

DELEGATED DECISION REPORT

SMD/2021/0629
Valid 27/11/2023

25 MULBERRY HOUSE
SANDY LANE
BROWN EDGE

RETROSPECTIVE
APPLICATION FOR THE
CONVERSION OF EXISTING
ATTACHED GARAGE INTO
LIVING ACCOMMODATION

(FULL - HOUSEHOLDER)

MAIN ISSUES

- The impact on the character and appearance of the area
- The impact on residential amenity
- The impact on highway safety

DESCRIPTION OF SITE

The site is within the development boundary of Brown Edge and is located on the south-west side of Sandy Lane, a narrow connecting road serving a number of mixed houses built sporadically either side of the road. The site was formerly part of the extensive garden area belonging to Southview, a dwelling which lies further to the south-west and which is severed by a new cul-de-sac development of houses built in the former grounds of the house. The cul-de-sac road runs along the south-east side boundary of the site. The site now has a recently built two-storey 3-bed detached dwellinghouse built under SMD 2019 0710 in January 2020. There is an old cottage to the other side of the cul-de-sac to the south-east side and to the north-west side lies a row of other newly-built dwellings, under a separate permission, facing Sandy Lane. There are other dwellings facing Sandy Lane opposite the site to the other side of Sandy Lane to the north-east.

PROPOSAL

This is a householder planning application for the conversion of the approved integral garage into a living room. This has already been undertaken and therefore this is a retrospective application to seek approval for unauthorised works. The works have also involved the replacement of the garage door with matching brickwork up to a new window of similar width to the garage door and also the front-facing kitchen window which the drawings show would match.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (Adopted Sep 2020)

DC1 Design Considerations

National Planning Policy Framework (December 2023)

Section 12 (Design).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2019/0137: New dwelling. Withdrawn.

SMD/2019/0710: New dwelling. Approved in Jan 2020 and built.

CONSULTATIONS

Publicity

Site Notice expiry date: 24.1.24

Neighbour consultation period ends: 24.1.24

Press Advert: N/A

Public Comments

None.

Town / Parish Comments

None received.

Local Highways Authority

No objection. The Authority commented as follows:

Changing garage to a living space. This means loss of one car parking space. This property is a 3 bedroom dwelling therefore car parking as recommended by Staffordshire Moorlands Parking Guidance:

a) up to 3 bedrooms - 2 spaces (2.4 x 4.8m) for residents and visitors within curtilage of dwelling.

The property will still retain 2 no. spaces.

However, it is noted that the proposed site plan drawing no. AL(0)03 submitted as part of this application is incorrect. This should be correct for the record.

The car parking is provided to the rear of the property via The Paddocks which is a private road. There is no severe highway impact.

OFFICER COMMENTS

The conversion of garages into habitable rooms and the works involved to provide this, can normally be carried out under permitted development. However, this is a new house and some of the permitted development rights were removed via conditions. There is no condition attached to the planning permission for the new house which prevents the actual re-use of the garage as a living room or carrying out the internal works required for this. However, one of the conditions attached to

planning permission removed the rights to install new windows under permitted development without submitting a new planning application and this is the purpose of this application.

Some brickwork has been provided in the opening where the garage door was/would have been and above this a new window. It is not the same window as shown in the drawings which shows a 2-light window but is a similar width. It looks wider than the kitchen window. However, the works provided harmonise with the house, including the brickwork, stone lintel below the window and the window design, colour and materials and therefore the works are acceptable in terms of the character and appearance of the area.

The works also do not harm the residential amenities of the area as although there are now more front windows than what was approved, the new window is no closer to the house opposite than the other front windows and the new window is also on the ground floor and therefore the level of overlooking of neighbouring properties including those opposite does not materially affect neighbour privacy.

The loss of the garage does not lead to any harm to highway safety as although the road is narrow and unsuitable for on-street parking, a parking area has been provided to the side of the house, served by a private cul-de-sac, which can accommodate at least two cars and this accords with the Council parking standards for 3-bed dwellings. The local highways authority raised no objection to the works.

The parking area is not in accordance with the previously approved plans for the house. There are also other works which are not in accordance with those approved plans or many of the conditions imposed including pre-commencement conditions which require amongst other things, the submission of a landscaping scheme to be approved and implemented. The applicant will be requested to submit a Variation of Condition planning application to regularise those works and seek retrospective approval for them and allow the Council to properly assess the completed development including the other unauthorised works.

CONCLUSION / PLANNING BALANCE

The proposed garage conversion and associated works do not harm the residential or visual amenities of the area or affect highway safety and therefore comply with the Council's Local Plan and the government planning guidance contained in the National Planning Policy Framework (NPPF) and therefore approval can retrospectively be given for the works.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston

Recommendation Date: 24.1.24

X *B.S. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council