DELEGATED DECISION REPORT

SMD/2023/0410 **Valid 15/08/2023**	**40 ASH BANK ROAD** **WERRINGTON**	**PROPOSED PITCHED ROOF TO EXISTING 2 STOREY REAR EXTENSION AND REPLACEMENT CONSERVATORY** **(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 Werrington Ward. Additionally, the site is on greenbelt land, where development is more restricted. The site is enclosed by neighbouring dwellings comprising a section of Ash Bank Road and adjoins a large area of open green belt land to the South. No. 42 Ash Bank Road lies to the East of the proposed site and No. 38 Ash Bank Road is situated to the West. The Ash Bank Road highway runs adjacent to the proposed site on the North.

It is noted that a number of properties within the area have been extended and altered.

PROPOSAL

The proposed development comprises a proposed pitched roof to an existing two storey rear extension and a replacement rear single storey conservatory.

The proposed replacement rear extension would have a length of 3.0 metres beyond the rear elevation of an existing two storey rear extension and would have a width of approximately 5.62 metres. The total maximum height of the single storey rear extension would be approximately 3.60 metres and the maximum eaves height would be 2.52 metres. The proposed pitched roof addition to the two storey rear extension would increase the maximum height of this extension to approximately 7.34 metres and increase the eaves height to 5.24 metres.

The development would be constructed from materials which would harmonise with the existing dwellinghouse, including red facing brickwork, plain clay tiles, Sandtoft 20/20 clay tiles and white uPVC.

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/1981/1182 – Extension to form rear porch, toilet and garage. Approved.
SMD/1982/0200 – First floor rear extension to provide a bedroom. Approved.
SMD/2008/1080 – Rear conservatory. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 10/10/2023
Neighbour consultation period ends: 22/09/2023
Press Advert: N/A

Public Comments

No public comments have been received.

Town / Parish Comments

No comments have been received from Werrington Parish Council.

OFFICER COMMENTS

Principle of Development / Green Belt

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 the rural area of Werrington. 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).

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 site is located within the Green Belt. Part (6) of Policy SS10 states that the Council will *"maintain the Green Belt within Staffordshire Moorlands. 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 a proposed pitched roof to an existing two storey rear extension and a replacement rear single storey conservatory. 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 existing extensions combined with the proposed extension would equate to an increase in volume of approximately 52%. The property has been previously extended a number of times, meaning that it has already exceeded a 30% increase over the size of the original building. Whilst it is acknowledged that 30% increase is not planning policy, it does represent a useful "rule of thumb".

Notwithstanding this with the existing building already being extended over 30%, there can be no doubt that any further extensions will result in a disproportionate addition over and above the size of the original building.

This will result in harm to the Green Belt by way of inappropriateness and harm to openness and should not be allowed unless there are very special circumstances to outweigh that harm. In this case, it is considered that the design improvement to the dwelling as a result of replacing the flat roof of the existing two storey extension with a pitched roof would outweigh the harm to the openness of the greenbelt. The Staffordshire Moorlands Design Guide SPD states that in most cases, the Council would not support flat roof extensions to dwellings. Thus, the replacement of this two storey level flat roof with a pitched roof would be a strong visual improvement to the dwelling.

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 comprises a single storey rear extension to the dwellinghouse, projecting from the back of an existing two storey rear extension, as well as a proposed pitched roof to the existing two storey rear extension. The proposed replacement rear extension would have a length of 3.0 metres beyond the rear elevation of an existing two storey rear extension and would have a width of approximately 5.62 metres. The total maximum height of the single storey rear extension would be approximately 3.60 metres and the maximum eaves height would be 2.52 metres. The proposed pitched roof addition to the two storey rear extension would increase the maximum height of this extension to approximately

7.34 metres and increase the eaves height to 5.24 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.

The proposed rear extension would be single storey, therefore the eaves and maximum heights of this extension would be set down from the parent building. Thus, it would be considered appropriate development in accordance with the Council's Design SPD. I note that the rear extension would clearly be set back from the principal elevation of the dwellinghouse, again reiterating its subordinate nature to the parent dwelling. It would have a simple lean to roof course, which would be in keeping with the roof course of the host dwelling.

The proposed pitched roof to the existing two storey rear extension would be of a design which compliments the roof design of the existing dwellinghouse. The existing flat roof of this extension is not considered to be visually appropriate and does not accord with the Staffordshire Moorlands Design Guide SPD. Thus, the addition of a pitched roof to this extension would be considered as a design improvement to the dwelling, as it would replace the existing flat roof of the two storey extension.

Materials used in the construction of the proposed extended areas 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. Red facing brickwork, plain clay tiles, Sandtoft 20/20 clay tiles and white uPVC would be used in the construction of the proposed development. Thus, the proposed materials would match the existing materials and harmonise with the surrounding street scene, not detracting from the character of the area which has been largely retained.

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 No. 42 Ash Bank Road to the East and No. 38 Ash Bank Road to the West. Thus, assessment of amenity impact will be required on the direct neighbouring dwellinghouses to the sides of the site.

The proposed single storey rear extension would not impact the amenity of the neighbour at No. 42 Ash Bank Road. The proposed single storey rear extension would match the footprint of the existing single storey rear conservatory, meaning

that there would be no more impact on light to the neighbour than the existing situation. Furthermore, the substantial enough distance between the single storey rear extension and the neighbouring dwelling at No. 42, as well as the approximately 1.8 metre high common boundary mature hedging would aid in mitigating loss of light for this neighbour.

Although the proposed pitched roof addition to the existing two storey rear extension could cast more of a shadow over the neighbours at No. 42 during the afternoon hours, the light amenity of this neighbour would not be impacted. Notably, the neighbouring dwelling at No. 42 is set further forward than the site, thus creating a more substantial distance between the extended areas and the rear wall of this neighbouring dwelling. The two storey rear extension and the neighbouring dwelling at No. 42 are also both stepped off their common boundary, leaving a certain amount of buffer space. Therefore, any shadowing which could occur as a result of the pitched roof addition would most likely only impact the garden at the site and a smaller section of the garden at No. 42.

The proposed single storey rear extension would be within close proximity to the neighbours at No. 38 Ash Bank Road. Due to the East to West sunlight trajectory, overshadowing on the neighbours at No. 38 could only be caused by the addition of the proposed single storey rear extension in the morning hours. The 45 degree rule has been assessed, between the corner of the proposed extension closest to No. 38 and the central point of their closest fenestration in the rear elevation. Initially, it was established that the 45 degree rule would have been substantially breached by the proposed rear extension, thus impacting the light amenity of a habitable rear window at No. 38. Since this concern was raised, the depth of the proposed rear extension has been reduced to 3 metres, in order to match the footprint of the existing single storey rear extension. Although there would still be a breach of the 45 degree rule, this breach would not impact the neighbour at No. 38 any more than the existing extension does due to the extensions being of the same footprint.

The proposed pitched roof to the existing two storey rear extension would be above eaves level of the site and of the eaves at No. 38. Therefore, any potential overshadowing which could be caused as a result of this addition would mainly impact the roof of No. 38 during the morning hours. Furthermore, given the hipped nature of the design with the roof plane sloping away from the neighbour any additional overshadowing would be negligible. Thus, it is considered that the pitched roof addition to the two storey rear extension would not detrimentally impact the light amenity of this neighbour.

There would be no side windows on the proposed extended areas which would face the neighbouring dwellinghouses at No. 38 Ash Bank Road or No. 42 Ash Bank Road, therefore their privacy amenity would not be adversely impacted.

There are no dwellings with curtilages adjoining the Southern rear curtilage of the site.

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 development 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. Additionally, as the proposed development would be to the rear of the dwelling, the available off road parking to the front of the dwelling would not be compromised, in compliance with Policy T1.

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

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. Initial amenity related concerns were raised relating to the breach of the 45 degree rule on the neighbours at No. 38 Ash Bank Road. Revised plans have since been submitted to reduce the depth of the extension to match the footprint of the existing single storey rear extension. Although there would still be a breach of the 45 degree rule, the proposed single storey rear extension would not impact the neighbour at No. 38 any more than the existing rear extension. Therefore, the proposed development is now recommended for approval, subject to compliance with all conditions.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Hollins
Recommendation Date: 03/10/2023

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council