

3, STATION DRIVE, KEELE
MR & MRS BENNETT

17/00775/FUL

The application is for full planning permission for the change of use of land to domestic curtilage and a 2-storey extension to the dwelling.

The application site is located within the open countryside on land designated as being within the North Staffordshire Green Belt and an Area of Landscape Restoration, as indicated on the Local Development Framework Proposals Map. The property is on the Council's Register of Locally Important Buildings and Structures.

The 8 week determination period expired on the 14th November 2017 but the applicant has agreed to an extension of the statutory period to 8th January 2018.

RECOMMENDATION

PERMIT subject to conditions relating to the following matters:

- 1. Time limit relating to the commencement of development**
- 2. Approved plans**
- 3. Sample of materials**
- 4. Removal of permitted development rights for outbuildings**

Reason for Recommendation

The change of use of land to domestic curtilage constitutes inappropriate development within the Green Belt. Very special circumstances are considered to exist as the land would remain relatively open, and given the existing uses of the land, no harm to the Green Belt's openness or to any of the purposes of including land within the Green Belt would arise from the use as domestic curtilage. In addition, the development by virtue of its design, scale and materials, would not harm the character of the locally listed building, the rural area or the Area of Landscape Restoration.

Statement as to how the Local Planning Authority has worked with the applicant in a positive and proactive manner in dealing with this application

Amended plans have been received and the proposed development is now considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

KEY ISSUES

The application is for full planning permission for the change of use of land to domestic curtilage and a 2-storey extension to this dwelling which lies within the open countryside on land designated as being within the North Staffordshire Green Belt and an Area of Landscape Restoration, as indicated on the Local Development Framework Proposals Map. The property is on the Council's Register of Locally Important Buildings and Structures.

It is not considered that there are any issues of impact on highway safety, residential amenity or trees and therefore, the key issues in the determination of the development are:

- Is the proposal appropriate development within the Green Belt?
- Is the design of the proposed extension acceptable?
- Should it be concluded that the development is inappropriate in Green Belt terms, do the required very special circumstances exist?

Is the proposal appropriate development within the Green Belt?

Paragraph 79 of the recently published NPPF details that “The fundamental aim of Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of Green Belts are their openness and their permanence.”

Paragraph 89 of the NPPF states that the construction of new buildings is inappropriate development in the Green Belt with a number of exceptions which include 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.

The property has existing garage and conservatory extensions. The garage was built as an extension to existing outbuildings and therefore the applicant argues that much of its volume was original. Even taking the whole garage and the conservatory as additions, they amount to approximately 90 cubic metres in volume and with the extension now proposed, they would result in a cumulative increase in volume of less than 50% over and above the size of the original dwelling. It is not considered that this results in a disproportionate addition and therefore it is concluded that the proposed extension represents appropriate development within the Green Belt.

To accommodate the proposed extension, a change of use of the land to domestic curtilage is proposed. A change of use of land is not listed within the NPPF as appropriate development and therefore the starting point for the consideration of this element of the proposal must be that it comprises inappropriate development in this Green Belt location and should not be approved except in very special circumstances. This will be addressed below.

Is the design of the proposed extension acceptable?

The property is on the Council’s Register of Locally Important Buildings and Structures. Paragraph 135 of the NPPF states that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining an application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.

The NPPF places great importance on the requirement for good design, which is a key aspect of sustainable development. CSS Policy CSP1 broadly reflects the requirements for good design contained within the NPPF, and the Urban Design Supplementary Planning Document provides detailed policies on design and layout of new housing development.

Saved Local Plan Policy H18 relates specifically to the design of residential extensions and advises that the form, size and location of an extension should be subordinate in design to the original dwelling, the materials and design of each extension should fit in with those of the dwelling to be extended and the extension should not detract materially from the character of the original dwelling or from the integrity of the original design of the group of dwellings that form the street scene or setting.

The applicant has amended the proposal to reduce the width of the extension. Given its reduced width and the proposed set down in the ridge line of the extension below that of the main house, it is now considered that the proposed extension would be subordinate in design to the original dwelling.

Concerns were originally expressed by the Conservation Officer, the Conservation Advisory Working Party (CAWP) and Keele Parish Council regarding the size and design of the extension and its impact on the character of the dwelling which is on the Council’s Register of Locally Important Buildings and Structures. The Conservation Officer considers that the amended scheme is acceptable and would not be harmful to the building as an important heritage asset. The comments of CAWP and Keele Parish Council on the revised plans are awaited and will be reported to Members once received.

It is considered that the revised scheme, by virtue of its design, scale and materials, would not harm the character of the locally listed building, the rural area or the Area of Landscape Restoration.

Do the required very special circumstances exist to justify inappropriate development?

The NPPF states in paragraph 88 that when considering planning applications, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, and that very

special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other circumstances. Inappropriate development by definition is harmful to the interests of the Green Belt. However, beyond that, no element of 'other harm' has been identified associated with the change of use of land.

The applicant's assertion is that very special circumstances exist in this case for the following reasons:

- The existing garage to the rear of the building is served by a driveway to the north of the property and within the existing domestic curtilage. It is not possible to provide an alternative driveway access through the existing garden and the extension to the domestic curtilage would therefore be necessary to facilitate the new driveway to provide vehicular access to the garage.
- Should the proposed extension be located to the south of the dwelling, then the property would lose most of its private amenity space.
- As the building is locally listed and the primary view of the property from public vantage points is from the driveway to the south west, an extension to the south may not be desirable.
- The land to the north of the site is currently used as land for open storage of potted Christmas trees. The proposed use of part of the site for garden land would not harm openness in comparison to the use as open storage and in any event would be extended to accommodate the extension itself rather than to facilitate the siting of other domestic paraphernalia.

Some of the above arguments are not accepted by your Officer. For example, an extension to the south of the dwelling would leave sufficient private amenity space for a family home and the primary view of the property is considered to be its front elevation. However, the proposed change of use of the land to domestic curtilage is to accommodate the proposed extension to the dwelling which, as stated above, comprises appropriate development. To the north-east of the dwelling is a gas sub-station and to the east is open storage land and commercial buildings associated with the Christmas Tree Farm. Subject to a condition removing permitted development rights for garden outbuildings, the land would remain relatively open, and given the existing uses of the land, no harm to the Green Belt's openness or to any of the purposes of including land within the Green Belt would arise from the use as domestic curtilage.

Given the lack of substantial harm to the openness of the Green Belt the change of use of the land it is considered that the required very special circumstances can be considered to exist in this case.

APPENDIX

Policies and Proposals in the approved Development Plan relevant to this decision:-

[Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy \(CSS\) 2006-2026](#)

Policy ASP6: Rural Area Spatial Policy
Policy CSP1: Design Quality
Policy CSP3: Sustainability and Climate Change
Policy CSP4: Natural Assets

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy S3: Development in the Green Belt
Policy H18: Design of Residential Extensions
Policy N17: Landscape Character – General Consideration
Policy N21: Area of Landscape Restoration

Other material considerations include:

[National Planning Policy Framework \(NPPF\) \(2012\)](#)

[Planning Practice Guidance \(PPG\) \(2014\)](#)

[Supplementary Planning Guidance/Documents](#)

[Space Around Dwellings SPG \(SAD\) \(July 2004\)](#)

[Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document \(2010\)](#)

[Planning for Landscape Change - SPG to the former Staffordshire and Stoke-on-Trent Structure Plan](#)

[Relevant Planning History](#)

None

[Views of Consultees](#)

Regarding the revised plans, the **Conservation Officer** states that the combination of alterations ensures that the extension is not read as part of the original building. The attention to detail has always been commended but with the extension as large as the original proposal, it would have been misleading and would have been harmful to the building as an important heritage asset, especially from the principal elevation. The combination of alterations and features are the removal of the bay, the set back and set down of the roof to emphasise the original gable, and most importantly, the reduction in the size of the extension. A condition is recommended requiring a sample of bricks and tiles.

In relation to the first amended plans, the **Conservation Advisory Working Party (CAWP)** considers that the extension should be more subordinate to the original building that currently proposed, requiring a reduction in its width, an increased set back from the front elevation and a lower ridge height. They welcomed the removal of the bay window but noted that this has resulted in attention being drawn to the first floor en-suite and family bathroom windows, the proportions of which do not reflect the proportions of the original windows.

In relation to the first amended plans, **Keele Parish Council** state that the application should be refused. The extension does not increase the amount of accommodation provided in the parish and thus is not in line with the developing Neighbourhood Plan or the suggested rationale for building on greenbelt proposed in the developing Joint Local Plan. Permitting this encroachment onto greenbelt land would set an undesirable precedent for further development of this type. The property is the old

Station House for Keele, a building of historic significance, and is locally listed. The proposed development would double the frontage of the building and significantly impact on the building's character, eroding its value to the heritage of the parish. When working with local listed buildings the rule of thumb should be to allow minimum development to achieve modern standards of comfort, but not allow anything which would be intrusive and a detriment of the original structure.

Cadent state that although National Grid does have a pipeline in the vicinity, the proposed development is outside the criteria requiring National Grid to carry out any improvements.

Representations

None

Applicant/agent's submission

Application forms and plans have been submitted along with a Planning Statement. These documents are available for inspection at the Guildhall and via the following link

<http://publicaccess.newcastle-staffs.gov.uk/online-applications/plan/17/00775/FUL>

Background Papers

Planning files referred to

Planning Documents referred to

Date report prepared

13th December 2017