriculture Officer confirmed by letter dated 18/02/2020 to the then owner that this Beech could be removed with immediate effect under the “dead/dangerous” exemption from TPO controls, although in the event only one side of the tree was removed. However, the remaining standing section remains potentially unstable and liable to failure and its removal would be strongly advisable. He understands from the current planning applicant that his new neighbour/current owner of T1 is being more pragmatic and pro-active, and is making arrangements to remove the remaining standing section of this tree, which is both acceptable and reassuring. Therefore any potential minor impact on the roots of T1 arising from the proposed development encroaching within its RPA is purely academic and not relevant to the determination of this application.

Subsequently, the Council's Arboriculture Officer has no objection to the application and there are no grounds for refusal, nor to seek amendments, in relation to impacts on trees. Given the raised position of the trees in relation to the proposed garage footprint, in this instance he considers that imposition of temporary tree protection conditions would not achieve any further benefit, and therefore none are recommended (as is also reflected in the application tree report).

CONCLUSION / PLANNING BALANCE

In consideration of all of the above, the application is recommended for approval. Due to the application being of an acceptable design, not detrimentally effecting neighbour or street scene amenity and having no overall impact on the highway, it is deemed acceptable under planning policy. Despite the fact that the site is within the greenbelt, the proposed garage comprises a appropriate development in the sense that it is infilling within a village. Although the site lies within the extent of Woodland W1 protected under TPO No. SM.89, the areas of concern would not be impacted by the proposed garage. Therefore, the proposed garage is recommended for approval, subject to compliance with all conditions.

OFFICER RECOMMENDATION: APPROVAL

Case Officer: Hannah Hollins

Recommendation Date: 01/08/2022

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council