DELEGATED DECISION REPORT

HNT/2017/0016 **Valid 29/06/2017**	**17 OXHEY DRIVE** **BIDDULPH**	**PROPOSED SINGLE STOREY REAR EXTENSION, PROPOSED EXTENSION TO EXTEND 3.5 METRES, MAXIMUM HEIGHT OF THE PROPOSED EXTENSION TO BE 3.80 METRES AND HEIGHT AT THE EAVES OF THE PROPOSED EXTENSION TO BE 3.00 METRES.** **(HOUSEHOLDER NOTIFICATION APPLICATION)**

MAIN ISSUES

- Compliance with GPDO (2015) Schedule 2, Part 1, Class A
- Impact on amenity of adjoining premises

DESCRIPTION OF SITE

The property is the northerly in a pair of semis in a straight row of some 9 similar pairs of semis lining the easterly side of Oxhey Drive. Each pair of semis is quite narrowly spaced with no vehicular access to the side and just a walking gap serving the rear of each individual house. The property has a conservatory built on to the rear as does its attached neighbour to the south. The un-attached neighbour to the north (No.15) has no rear extension. The rear elevations of the original main house are in line along the row. All have generally uniform rear garden plans to c.20m in length.

PROPOSAL

To erect a rear extension to the dimensions given in the application description in place of the existing conservatory.

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
DC1 Design Considerations

Space About Dwellings Supplementary Planning Guidance – adopted 1996

National Planning Policy Framework
Paragraph(s) 1 to 17
Section(s) 7 – requiring good design

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS
None

CONSULTATIONS

Publicity
Site Notice expiry date: N/A
Neighbour consultation period ends: 27th July 2017
Press Advert: N/A

Public Comments
Representation made by the neighbour at No.15 stating "I am very concerned…" This has been regarded as an objection in the terms of Class A condition A.4(7) therefore requiring the LPA to assess the impact of the proposed development on the amenity of any adjoining properties.

Town / Parish Comments
Biddulph Town Council – no objections subject to no valid neighbour planning concerns.

OFFICER COMMENTS

Principle of Development
PD and only subject to prior approval if a neighbour objects. Where there is an objection – as is the case here – the LPA must assess the impacts on neighbour amenity for all adjoining premises.

Amenity
The proposal has been assessed by reference to the Council's adopted Space About Dwellings Supplementary Planning Guidance. No.15 has a principal window serving the kitchen in the rear ground floor elevation at the side closest to the application property. The separating space between the two properties is about 2m and the mid point of the kitchen window is about 2.5m from the property boundary. The 45 degree line in the horizontal plane drawn from the mid point of this window towards the application property falls beyond the limits of the proposed extension by some 1.5m.

Consideration has also been given to the 45 degree line in the vertical plane. Although there is a very slight difference in levels with No.15 marginally lower than No. 17 there would be no breach of the 45 degree line in the vertical plane arising from the proposed extension.

The occupier of No.15 has some concern that the elevation of the extension which would face No.15 has a 'French Doors' arrangement and would be the only entrance

to / from the rear and thereby likely to cause an increased and more intrusive impact by way of disturbance and focussed overlooking. There is no specific guidance on this point and it is therefore a matter of planning judgement. Whilst the point can be appreciated and in some circumstances for example obscure glazing might be required this is not considered necessary here. Chiefly it is to be noted that an extension of up to 3m could be built as PD without any restriction or control as to glazing or doorway. Specifically at this site it is also noted that a close board fence to height c.2m forms the garden boundary at this point and whilst this doesn't eliminate overlooking – especially given the slight height 'advantage' of No.17 the arrangement is not on balance considered unacceptable.

The attached neighbour at No.19 has an existing single storey rear extension which on the elevation alongside No. 17 is brick save for a narrow eaves level window. It appears that the proposed extension would project about the same amount as that at No.19. There would be a solid wall to the elevation facing No.19. Considering these several points it is concluded that no adverse implications for neighbour amenity would arise between No.17 and No.19.

Noting the length of the rear garden of No.17 at c.20m it is clear that no issues arise for premises adjacent to the rear garden boundary.

CONCLUSION / PLANNING BALANCE

In consideration of all of the above it is found that no significant adverse amenity implications would arise for any "adjoining premises" and therefore approval is recommended.

OFFICER RECOMMENDATION : approve

Case Officer: Arne Swithenbank

Recommendation Date: 9th August 2017

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council