DELEGATED DECISION REPORT

SMD/2022/0375 **Valid 07/07/2022**	**FAIRVIEW MACCLESFIELD ROAD** **RYCROFT GATE** **RUSHTON SPENCER**	**RETENTION OF DECKING** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

Whether or not the development 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 is located in the open countryside to the south of Rushton Spencer village and is on the west side of the A523 and to the east of Rudyard Lake. It comprises a modern detached brick-and-tile bungalow dwelling ("Fairview") which appears to be used as an "Air Bnb" holiday let and which appears to have a front elevation facing the road to the east. It is accessed via a long track off A523 to the north which bends around towards the building down sloping land and which leads to a drive going up the north side of the bungalow to parking area to the east of the dwelling although there is another parking area off the access road to the east of it before it reaches the drive. There are two outbuildings to the front of the dwelling (east) which area also next to the main parking area. A new access drive has recently been created off the main access road to the north which leads directly to a new parking area immediately to the north-east of the dwelling. Another access drive also leaves the main access road which leads to another dwelling to the north-west of the site, closer to the lake. This is called "Barnswood" and also appears to be used as another holiday let and looks to be within the same ownership as the applicant although not shown within the blue line on the location plan which denotes adjacent land within the same ownership as the application site. The land attached to Fairview comprises about 115 hectares of open land to the north of the application site, lying either side of the main access road. All of the land within the blue line is in the Green Belt.

PROPOSAL

This is a full householder planning application for the retention of a raised timber deck structure which projects approx. 4 or 5 metres from part of the west elevation of the dwelling. The structure has a height of 1.2 metres and there is metal balustrading around the perimeter of it. The application states the structure is on the front elevation although the front elevation appears to be on the opposite side of the dwelling as that is where the main entrance door leading into the hall is located. As the structure has been built, this is therefore a retrospective planning application seeking permission to retain the unauthorised development. Any terrace or decking structure requires planning permission if it exceeds a height of 0.3 metres from the ground.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (Adopted Sep 2020)

SS10 Other Rural Areas Strategy
DC1 Design Considerations.

National Planning Policy Framework

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

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

92/0513: Planning permission for the dwelling.

SMD/2022/0352: Corresponding application to retain new access drive, parking area and two lamp columns and proposed new stables building at Fairview. Pending.

CONSULTATIONS

Publicity

Site Notice expiry date: 11.8.22
Neighbour consultation period ends: 11.8.22
Press Advert: N/A

Public Comments

Two letters have been received from local residents but neither objecting or supporting the application. One letter raises concern at the size and the lighting, considered excessive and states that any further lighting should be restricted. The other letter points out inaccuracies in the description of the structural composition of the decking outlined in the agents Planning Statement but also the decking to amount to inappropriate development in the Green Belt and its urbanisation.

Town / Parish Comments

None.

OFFICER COMMENTS

The Local Plan strategy for the countryside, Policy S10, requires strict control over inappropriate development in the Green Belt. The NPPF paras 149 and 150 sets out the forms of development which are exceptionally not inappropriate in the Green Belt and therefore by definition not harmful to its openness. It lists the enlargement of buildings providing this does not lead to a disproportionate enlargement of the original building. The decking structure can be deemed to be an enlargement of the building as it adjoins the building elevations. There have been no previous extensions or other

forms of enlargement to the building since it was built and due to the limited height and overall volume of the structure, it cannot be deemed to amount to a disproportionate enlargement of the original building. The structure is therefore not inappropriate development in the Green Belt and therefore not harming its openness. It therefore complies with Green Belt policy.

Regarding other planning matters, despite the contrasting form and materials of the structure, it appears as a conventional modern raised decking structure not untypical of many others found at residential properties and due to its limited height in relation to the building, does not harm the appearance of the dwelling and is also well screened by hedging and other vegetation around the perimeter of the garden in which it sits, ensuring it is well screened from outside of the property. From the main road on elevated land to the east, it is largely obscured by the presence of the dwelling itself. Furthermore, as there are no adjacent dwellings or residential properties it does not lead to the living conditions or residential amenities of nearby residential properties from being affected by harmful overlooking, noise/disturbance or light pollution (from artificial lighting attached) arising from the use/enjoyment of the decking.

With regard to the two letters received from residents, it is considered the points raised have been addressed in this report. The point regarding the inaccuracy of the structural description is not a planning matter.

CONCLUSION / PLANNING BALANCE

The existing structure is not harming the openness of the Green Belt or the visual and residential amenities of the area and therefore complies with the Local Plan and also the government planning guidance in the National Planning Policy Framework (NPPF). Retrospective planning permission can therefore be granted to retain the unauthorised development.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 9.9.22

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council