DELEGATED DECISION REPORT

SMD/2022/0304 **Valid 26/07/2022**	**BLAKELEY REACLIFFE ROAD RUDYARD**	**VARIATION OF CONDITIONS 2 AND 3 AND REMOVAL OF CONDITION 6 RELATING TO SMD/2018/0023** **(FULL - MINOR)**

MAIN ISSUES

- Green Belt
- Heritage – Rudyard Conservation Area
- Design
- Amenity

DESCRIPTION OF SITE

The site is a steeply sloping plot of some 522m2 bounded on its upper western edge by Reacliffe Road and on its lower edge by the shore margin of Rudyard Lake. Reacliffe Road is a single track gravel lane along the western edge of Rudyard Lake with the status of Public Footpath. The site is just short of half way along the Lake or 1.2km from the dam at the south end.

Within the plot is a small building of mixed construction materials which the applicant describes as a bungalow known as Blakeley. The plot rises quite steeply from the water side and the building is perched on the slope supported on brick pillars on the down hill (lake) side about 10m back from the lake edge. The Reacliffe Road elevation of the building is about 5m in from the road edge with an intervening level space giving room for c.2 vehicles to pull in parallel to the road.

A concrete and block-work stepped path leads down the slope from Reacliffe Road to the front door in the southerly gable and continues round to the easterly lake side of the building and down to the shore. There is a short concrete slipway, also identified on the OS map base.

The building is chiefly of painted timber, a mixture of horizontal boarding and panel boarding along with some brick work for the supporting pillars and for a chimney on the Reacliffe Road elevation.

The existing building is regarded as ‘original’ for planning purposes ie extant at July 1948. It scales from the submitted drawings as 48m2 in area and is essentially single storey but with a partial basement in which there is for example a toilet accessed externally. The building is 8.8m long; the roadside elevation is about 3m high with about 1m being down the slope below road level. From the lake side the built

structure with basement supports is about 5.5m. The volume is estimated by the LPA at 153m3.

Consent was granted in 2018 for a replacement dwelling (SMD/2018/0023) this consent has been implemented and the existing building has been demolished.

PROPOSAL

This variation of condition under Section 73 of the Town and Country Planning Act 1990, seeks the following changes from: SMD/2018/0023

Variation of Condition 2

Relates to changes to the approved design of the dwelling.

SMD/2018/0023 Condition

The development hereby approved shall be carried out in accordance with the details including site levels as submitted in the application form and submitted specifications and as shown in drawings: 15240/P01 rev C; P02 rev C; P03 rev B; P05 rev C; and P06 rev B.

Proposed Condition

The development hereby approved shall be carried out in accordance with the details including site levels as submitted in the application form and submitted specifications and as shown in drawings: dwg no 2070-07A

Compared to the previous approval the plans indicate a 7% volume increase.

Variation of Condition 3

Relates to changes to the approved materials.

SMD/2018/0023 Condition

The external facing and roofing materials shall be: dressed coursed stone to the externally visible basement walls, weathered timber vertical boarding to the upper floor with timber casing to the supporting pillars of the easterly gable, and Staffordshire blue clay tiles to the roof and there shall be no variation without the prior consent in writing of the Local Planning Authority.

Proposed Condition

The external facing and roofing materials shall be: dressed coursed stone to externally visible basement walls, stone panel on the south elevation and to the supporting pillars on the eastern elevation. The remainder of the walls to the upper floor will be weathered vertical timber boarding, and the roof will be covered with Staffordshire Blue Tiles.

Removal of Condition 6

Relates to the design no longer proposing a dormer window and therefore this condition is no longer required.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan
SS1 Development Principles
DC1 Design Considerations
T1 Development and Sustainable Transport
SS 10 Other Rural Areas Strategy
DC 2 Historic Environment

National Planning Policy Framework

Sections 4 – Decision making; 11 – Making effective use of land; 12 – Achieving well designed places; 13 – Protecting Green Belt Land; 15 – Conserving and enhancing the natural environment; 16 – Conserving and enhancing the historic environment.

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2016/0423 – Lawful Development Certificate for an Existing Use as a dwelling house (C3)
SMD/2018/0023- Replacement Dwelling- Approved with conditions
CONSULTATIONS

Publicity

Site Notice expiry date:
Neighbour consultation period ends:
Press Advert: N/A (*Add date if applicable)

Public Comments

None received with consultation period

Town / Parish Comments

None received within consultation period

Conservation Area

Drawings are acceptable and condition 6 can be discharged

OFFICER COMMENTS

Condition 2

Principle of development

The application site is located on Greenbelt land within Rudyard Lake. In the rural areas outside of the development boundaries Policy SS6c apples where strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government Policy.

Paragraph 147 of the NPPF states that Inappropriate development is by definition harmful to the Green Belt and should not be approved except 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 (NPPF 148).

NPPF paragraphs 149 and 150 set out specific exceptions by which certain forms of development can be considered as being not inappropriate in the Green Belt. One of these exceptions is at 149 (d) the replacement of a building, provided the new building is in the same use and not materially larger than the one it replaces.

As noted above the existing building is:
• 8.5m long;
• 5.2m wide;
• the roadside elevation is about 2.8m high to the ridge;
• from the lake side the built structure with basement supports is about 5.5m high;
• The overall building volume is estimated by the LPA at c.160m3;

The revised proposal now under consideration as shown on the above listed drawings is:

11.9. long (an increase of 1.6m above that approved)
7.9m in width including projecting balcony, 6.1m in width of main house (an increase of 0.6m above that previously approved)
6.7m in height on lake side (an increase of 1.2m above that approved)

From the above the overall proposed new building volume would represent an increase of c.177% compared to the previously approved 170%.

The LPA is entitled to regard the whole new building volume in the Green Belt calculations and a 177% increase is well above normally accepted increases. However in terms of impact on 'openness' the visible building volume may be considered a significant factor demonstrating less 'harm' than the total calculation would indicate.

Strictly this proposal must be regarded as inappropriate development in the Green Belt on account of size being "materially larger than the one it replaces" and therefore a case of 'very special circumstances' would be required. The points in the paragraph above may be considered in combination to amount to very special circumstances, given the extant consent.

Similarly Policy H 1 of the Local Plan states that proposals for replacement dwellings can be acceptable, provided they do not have a significantly greater detrimental impact on the existing character of the rural area than the original dwelling or result in the loss of a building which is intrinsic to the character of the area.

Consent has been granted for the erection of a replacement dwelling with a volume increase of 170%. A factor in this approval is that a lot of the built form related to basement level development which reduced the impact of the dwelling on the openness of the greenbelt. A similar assessment can be made for this revised design as following a discussion with the agent the plans have been amended reducing the ground level height of the building. It is also considered that when compared to the previous approval the revised design is considered to be more appropriate in this location. As such the proposal is considered an approvement of the previously approved development.

In addition to the above the adjacent property The Hideaway is significantly larger than the proposed dwelling so when viewed from the adjacent highway or the lake the proposed dwelling would have a much lesser impact than this neighbour.

The points in the paragraph above may be considered in combination to amount to very special circumstances.

If the case of very special circumstances is accepted the principle of development will be established. The proposal must also be judged in terms of heritage and design. If further harm is found in either of these or other matters, then these factors will need to be clearly outweighed by considerations in favour of the proposal.

Impact on Rudyard Conservation Area

Within a Conservation Area, Section 72 of the Planning (Listed Buildings and Conservation Areas Act) 1990 places a statutory duty on the LPA in assessing planning applications in respect to any land or buildings in a Conservation Area to pay special attention to the desirability of preserving or enhancing the character or appearance of that area.

In reaching its decision the LPA has to demonstrate that the Section 72 Duty has been applied and discharged. Section 72 (and Footnote 6 of para.11 of the NPPF) creates a strong presumption in favour of the preservation of Conservation Areas and their setting.

An LPA can only discharge its duty if it has carried out a proper assessment of the impact on a Conservation Area and/or a Listed Building, is conscious of the duty and has demonstrably applied it in assessing the proposal. This assessment extends to setting, the surroundings in which a heritage asset is experienced.

NPPF paragraph 199 states that when considering the impact of a proposed development on the significance of a designated heritage asset, “great weight should be given to the asset’s conservation”. The designated heritage asset in this case is the Conservation Area.

Paragraph 200 goes on to say that: “any harm or loss [to a heritage asset] should require clear and convincing justification.”

NPPF paragraph 201 states that: “Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”

The comments from the councils Conservation Officer have been considered when assessing the impact on the proposal on the character of the conservation area.

Rudyard Lake Conservation Area Character Appraisal (July 2016)

Reacliffe Road (and the Cliffe Park Estate) are described under Character Area 1 of the Rudyard Lake Conservation Area appraisal (July 2016). The background history of chalets at Rudyard is set out at pp.21 to 22. Historically the chalets differ from the boat houses. They were developed in the early 20thC as temporary or weekend holiday homes largely catering for residents of the Potteries and Manchester who could travel to Rudyard by train.

At paragraph 9.1.2 the Conservation Area appraisal document refers to Blakeley as a holiday chalet. Blakely is pictured at p.43 and noted to be “at a critical point and under threat from collapse”. It is pictured again at p.46 where it is seen from the lake in the context of its site neighbours. It is stated that the majority of chalets date from after 1904, when the NSR (North Staffordshire Railway) acquired the northern and western banks of the reservoir from the Cliffe Park Estate. In a section headed Chalets it is stated, “The early 20th century development of Rudyard as a tourist destination provided opportunities for the development of temporary holiday homes. During the first decades of the twentieth century these holiday chalets were built largely in timber, with open verandahs.”

From OS map evidence there were no buildings within the application land as of 1926. However, by 1947 the OS map headed, “Revision of 1922 with additions 1947” shows two buildings one of which is identifiably in the position of the application building. There is no longer a building at the site of the other marked structure a little way to the north.

The appraisal document notes that the Chalets have been “considerably altered from the largely timber-framed structures of the early 20th century and the character of the area has changed from one of quirky, temporary and lightweight structures which had their own charm, to one with a more permanent character” (p.29). It goes on to comment that, “Whilst there are one or two exemplary chalet conversions / reconstructions, the majority of replacement structures are of brick, which is out-of place in this context.

For this reason, the character of these spaces has been irrevocably altered and there is no longer special architectural interest.”

Specifically in respect of Blakeley the LPA is of the view that the building is beyond

feasible retention. The main changes to the design of the proposed dwelling is the increase in size and changes to the elevations. The proposal is considered to be an improvement to the approved scheme as the ridge of the projecting balcony is below the main ridge which helps to reduce the bulk of the dwelling. The changes to the elevations has also introduces a more appropriate wall to window ratio removing the glazing from the south elevation and reducing the size of the window on the north elevation. As such the design of the replacement dwelling is considered to have an acceptable impact on the visual amenity of the area.

As such it is considered that the proposal would not harm the significance of Rudyard Conservation Area when compared to the previous approval.

Amenity

The amended plans do not raise any amenity concerns

Other Matters:

Any subsequent approval will include the conditions recommended by the consultees on the previous approval where relevant.

Permitted development rights Part 1 A,B,C,D,E,F, G and Part 2 A and B will be removed from the approval in the interests of protecting the openness of the greenbelt from encroachment and in the interests of conserving the character of Rudyard Conservation Area as well as neighbour amenity.

Condition 3

Condition three relates to changing the approved materials indicated on the approved plans as follows

Approved condition

The external facing and roofing materials shall be: dressed coursed stone to the externally visible basement walls, weathered timber vertical boarding to the upper floor with timber casing to the supporting pillars of the easterly gable, and Staffordshire blue clay tiles to the roof and there shall be no variation without the prior consent in writing of the Local Planning Authority.

Proposed Condition

The external facing and roofing materials shall be: dressed coursed stone to externally visible basement walls, stone panel on the south elevation and to the supporting pillars on the eastern elevation. The remainder of the walls to the upper floor will be weathered vertical timber boarding, and the roof will be covered with Staffordshire Blue Tiles.

The proposed materials are considered appropriate and therefore the variation of this condition is acceptable.

Condition 6
Condition 6 related to the removal of the dormer on the approved plans. The proposal does not include a dormer and therefore the removal of this condition is acceptable.

CONCLUSION / PLANNING BALANCE

Similar to the previous approval although the proposal is recognised as being materially larger than the existing building it is considered that although the development represents inappropriate development which is by definition harmful to the Green Belt, a case of very special circumstances can be identified as discussed in the report. Furthermore, the design of the dwelling aims to take advantage of the sloped site meaning that some of the volume is contained at basement level. This design does reduce the actual visible impacts on the openness of the Green Belt.

As such it is considered that it is appropriate, fair and consistent with the Local Plan and NPPF as well as past decisions on Reacliffe Road to make the following recommendation.

OFFICER RECOMMENDATION :

Approval subject with conditions
Case Officer: Rebecca Bowers
Recommendation Date: 19.12.2022

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council