

DELEGATED DECISION REPORT

SMD/2025/0259
Valid 28/05/2025

91 MOW LANE
GILLOW HEATH

**REPLACE EXISTING
CONSERVATORY WITH A
MASONRY SUN LOUNGE.
NEW TIMBER PORCH.
FRENCH DOORS TO BAY
WINDOW AREA.**

(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 site comprises a detached render, brick and tile dwellinghouse and its associated curtilage, situated in the Biddulph West ward. Additionally, the proposed site is within an area of greenbelt, where development is more restricted. The site is enclosed by one neighbouring dwellinghouse; No. 89 Mow Lane is situated to the East. The curtilage of the site adjoins an area of open greenbelt land to the West and South-West. The Mow Lane highway runs adjacent to the site to the North.

It is noted that a number of properties within the area have been extended and altered. The street scene is comprised of a varied selection of house types and materials, demonstrating how there is no specific character.

PROPOSAL

The proposed development consists of the replacement of the existing conservatory with a masonry sun lounge, a new open timber porch and French doors to a bay window area. The masonry sun lounge would nearly occupy the same footprint as the existing conservatory. Materials used in the construction of the proposed extensions would match those used in the construction of the existing dwellinghouse, including brick, plain tiles and white UPVC.

Initially part of the proposed development included the replacement of the existing flat roof over the garage with a hipped roof. However, this part of the proposal has been removed.

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
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/1991/0633 – Erection of boundary fence. Approved.
SMD/2004/0857 – Replacement garage and single storey side extension. Approved.
SMD/2004/1250 – Replacement garage and first floor extension. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 23/08/2025
Neighbour consultation period ends: 22/08/2025
Press Advert: N/A

Public Comments

No public comments have been received.

Town / Parish Comments

Biddulph Town Council have made the following comment:

No adverse comments. Proposed by Councillor ; seconded by Councillor. All agreed.

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 outskirts of Biddulph. 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."

Paragraph 153 of the NPPF (2024) 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 (2024) outlines that the construction of new buildings should be regarded as inappropriate in the Green Belt unless it meets an exception. 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 (2024) 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. Whilst it is acknowledged that 30% increase is not planning policy, it does represent a useful "rule of thumb".

Initially, the existing extensions combined with the proposed extension equated to an increase in volume of approximately 97%. The property has been previously extended, meaning that it has already significantly exceeded a 30% increase over the size of the original building. 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. Furthermore, the proposed extensions would add to already sprawling additions to the property creating a disproportionate visual appearance, in addition to the purely volumetric assessment above.

This therefore resulted 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. No such circumstances were put forward or identified.

Revised plans were submitted to the Council to address these concerns, removing the proposed hipped roof over the existing flat roof garage. Whilst flat roof extensions are generally discouraged in the adopted Staffordshire Moorlands Design Guide SPD, a hipped roof would have had a considerably more significant impact on the openness of the greenbelt than the existing flat roof. The replacement of an existing extension with a new extension of the same footprint and erection of an open plan porch would not be considered to impact the openness of the greenbelt. Although the addition of a gable roof over the existing rear outrigger would have some impact on the openness of the greenbelt, this new area of roof space would not have a detrimentally harmful impact on the greenbelt due to sitting comfortably against the roof of the host 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 replacement rear extension would be single storey, therefore the maximum height of the 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.

The proposed rear extension would have a flat roof. Although flat roof extensions are generally discouraged in the adopted Staffordshire Moorlands Design Guide SPD, it is considered that the rear extension would not form a prominent addition in the area and when viewed from the street scene. It would barely be visible from the public domain due to it being located to the rear of the dwelling. On balance, although the proposed rear extension would conflict with the Design Guide SPD in terms of its flat roof, its minimal visibility from the wider public domain would not result in a visually harmful addition to the dwelling. It is therefore considered acceptable in this case.

An existing area of flat roof with a dummy pitch (over the existing kitchen) would be replaced with a gable style roof. As flat roof extensions are generally considered unacceptable in the Staffordshire Moorlands Design Guide SPD, a replacement gable roof over the existing flat roof would be considered a design improvement to the dwelling. A gable roof would be more complementary to the roof form of the host dwelling, as well as roof forms of surrounding dwellings amongst the street scene.

Notably, an apex window has been proposed to serve the new family room to the rear of the dwelling. The apex window does not fit within the form of the existing dwelling, not being complimentary to the host dwelling. Whilst the apex window would be an alien feature on the dwelling, the surrounding area comprises a range of mixed design properties with no strongly fixed character. Furthermore, the apex window would not form a prominent addition in the area, due to its location on the rear elevation of the dwelling. Therefore, whilst the apex window is not a design feature complimentary to the property, it is considered acceptable in this case.

The proposed open plan porch canopy projecting forward of the principal elevation of the dwelling would have a simple gable style roof to compliment the character of the host dwelling. The porch canopy would not be a dominant addition amongst the street scene and is characterful of the row of dwellings in its context, which a number of have single storey projections forward of the principal elevation.

Materials used in the construction of the proposed extensions 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. Brick, plain tiles and white uPVC would be used in the construction of the proposed extensions. Thus, the proposed materials would match the existing materials and harmonise with the surrounding street scene, not detracting from the character of the 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 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 No. 89 Mow Lane to the East. Thus, assessment of amenity impact will be required on the direct neighbouring dwellinghouse to the side of the site.

The proposed masonry sun lounge extension would be stepped approximately 4.55 metres from the common boundary between the site and the neighbours at No. 89 Mow Lane. Furthermore, the extension would not project beyond the rear building line of No. 89. Thus, the distance between the proposed single storey extension and the neighbouring dwelling would eradicate any chance of overshadowing which could be caused as a consequence of the erection of the proposed extension, due to a breach of the 45 degree rule not being possible.

The proposed gable roof replacement over the existing single storey rear structure would not impact the amenity of the neighbours at No. 89. Its approximately 10.90 metre distance from the common boundary between the site and this neighbouring dwelling would eradicate any overshadowing which could have occurred.

There would be one small side window on the proposed single storey rear extension which would face the neighbouring dwellinghouse at No. 89 Mow Lane. Notably, side windows at ground floor level can be installed under permitted development. Furthermore, the existing conservatory incorporates a substantial amount of glazed area facing towards No. 89. Therefore, the new extension which only incorporates one small side window would in fact better protect the privacy amenity of these neighbours. Overall, it is not considered that the privacy amenity of No. 89 would be adversely impacted.

Highway Safety

Paragraph 109 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 extensions would not increase the number of bedrooms of the dwelling; in fact the number of bedrooms in the dwelling would decrease from three to two. Therefore, it is clear that no additional off-highway parking spaces will be required for the number of people inhabiting the dwellinghouse. Additionally, the available off road parking within the front curtilage 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. The application would have no adverse effect upon neighbour and street scene amenity and no overall impact on highway safety, therefore it would be deemed acceptable in these instances.

Initially, the proposal did not comply with Green Belt policy. The cumulative impact of the existing and proposed extensions would have resulted in a disproportionate addition over and above the size of the original building. As such, the proposed development was inappropriate development in the Green Belt. Revised plans were submitted, removing the proposed hipped roof over the existing flat roof garage from the scheme, significantly reducing the impact on the openness of the greenbelt. Therefore, the proposed development is recommended for approval, subject to all conditions.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Varley

Recommendation Date: 29/08/2025

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council