APPLICATIONS COMMITTEE

Date 15th June 2017

<table>
<thead>
<tr>
<th>Application No:</th>
<th>SMD/2017/0200</th>
</tr>
</thead>
<tbody>
<tr>
<td>Location</td>
<td>36 Hardy Close, Cheadle, ST10 1XQ</td>
</tr>
<tr>
<td>Proposal</td>
<td>Detached garage in the rear garden of semi detached dwelling.</td>
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<tr>
<td>Applicant</td>
<td>Mr Adam Walker</td>
</tr>
<tr>
<td>Agent</td>
<td>N/A</td>
</tr>
<tr>
<td>Parish/ward</td>
<td>Cheadle</td>
</tr>
<tr>
<td>Date registered</td>
<td>29th March 2017</td>
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If you have a question about this report please contact: James Stannard, Tel. 01298 28400 extension 4298, james.stannard@highpeak.gov.uk

**REFERRAL**

The proposal is to be presented to the Planning Applications Committee owing to the applicant being an employee of Staffordshire Moorlands District Council.

1. **SUMMARY OF RECOMMENDATION**

**APPROVAL with conditions**

2. **DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

2.1 This application relates to a parcel of land to the west of Hardy Close, Cheadle. The site contains the semi detached residential dwelling 36 Hardy Close with a small amenity space and private driveway to the front and a patio and garden area, which includes a small conservatory, to the rear. A private gateway sits to the southern (side) elevation of the dwelling which provides access to the rear patio and garden area.

2.2 The site shares a northern boundary with No.34 Hardy Close which is characterised by a wooden fence approximately 1.8m in height. The site shares a southern boundary with No.38 Hardy Close which is also formed by a wooden fence of the same site. A single storey outbuilding sits within the curtilage of No.38 for which the side elevation backs on to the boundary with No.36. The rear (western) boundary of the site is characterised by thick natural vegetation.

3. **DESCRIPTION OF THE PROPOSAL**

3.1 This application seeks full consent for the construction of a single storey double garage to be located to the rear of the dwelling within the residential curtilage. Following clarification from the applicant and the
submission of a revised site plan, the application would include an extended driveway made of flagstones from the private gateway to the side of the dwelling up to the proposed garage. The length of this proposed driveway is some 13 metres.

3.2 The proposed garage is shown on the elevation plan as having a pitched roof and has an overall footprint of 6m in length by 3.6m in width. The garage is shown to have a height of 2.4 metres to eaves level and an overall height of 4 metres.

3.3 The application, the details attached to it including the plans, comments made by residents and the responses of the consultees can be found on the Council’s website at:

http://publicaccess.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=112938

4. RELEVANT PLANNING HISTORY

SMD/1992/0549 Residential Development (Approved)

5. PLANNING POLICIES RELEVANT TO THE DECISION

High Peak local Plan 2016
- SS1 Development Principles
- SS1a Presumption in favour of Sustainable Development
- DC1 Design Considerations
- T1 Development and Sustainable Transport

National Planning Policy Framework
- Achieving Sustainable Development Paragraphs 1-17
- Requiring Good Design Chapter 7

6. CONSULTATIONS CARRIED OUT

<table>
<thead>
<tr>
<th>Site notice</th>
<th>Expiry date for comments: 28th April 2017</th>
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</thead>
<tbody>
<tr>
<td>Neighbour letters</td>
<td>Expiry date for comments: 20th April 2017</td>
</tr>
<tr>
<td>Press Notice</td>
<td>Expiry date for comments: N/A</td>
</tr>
</tbody>
</table>

Neighbours

No comments have been received from any neighbouring properties or members of the general public.

<table>
<thead>
<tr>
<th>Consultee</th>
<th>Comment</th>
<th>Officer response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cheadle Town Council</td>
<td>No Objection</td>
<td>Noted</td>
</tr>
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</table>
7. POLICY AND PLANNING BALANCE

Planning Policies

7.1 The determination of a planning application is to be made pursuant to section 38(6) of the Planning and Compulsory Purchase Act 2004, which is to be read in conjunction with section 70(2) of the Town and Country Planning Act 1990.

7.2 Section 38(6) requires the local planning authority to determine planning applications in accordance with the development plan, unless there are material circumstances which 'indicate otherwise'. Section 70(2) provides that in determining applications the local planning authority "shall have regard to the provisions of the Development Plan, so far as material to the application and to any other material considerations." The Development Plan consists of the High Peak Local Plan Policies Adopted April 2016.

7.3 Other material considerations include the National Planning Policy Framework (NPPF) and National Planning Policy Guidance (NPPG). Paragraph 14 of the NPPF explains that at the heart of the Framework is the presumption in favour of sustainable development. For decision makers this means that when considering development proposals which accord with the development plan, they should be approved without delay, but where the development plan is absent, silent or relevant policies are out of date, grant planning permission unless any adverse impacts would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF taken as a whole.

Principle of Development

7.4 The proposed development is shown to be located within the residential curtilage of No.36 Hardy Close. The site is situated within the development boundary of Cheadle and is not constrained by any sensitive statutory designation.

7.5 The principle of development is therefore considered to be acceptable subject to the application demonstrating compliance with national and local planning policies relating to design, amenity, and highway safety.

Design

7.6 Policy SS1 of the adopted core strategy sets out a number of development principles which new development should adhere to in order to contribute positively to the social, economic, and environmental improvement of the Staffordshire Moorlands.

7.7 Policy SS1a of the adopted core strategy reflects the presumption in favour of sustainable development set out within the National Planning Policy
Framework (NPPF). It states that planning applications that accord with relevant policies in the Local Plan will be approved without delay.

7.8 Policy DC1 of the adopted core strategy sets out a list of design considerations that new development should incorporate into any new scheme. It states that all development shall be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character and heritage of the area. In particular new development should be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance.

7.9 Chapter 7 of the NPPF highlights the importance of good design, that good design is indivisible from planning and should contribute positively to making places better for people.

7.10 The proposed garage is single storey situated towards the rear boundary of the curtilage of No.36 Hardy Close and is considered to be of an appropriate scale, height and massing which is in keeping with the main dwelling and surrounding land and buildings.

7.11 The garage is proposed to have a pitched roof which mirrors the design of the neighbouring outbuilding to the south at No.38. Section 11 of the submitted application form confirms that the materials to be used in the construction of the garage would match those used in the construction of the existing dwelling.

7.12 The proposed driveway to be installed between the gateway to the side of the property and the entrance to the garage is not considered to result in any significant adverse impacts in relation to design.

7.13 In light of the above it is considered that the proposed single storey garage conforms to the design principles set out within the adopted core strategy policies SS1 and DC1 and relevant paragraphs within Chapter 7 of the NPPF.

Amenity

7.14 Policy DC1 of the adopted core strategy requires all new development to protect the amenity of the area, including various aspects of residential amenity which includes satisfactory daylight, sunlight, outlook and privacy.

7.15 Paragraph 17 of the NPPF highlights twelve principles that should underpin both plan-making and decision taking. One such principle is that planning should always seek to secure high quality design and good standard of amenity for all existing and future occupants of land and buildings.

7.16 The proposed garage sits towards the rear boundary of the site and as shown on the proposed elevation plans does not include any fenestration. Given the lack of fenestration in any elevation, it is not considered that the
privacy of current or future occupiers of any neighbouring property will be adversely affected as a result of this proposed development.

7.17 Given that the garage is to be positioned adjacent to the southern boundary of the site (to the north of the nearest neighbouring property) and the single storey nature of the proposal, it is not considered that there would be any significant loss of light or other amenity impacts.

7.18 The application is therefore considered to accord with policy DC1 of the adopted core strategy and paragraph 17 of the NPPF.

Highway Safety

7.19 Policy T1 of the adopted core strategy requires applications to demonstrate that a proposal can be safely accommodated within the existing highway network. The Highways Authority have not commented on the application. Given that there will be no increase in the volume of traffic of any alterations to the existing access to the public highway (Hardy Close) it is considered that no adverse impacts with regards to highway safety will occur as a result of this development in accordance with policy T1 of the adopted core strategy.

Planning balance & Conclusion

7.20 The application seeks consent for a proposed single storey garage measuring 6 metres in length, 3.6 metres in width with an overall height of 4 metres, to the rear of No.36 Hardy Close, Cheadle within the residential curtilage of the property.

7.21 The site is within the development boundary and is not subject to any restrictive NPPF policies set out at footnote 9 to paragraph 14 of the NPPF. The presumption in favour of sustainable development is therefore engaged.

7.22 The proposed garage is considered to be of an appropriate scale, height and massing which is in keeping with the main dwelling and surrounding land and buildings which includes the outbuilding within the curtilage of No.38 Hardy Close to the south. The proposed driveway is not considered to have any significant adverse impact with regards to design.

7.23 The proposed garage does not include any windows and given its modest scale and positioning to the rear of the curtilage boundary, is not considered to result in any loss of residential amenity to neighbouring properties. No objections have been received from any neighbour or member of the public.

7.24 In light of the above, it is considered that the proposed development complies with all relevant national and local planning policies and constitutes sustainable development. In accordance with paragraph 14 of the NPPF the application has been recommended for approval subject to appropriate conditions being attached to the decision notice.
8. RECOMMENDATIONS

A. APPROVE, subject to the following conditions;

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
   Reason: -
   To comply with the provisions of Section 51 of the Town and Country Planning, Planning and Compulsory Purchase Act, 2004.

2. The development hereby approved shall be carried out in complete accordance with the submitted amended plans and specifications as follows:-

   Location Plan
   Front Elevation / Roof Plan and Side Elevation
   Site Plan Revised

   Reason: -
   To ensure that the development is carried out in accordance with the approved plans, for clarity and the avoidance of doubt.

B. In the event of any changes being needed to the wording of the Committee’s decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Operations Manager – Development Services has delegated authority to do so in consultation with the Chairman of the Committee, provided that the changes do not exceed the substantive nature of the Committee’s decision.

Informative

This recommendation is made following careful consideration of all the issues raised through the application process and thorough discussion with the applicants. In accordance with Paragraph 187 of the NPPF the Case Officer has sought solutions where possible to secure a development that improves the economic, social and environmental conditions of the area.
Location plan