DELEGATED DECISION REPORT

HNT/2016/0030 **Valid 02/08/2016**	**20 FOLLY LANE** **CHEDDLETON**	**PROPOSED SINGLE STOREY REAR EXTENSION EXTENDING 5.95M BEYOND REAR WALL OF THE ORIGINAL DWELLING, MAXIMUM HEIGHT 3.75M AND HEIGHT TO EAVES 2.22M** **(HOUSEHOLDER NOTIFICATION APPLICATION)**

MAIN ISSUES

- Impact of the development on the amenity of any adjoining premises [GPDO(2015) Schedule 2 Part 1 Condition A.4 (7)]

DESCRIPTION OF SITE

The application property is the northerly of a pair of semis with frontages facing north east on to Folly Lane. To the rear (SW) the property benefits from a long back garden of some 48m; the rear garden of the attached semi (No.22) is shorter at c.24m. A pair of matching semis neighbour the application property to the north. The two driveways in the space between the neighbouring side elevations give limited separation of c.4.7m.

All four of the semis have a small flat-roofed ground floor outrigger extension of 2.8m x c.2.3m in width at the outer rear corners. It has not been established whether these are contemporary with the original buildings.

No. 18 (the unattached semi to the north) has a principal window in the side elevation facing the application property.

PROPOSAL

The proposal is for a ground floor rear extension across the full width of No.20 extending for an initial 2.9m then stepped in from the boundary with the attached neighbour at No.22 by c.1.5m to then extend a further 2.2m giving a total extension of c.5.1m on the elevation parallel to the boundary with the unattached neighbour at No.18. Part of the 5.1m is currently taken up by the corner rear outrigger referred to above which extends c.2.3m.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development

SS6a Cheddleton South Village Development Boundary
DC1 Design Considerations
T1 Development and Sustainable Transport
Space About Dwellings adopted supplementary planning guidance

National Planning Policy Framework
Paragraph(s) 1 to 17
Section(s) 7 Requiring Good Design

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS
SMD/2015/0494 (14/08/2015) – two storey side extension and part single, part two storey rear extension – refused
SMD/2016/0030 (19/01/2016) single storey side and single storey rear extension all corresponding to Permitted Development limits following receipt of amended plans drawing reference 00392 AL(0)04 – approved

HNT/2016/0021(17/05/2016) – single storey rear extension to 5.95m – refused

CONSULTATIONS

Publicity
Site Notice expiry date: N/A
Neighbour consultation period ends: 23/08/2016
Press Advert: N/A

Public Comments
Objections received from the occupiers of both adjacent neighbours at 18 Folly Lane and 22 Folly Lane essentially raising concerns as to the impacts on their amenity. Other issues are raised including reference to a sewer said to lie within the proposed extension area and reference to property values.

Town / Parish Comments
None received

OFFICER COMMENTS

Principle of Development
The procedure for the determination of a Householder Notification under GPDO (2016) Part 1 when a neighbour objection is received is given in Condition A.4 paragraph (7), “Where any owner or occupier of any adjoining premises objects to the proposed development, the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of any adjoining premises”.

Amenity
The implications for amenity of any adjoining premises has been assessed by reference to Core Strategy Policy DC and the Council’s Adopted Space About Dwellings supplementary planning guidance.

It is accepted that a single storey rear extension projecting up to 3m from the rear elevation wall is permitted under GPDO(2015) Schedule 2 Part 1 Class A subject also to not being higher than 4.0m and not having eaves higher than 3.0m. A 3.0m extension would extend partially beyond a 45 degree angle measured in the horizontal plain from the midpoint of the principal rear window serving No.22. The 45 degree line is otherwise normally taken as a limit to acceptable development. This proposal takes advantage of the excess beyond 45degrees allowed by PD in a 3.0m extension and applies it here to support the stepped in 5.1m extension. It is noted that the rear of the properties face SW which may be considered optimal in terms of benefitting from sunlight and the proposed extension in relation to No. 22 lies approximately in the north west quarter of the sun's arc. Nonetheless there remain concerns about the impact of the proposal for the ground floor rear principal window of No 22 and the amenity of occupiers and refusal is recommended.

The proposal would have a significant adverse effect on the principal ground floor side window of No18 in relation to which all that part of the extension beyond the 3m PD limit – a further c.2.0m – would exacerbate the impacts of the existing facing development.

CONCLUSION / PLANNING BALANCE
On the basis of the assessment set out above under Amenity it is considered that the application should be refused based on the facts as they are found.

OFFICER RECOMMENDATION : refuse

Case Officer: Arne Swithenbank
Recommendation Date: 13/09/2016

X B.J. Haywood

Signed by: Haywood, Ben

On behalf of Staffordshire Moorlands District Council