

DELEGATED DECISION REPORT

SMD/2024/0062
Valid 06/02/2024

MOORCROFT CLEWLOWS
BANK
STOCKTON BROOK

PROPOSED DEMOLITION OF
EXISTING GARAGE AND
ERECTION OF NEW
OUTBUILDING.

(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 detached stone, brick, render and tile dwellinghouse and its associated curtilage, situated in the Bagnall and Stanley ward. The site is not located within the Development Boundary, instead it is on greenbelt land. Access to the dwelling is served via a private road which is shared amongst a number of neighbouring dwellings on a small cul-de-sac. The dwelling is bound by neighbouring dwellings to the North, South and West. Ash Grove, ClewloWS Bank is situated to the West of the site and Chez Nous, ClewloWS Bank is located to the South. The curtilage of the site adjoins the curtilages of The Gables and Chestnut House on Stanley Road to the North. The main ClewloWS Bank highway runs adjacent to the proposed site on the West.

It is noted that a number of properties within the estate have been extended; however the established character of the original estate has been retained.

PROPOSAL

The proposed development comprises the demolishing of an existing detached garage outbuilding and the erection of a replacement detached outbuilding with a pitched roof in the side / front curtilage of the dwellinghouse.

Initially, the proposal comprised a three storey outbuilding (including a new storey at basement level), however during the processing of the application, the plans were amended so that the proposed first storey was removed.

The revised outbuilding would accommodate for a study, W/C and garden store. A proposed basement floor plan is provided which is indicated to be a store room.

However the elevations do not show the basement and no sections are provided. The outbuilding would have a length of approximately 6.86 metres and a width of approximately 6.14 metres. It would have a simple pitched roof, having a maximum height of approximately 4.80 metres and maximum eaves height of 2.53 metres (measured from the highest ground level). It would be constructed from materials including red / brown brick, Staffordshire blue clay tiles and 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 Area 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 Green Belt land

Staffordshire Moorlands Design Guide SPD

Part 5 – Alterations, Extensions and Conversions

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/1986/0798 – 2 storey extension to form shower room and lift for the disabled. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 09/05/2024
Neighbour consultation period ends: 08/03/2024
Press Advert: N/A

Public Comments

No public comments have been received.

Town / Parish Comments

Bagnall Parish Council made an objection to the initially proposed plans, as follows:

“This is a substantial development that looks more like it could be changed into a dwelling. Plans show that this overlooks the neighbours from a balcony. Also a basement is being dug very close to the boundary line and neighbouring property.”

The proposed development has been amended and the first floor removed as discussed above. There is no balcony on the amended plans
In terms of the basement being dug close to the boundary, the construction would need to satisfy Building Control which is a separate process

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.

Green Belt

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.”*

Government policy is contained in the National Planning Policy Framework (NPPF).

Paragraph 152 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’.

Paragraph 154 of the NPPF says that the construction of a new building should be regarded as inappropriate in the Green Belt unless it meets one of the listed exceptions. One such exception is c) which refers to extensions or alterations of a

building provided that it does not result in disproportionate additions over and above the size of the original building.

In the case of *Warwick DC v Secretary of State for Levelling Up, Housing And Communities 2022*, it was held that para 149(c) (now p154) of the NPPF, is not to be interpreted as being confined to physically attached structures but that an extension for the purposes of that provision can include structures which are physically detached from the building of which they are an extension.

Applying Warwick and para 154 C) of the NPPF to this case, the test is whether the building would result in a disproportionate addition over and above the size of the original building.

As noted above, although the floor plans show a Basement, the elevations are silent and make no reference to a basement and no sections are provided. No information is provided regarding the extent of excavation necessary to form the basement or the means of its construction. In the absence of this information it is simply not possible to assess the impact of the whole proposal in Green belt terms. If the 'above ground' element is considered in isolation, its modest size leads to the view that this is acceptable in the Green Belt as it could not be regarded as a disproportionate addition.

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 outbuildings should harmonise with the parent building. An outbuilding should respect the dominance of the original building and be subordinate to it in terms of its size and massing.

For a development to be considered appropriate in terms of its size and massing, the Council would universally expect to see outbuildings subordinate to the dominant parent building. It is important that outbuildings are designed and built in sympathy with the property which they serve.

Following the receipt of revised plans, the 'above' ground' element of the proposal is considered to be acceptable in design terms. It is of modest size with a pitch roof and is subordinate to the host building. Materials are given to be red facing brick and Staffordshire blue tiles. However as already discussed above insufficient information has been provided regarding the basement. Consequently it is not possible to judge the potential visual impact of this element of the proposal or its acceptability in design terms.

Amenity

Paragraph 135 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 Ash Grove, Clewlovs Bank to the West and Chez Nous, Clewlovs Bank is located to the South. The curtilage of the site adjoins the curtilages of The Gables and Chestnut House on Stanley Road to the North. Therefore, assessment of amenity impact will be required on the direct neighbouring dwellinghouses adjacent to the site.

The site and the neighbouring plots surrounding the dwellinghouse are all large and spacious, thus creating more scope for development without impacting direct neighbour amenity. Furthermore, the proposed outbuilding would be a substantial enough distance (approximately 23 metres) from the neighbours at Ash Grove, Clewlovs Bank to mitigate any chance of light loss as its location would comply with the 45 degree line measured from this neighbours' closest windows.

The proposed outbuilding is within very close proximity to the common boundary between the site and the neighbours at Chez Nous. The common boundary comprises a brick retaining wall which is staggered in its height, increasing as it progresses towards the rear of the outbuilding. Thus, some of the shadowing impact which the proposed outbuilding could create over the neighbour would be eradicated, as the garage would be largely tucked behind the brick retaining wall. Due to the increase in the height of the outbuilding, the East to West sunlight trajectory could mean that shadowing could be caused by the outbuilding during the morning hours. This being said, the neighbouring dwelling at Chez Nous is on a higher ground level than the site, meaning that the height increase would have a lesser impact on this neighbour. Furthermore, I note that the only window which could be impacted by the proposed new outbuilding is a secondary, non-habitable side window, which the Council would not seek to protect. From these observations, it becomes apparent that the amenity of Chez Nous would not be adversely impacted by the proposed outbuilding.

The separation distance between the proposed outbuilding and the neighbours at The Gables and Chestnut House on Stanley Road comprises approximately 44 metres plus. Therefore, it is clear that the proposed outbuilding would not have any impact on the light amenity of these neighbours.

There would be no windows on the South facing side elevation of the outbuilding which would face the neighbours at Chez Nous, therefore no privacy amenity impact would occur for them. Furthermore, although there would be two large windows on the front elevation of the proposed outbuilding, they would only face the host dwellinghouse and the front driveway area of the neighbours at Ash Grove. Although there would be a window and a door on the North facing side elevation of the outbuilding which look towards The Gables and Chestnut House, the approximately 44 metre plus distance between these neighbours and the site would eradicate any chance of overlooking

which could occur. Therefore, no adverse privacy impact would occur upon any of the neighbours.

Highway Safety

Paragraph 108 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 outbuilding would not increase the number of bedrooms of the dwelling. Additionally, as the outbuilding would be to the side of the dwelling, the available off road parking to the front of the dwelling would not be compromised, in compliance with Policy T1. The feature of a large driveway creates provision for sufficient off-road parking space.

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

CONCLUSION / PLANNING BALANCE

For the reasons outlined in the Officer comment section above, the 'above ground' element of the proposal is considered to be acceptable and can be supported. However the lack of information regarding the basement makes an assessment of this element of the proposal from both a Green Belt and design point of view impossible. However given that the two elements are distinct and capable of separation, a split decision is considered to be appropriate in this instance.

OFFICER RECOMMENDATION: SPLIT DECISION

Case Officer: Hannah Varley

Recommendation Date: 25/11/2024

X 

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council