DELEGATED DECISION REPORT

SMD/2017/0778	**109 ASHBOURNE ROAD**	**PROPOSED SINGLE STOREY**
Valid 24/11/2017	**LEEK**	**REAR EXTENSION**
		(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design
- Amenity

DESCRIPTION OF SITE

The application site comprises No.109 Ashbourne Road, Leek; a two storey semi detached dwelling with associated ancillary garden spaces to the front and rear, which sits within a corner plot of Ashbourne Road and Lowther Place. The dwelling is constructed of a red brick, with a tiled roof, and fenestration finished in white UPVC.

The property shares a partition wall with its neighbour No.1 Lowther Place to the east. The boundary which separates the rear garden spaces of these two properties is defined by a hedgerow which stands some 2m in height and is positioned at an odd angle outwards from the rear elevation.

To the north west of the site stands No.107 Ashbourne Road and its rear garden, whilst beyond the rear boundary to the north stands the curtilage associated with No.14 Springfield Close; the side elevation of this property being situated some 45m from the rear elevation of the host property.

PROPOSAL

The application seeks consent for a 'wrap around' single storey rear extension which is shown to serve a dining room and extended living area. As stated on the Application Form, the extension would be constructed of materials which correspond with those used in the construction of the existing house.

Original plans submitted with the application showed an extension which extended outwards by 4.2m, with the side elevation following the boundary line.

However due to concerns regarding the impacts upon the amenity of residents of the neighbouring property 1 Lowther Place by way of a loss of sunlight to the ground floor habitable window, revised plans have been submitted which show the extension to incorporate a side elevation whereby the last 800mm lies at an angle to the boundary to meet with the 45 degree; a standard methodology for assessing loss of sunlight.

The side extension is shown to have an eaves height of 2.8m with an overall height of 3.8m which sits underneath the first floor windows. The submitted plans appear to show a roof space which is not a consistent 'lean to' however conversations with the applicant's agent has confirmed that the lean to pitch would be consistent with no change in angle.

The extension contains a set of folding doors in the rear elevation and two velux roof lights in the roof space. A side entrance door is proposed on the western elevation.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The local development plan for this site comprises the Saved Policies of the Staffordshire Moorlands Local Plan (1998); Staffordshire Moorlands Core Strategy (adopted 26th March 2014) and any relevant Supplementary Planning Documents (SPD's).

The National Planning Policy Framework (NPPF) published in March 2012 sets out the Governments planning policies for England and how these are expected to be applied. As stated in paragraph 2 of the NPPF, the document is a material consideration which must be taken into account in planning decisions.

Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
DC1 Design Considerations

National Planning Policy Framework

Achieving Sustainable Development	Paragraphs 1-17
Requiring Good Design	Chapter 7

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

No previous history

CONSULTATIONS

Publicity

Site Notice expiry date: 3rd January 2018
Neighbour consultation period ends: 28th December 2017
Press Advert: N/A

Public Comments

No comments received

Town / Parish Comments

Leek Town Council – No comments received

Severn Trent Water

No objections and no requirement for drainage condition to be applied

OFFICER COMMENTS

Principle of Development

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.

Paragraph 14 of the NPPF sets out the presumption in favour of sustainable development. For decision taking this means approving development proposals that accord with the development plan without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole; or specific policies indicate development should be restricted.

The application site is situated within the development boundary of Leek and is not constrained by any sensitive statutory designations.

Given the nature of the proposed development, and the planning policy context set out above, the principle of development is deemed to be acceptable.

Design

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.

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.

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.

The proposed development is single storey and would therefore be subordinate, and proportionate to, the main dwelling. The design of the proposed extension from first glance of the plans, appear odd. This is due to the angle of the eastern boundary with No.1 Lowther Place. A conversation with the applicants agent has clarified that the lean to pitched roof is a consistent line with no change in angles as it appears. The materials used in the construction of the extension would match those used in the existing dwelling. The proposed development would not be seen from any public vantage point.

The design of the proposal was revised during the consultation process to address a residential amenity issue, explained below.

Whilst the desirable solution, as suggested to the applicant, would have been to reduce the depth of the extension by approximately 1m with a squared rear elevation, given the lack of visibility from the public domain it is not considered that this revision results in any significant adverse harm in design terms which would warrant a refusal.

For the reasons set out above, the application (in its revised form) is considered to be of a good design, and is of an appropriate scale, height, layout, massing and visual appearance, in line with policies SS1 and DC1 of the Core Strategy and Chapter 7 of the NPPF.

Amenity

Policy DC1 of the adopted core strategy states that 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; protect the amenity of the area, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, and privacy.

The standard methodology to assess whether a neighbour will experience a loss of sunlight is to apply a 45 degree angle from the centre of the window. If the proposed development breaches this line, then there will be an unacceptable loss of amenity.

The original plans submitted with the application were considered to harm the amenity of the neighbouring property No.1 Lowther Place by way of a loss of sunlight to the ground floor window nearest the extension due to a breach of the 45 degree angle. Revised plans have suitably addressed this issue by effectively ‘cutting off’ the corner of the extension nearest the boundary. As such the revised application is considered to accord with policy DC1 of the Core Strategy.

CONCLUSION / PLANNING BALANCE

The application seeks consent for a single storey ‘wrap around’ extension to the rear of No.109 Ashbourne Road, Leek. The site is situated within the development boundary and is not constrained by any of the restrictive policy areas set out at footnote 9 to paragraph14 of the NPPF. The presumption in favour of sustainable development is therefore engaged.

The original proposals were found to cause adverse harm to the residential amenity of the neighbouring property No1. Lowther Place as the side elevation breached the 45 degree angle, and therefore resulted in a loss of sunlight to the ground floor neighbouring window.

Revised plans have been submitted which addresses this issue.

The proposed development is considered to be acceptable in design terms and is of an appropriate scale, height, massing and visual appearance which relates well to the existing dwelling.

The plans appear to show an odd change in the angle of the lean to pitched roof, however the agent has clarified that this is due to the angle of the elevation drawing, caused in part by the odd angle of the boundary.

To address the residential amenity issue, the revised plans show that corner of the extension nearest to the site boundary has been cut at an angle. Whilst it would have been desirable to see a square rear elevation by reducing the depth of the extension by approx. 1m, as was suggested to the agent, the revised plans are not considered to result in any significant adverse harm in design terms which would warrant a reason for refusal.

As such, it is considered that the proposed development (as revised) accords with all relevant local development plan policies and other material considerations which includes the NPPF. In line with policy SS1a of the Core Strategy and paragraph 14 of the NPPF, the application is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION: Approve with Conditions

Case Officer: James Stannard
Recommendation Date: 17th January 2018

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council