

DELEGATED DECISION REPORT

SMD/2023/0591
Valid 29/11/2023

PARK HAYES FARM
BLACKWOOD HILL LANE
GRATTON
ENDON

REPLACEMENT DWELLING
(FULL - MINOR)

MAIN ISSUES:

- Principle of Development
- Impact on Green Belt
- Impact on Visual Amenity/Design
- Impact on Neighbouring Amenity
- Impact on the Ecological Value of the Area
- Impact on Highway Safety

DESCRIPTION OF SITE:

The proposed site comprises a detached stone, render and tile dwellinghouse and its associated curtilage, situated in the Horton ward. Additionally, the proposed site is on greenbelt land, where only development of special exemption is usually allowed. The Horton 62 Public Right of Way runs along the North and East curtilage of the site, branching off into the Horton 0.1769 Public Right of Way heading East. The closest neighbour at the address The Ostlers Cottage, Blackwood Hill Lane is situated to the North-West of the site and Blackwood Old Hall Farm, Blackwood Hill Lane is located to the North. Both of the aforementioned neighbours are separated from the site by pockets of open greenbelt countryside. The curtilage of the site adjoins an area of open greenbelt land to the South. The Blackwood Hill Lane highway runs adjacent to the proposed site on the North-West.

PROPOSAL:

This is a resubmitted planning application for a revised replacement dwelling scheme following the approval of a replacement dwelling under a 2022 application. The changes made are the addition of a single-storey side lean-to orangery structure against the flank wall of the approved house, slightly recessed from the back and front walls of the house. There have also been some changes to the gable detailing.

The original submission with this new resubmitted application also included a new triple garage building to south-west of the approved building but this was later removed from the application. The facing materials to the house were also to change from stone to white/cream render but this has been changed back to the previously approved stone via further amended plans.

No works appear to have commenced on site in relation to the previous approved development.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES:

Staffs Moorlands Local Plan (adopted September 2020)

SS10 – Other Rural Areas Strategy
H1 – New Housing
DC1 – Design Considerations
NE1 - Biodiversity

National Planning Policy Framework (Revised December 2023)

Sections 5 (Housing), 12 (Design), 13 (Green Belts) and 15 (Natural Environment).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS:

HNT/2021/0030 – Proposed single storey rear extension measuring 8.00m beyond the rear wall of the original dwelling, 4.00m maximum height and 2.30m height to eaves. HNT-PD.

SMD/2021/0736 – Application for a lawful development certificate for a proposed use for single storey side extensions and two storey rear extensions. CLUP-APP.

SMD/2022/0242: Replacement dwelling. Original approval.

CONSULTATIONS

Publicity

Site Notice expiry date: 24/01/2024
Neighbour consultation period ends: 24/01/2024
Press Advert: 12/12/2023

Public Comments

No representations received within consultation period.

Town / Parish Comments

Support.

SCC (Public Right of Ways)

Reminds of the presence of two nearby Public Rights of Way (PROW) and the requirements and legislation applied to them to protect the paths and their users.

Peak & Northern Footpaths Society

Remind of the presence of a nearby PROW running through the farm.

OFFICER COMMENTS:

Planning permission was granted on 7th July 2023 for a replacement dwelling. Green Belt policy in the NPPF deems the replacement of buildings in the Green Belt with another building which is not “materially larger” than the original as being acceptable i.e. not amounting to inappropriate development in the Green Belt. The approved dwelling would be materially larger than the existing dwelling on site which appears to have not been previously extended. However, in determining the previous application, consideration was given to previous approvals granted to extend the existing dwelling. A “Prior Approval” consent was given for a single-storey rear extension projecting 8m from the back wall of the house under permitted development not needing full planning permission. A Certificate of Lawfulness was also given for a scheme of single-storey and two-storey extensions to the rear and sides confirming that the extensions could be built under permitted development without needing full planning permission. It was determined that the proposed new replacement dwelling would be no larger than the existing dwelling with the permitted development extensions under the Certificate of Lawfulness application (the “fall back position” if the replacement dwelling was refused) and therefore the proposed replacement dwelling was not deemed to be “materially larger” than the proposed extended existing dwelling and was therefore not deemed to be harmful to the openness of the Green Belt and planning permission was granted for the replacement dwelling in this respect.

The table below shows the sizes, floorspaces and height of the existing dwelling and each proposed new scheme, as extracted from the Design and Access Statement accompanying the previous full planning application:

	FOOTPRINT SQ. METRES	FLOOR AREA SQ. METRES	VOLUME CU. METRES	EAVES HEIGHT (M)	RIDGE HEIGHT(M)
EXISTING DWELLING	90.3	132.5	440	4.65	6.7
PROPOSED DWELLING	143	243	850	5.25	6.8
PRIOR APPROVAL DWELLING	203.78	245.98	804	4.65	6.7

CERTIFICATE OF LAWFULNESS	213.09	266.42	854.50	4.65	6.7
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The new scheme submitted with this new application adds a single-storey side lean-to orangery to the previously approved proposed dwelling. This would lead to a further increase in footprint of 17.1 sq metres, an added floor area of 15 sq metres and a volume of 62.8 cu metres.

The resultant replacement dwelling with orangery would have a total volume of **912.8 cu.m** which is **58.3 cu.m** larger than the certificate of lawfulness scheme involving the extended existing farmhouse. It is noted the amended replacement dwelling now applied for would therefore be significantly larger.

However, the certificate of lawfulness scheme, which sought to maximise the size of the enlargement of the existing dwelling under permitted development did not include the addition of roof extensions e.g. dormers which can be added under permitted development (in accordance with Part 1 Class B of the GPDO). These can be added to both roofslopes of the existing house under permitted development (because there is no primary elevation to the house facing a road, as Class B refers). Up to 50 cu.m of roof extensions can be added to dwellings under Class B. Co-incidentally, in conjunction with certificate of lawfulness scheme of extensions, it has been calculated that the maximum amount of extensions the roof can accommodate, in the form of dormers not exceeding the ridge height, is 50 cu.m, comprising 29 cu.m on the front roofslope (facing away from the road, to the east) and 21 cu.m on the rear roofslope, restricted due to the presence of the two-storey rear extension forming part of the certificate of lawfulness scheme of extensions.

If the roof extensions were added to the certificate of lawfulness scheme then this would increase the total volume of the resultant existing house to **904.5 cu.m**. This is 8.3 cu.m less than the 912.8 cu.m of the new proposed replacement dwelling with orangery. However, the difference is relatively slight. I do not consider the new proposed replacement dwelling would amount to a “materially” larger building than the existing dwelling with the fall-back position of the extensions and roof enlargements that can be carried out under permitted development.

I therefore consider that the new revised replacement dwelling put forward with this new application does not amount to inappropriate development in the Green Belt and therefore does not harm its openness and is therefore acceptable in principle in compliance with Policy SS10 and Section 13 of the NPPF.

In terms of visual and residential amenity impacts, the orangery form, design and materials would respect and harmonise with the character and appearance of the approved replacement dwelling and its simple lower lean-to form and slight recess from the front and rear walls would allow it to appear wholly subservient to the main part of the dwelling in compliance with the Council’s Design Guide SPD and Policy

DC1. The materials would remain the same as those approved, reverting back from the drawings originally submitted with this new application which proposed mainly render walls. The change in front gable detailing is also acceptable and would not materially alter the appearance of the overall house. The new scheme would also not lead to any significant additional impacts on the nearest residential properties outside of the site given the distances away and the direction in which they lie.

With regard to ecological impacts, it is noted the Bat Survey Report submitted is the same one originally submitted with the previous application and dated September 2021. It states it should be updated if development has not commenced within 2 years and this time period has expired. However, it is accepted that bats use the existing dwelling to be demolished. A scheme of protection and mitigation measures set out in the report were approved under the previous application in consultation with Staffordshire Wildlife Trust and conditions were added requiring these, “unless varied by a European Protected Species licence subsequently issued by Natural England.” The applicant would still be required to apply for a licence before works commence and any changes to the protection and mitigation measures that may be required by NE would still need to be undertaken before the grant of a licence. I therefore consider this requirement covers the issue and therefore that the ecological value of the site would remain to not be harmed. Staffordshire Wildlife Trust were consulted on this new application but did not respond. The condition will again be imposed on the new planning permission.

CONCLUSION / PLANNING BALANCE:

The revised scheme which would add a single-storey side extension to the previous approved proposed replacement dwelling would not lead the resultant dwelling to amount to inappropriate development in the Green Belt or any additional harm to the openness of the Green Belt in relation to existing development. It would also remain acceptable in terms of visual and residential amenity impacts. The amended proposal would comply with the Council’s Local Plan and the government planning guidance contained within the National Planning Policy Framework.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston

Recommendation Date: 1.2.24

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

