DELEGATED DECISION REPORT

SMD/2023/0230 **Valid 05/05/2023**	**THE MOUNT HILL TOP BROWN EDGE**	**PROPOSED REMOVAL OF CONSERVATORY FRAME TO MAKE WAY FOR NEW BRICKWORK STURCTURE AND TILED ROOF ON THE SAME FOOTPRINT OF THE EXISTING CONSERVATORY BASE** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

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

DESCRIPTION OF SITE

The proposed site comprises a semi-detached brick and tile dwellinghouse and its associated curtilage, situated in the Brown Edge and Endon ward. Additionally, the proposed site is within an area of greenbelt, where development is more restricted. The site is enclosed by neighbouring dwellinghouses to the North and South-West. Hill Top Farm, Hill Top is situated to the North of the site and Hillcrest, Hill Top (the adjoining neighbour) is located to the South-West. The South-Eastern curtilage of the site adjoins open greenbelt countryside land. The Hill Top highway runs adjacent to the proposed site on the West.

PROPOSAL

The proposed development, to replace an existing conservatory, comprises a single storey rear extension on the same footprint. The proposed extension would project beyond the rear elevation of the dwellinghouse by 4.91 metres and have a maximum width of approximately 4.86 metres. The maximum height would be approximately 4.01 metres and the maximum eaves height would be 2.34 metres. It would be constructed from materials which would harmonise with the existing dwellinghouse, including brick and concrete pan tiles.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted 2020)

SS1 Development Principles
1a Presumption in Favour of Sustainable Development
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/1979/0978 – Extension to form garage, kitchen and internal alterations. Approved.
SMD/1991/0879 – Proposed sun lounge extension and part re-roofing. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 16/06/2023
Neighbour consultation period ends: 31/05/2023
Press Advert: N/A

Public Comments

No public comments have been received.

Town / Parish Comments

At a meeting of Brown Edge Parish Council on 7th June 2023, the Parish Council of Brown Edge resolved to have no objection to this application.

Severn Trent Water

Having reviewed our statutory sewer records, they do not currently demonstrate any public sewers on the property. However, due to a change in Legislation that came into force October 2011, there could be unmapped assets on the property that will enjoy the same protection as all our mapped assets.

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 kept in smaller village settlements, including the outskirts of Brown Edge. 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 on the outskirts of the smaller village of Brown Edge, where all new development will have the aim of reflecting and enhancing the special character and heritage of the town.

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, amenity, highway safety 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 single storey rear extension. 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 (2021) 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 (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 proposed extension (which would replace the existing extension) would equate to an increase in volume of approximately 26%. As the extension to the property would not exceed the 30% guideline, the Council do not consider that this will result in a disproportionate addition over and above the size of the original building.

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 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.

The proposed development is a single storey rear extension to the dwellinghouse, which would replace an existing conservatory extension. The proposed extension would project beyond the rear elevation of the dwellinghouse by 4.91 metres and have a maximum width of approximately 4.86 metres. The maximum height would be approximately 4.01 metres and the maximum eaves height would be 2.34 metres.

For a development to be considered appropriate in terms of its size and massing, the Council would universally expect to see extensions subordinate to the dominance of the original building. Thus, as the proposed extension would be single storey and have an eaves and maximum height lower than the parent building, it would be considered appropriate development in accordance with the Council's Design SPD. The extension would have a pitched gable style roof, which would complement the roof of the host dwelling.

Materials used in the construction of the proposed extension would match those used in the construction of the existing dwelling, as well as from surrounding dwellings in the area. The surrounding street scene is comprised of a varied selection of house types and materials, demonstrating how there is no specific character to the area. Brick and concrete pan tiles would be used in the construction of the proposed extension. Therefore, the materials which would be used are considered appropriate in relation to the existing dwellinghouse, as well as the surrounding street scene.

The proposal, by virtue of its size, scale and siting would maintain 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 Hillcrest, Hill Top (the adjoining neighbour) to the South-West and Hill Top Farm, Hill Top to the North. Thus, assessment of amenity impact will be required on the two direct neighbouring dwellinghouses to the sides of the site.

The proposed single storey rear extension would not impact the amenity of the neighbours at Hill Top Farm, Hill Top. As the neighbouring dwellinghouse is positioned to the North of the site, the single storey South-Eastern rear extension will not cause any loss of sunlight, as it would be tucked behind the host dwelling out of sight from this neighbour.

I note that the proposed extension would be stepped approximately 3.97 metres off the common boundary between the site and Hillcrest. An assessment of the site plan has concluded that there would not be a breach of the 45 degree rule between the corner of the proposed extension closest to this neighbour and the central point of their closest rear fenestration. Thus, it is considered that the distance between the extension and the neighbouring dwelling would be substantial enough to ensure that light amenity of the neighbour is not impacted. Furthermore, an approximately 2 metre high hedge sits on the common boundary between the site and this neighbour, aiding in mitigating any loss of light. From these observations, it becomes apparent that the amenity of the neighbours at Hillcrest would not be adversely impacted by the proposed extension.

There would be no side windows incorporated into the side elevation of the proposed extension which would face the neighbours at Hillcrest, Hill Top or Hill Top Farm, Hill Top. A set of patio doors on the other side elevation would be installed but this would not cause any overlooking to any neighbour. Therefore, the aforementioned neighbours' privacy would not be impacted at all.

Overall it is considered that the residential amenity of the surrounding neighbours would not be adversely affected.

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 extension would not increase the number of bedrooms of the dwelling. Therefore, it is clear that no additional parking spaces will be required for the number of people inhabiting the dwellinghouse. Furthermore, as the extension would be to the rear of the dwelling, it would not compromise the available off-road parking on the driveway to the front of the dwelling.

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

Other Matters

I note that there are a couple of TPO's on site, referenced SM005T090 and SM005T091. As the footprint of the proposed extension would be identical to the existing conservatory extension, the foundations are already laid down. Thus, no trees would be impacted as a result of the proposed extension.

CONCLUSION / PLANNING BALANCE

In consideration of all of the above, the application is recommended for approval. Due to the application having no adverse effect upon neighbour or street scene amenity and no overall impact on the highway, it is deemed acceptable under planning policy. The various types of boundary treatments and the substantial distances from the proposed extension at the site would ensure that no neighbouring dwellings are adversely affected. Therefore, the proposed extension is recommended for approval, subject to compliance with all conditions.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Hollins
Recommendation Date: 28/06/2023

X

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council