Design and Access Statement

12 Kent Drive, Endon, ST9 9EH

For Mr and Mrs Cunningham

Location

12 Kent Drive is a semi-detached dwelling located within the settlement boundary of Endon. The property is not listed and is not in a conservation area.



Proposal

The proposal is to add a first-floor extension over an existing garage to provide a master bedroom suite with a full-height window/doors and Juliet balcony to the rear aspect.

Planning History

A similar extension, excluding the full-height window/doors and Juliet balcony was approved under application SMD/2017/0585.

Site Appraisal

The property is located on a sloping site which falls away to the rear. The elevated position will provide spectacular views of the Staffordshire Moorlands from the proposed master bedroom. The applicants would like to enjoy this view from their bed. We consider that reducing the cill height of the approved window would enable this with no adverse effect on the neighbour's amenity. The garden of the property closest to the new extension, 19 Cedar Crescent (left), is well-screened by mature trees.

1.



View from rear patio

Design

The design of the previously approved scheme is considered acceptable to Staffordshire Moorlands District Council. The only alteration proposed is that the cill height of the master bedroom window is lowered to enable the applicants to enjoy fully the views to the rear. The proposed amendment includes a Juliet balcony. There would be no external platform.

Access

The proposed alterations make no changes to the existing access.

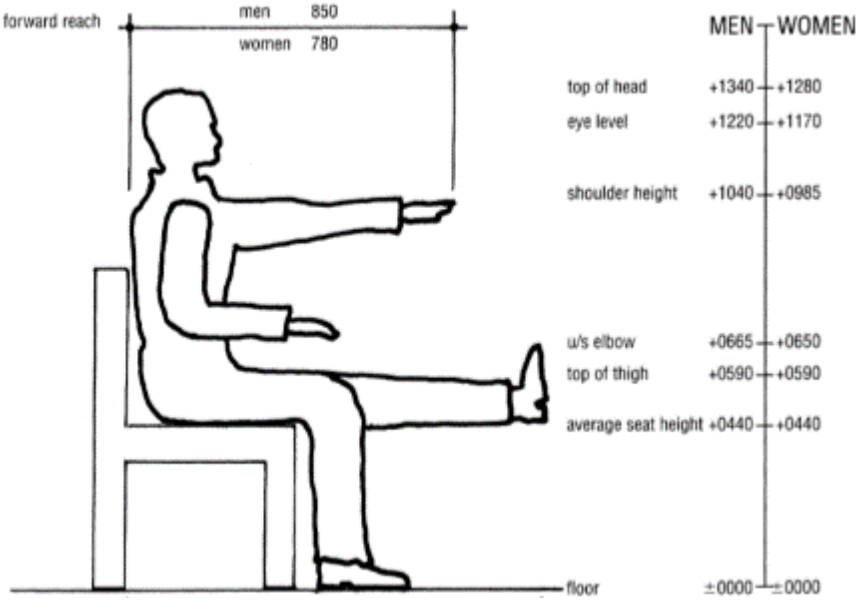
Amenity

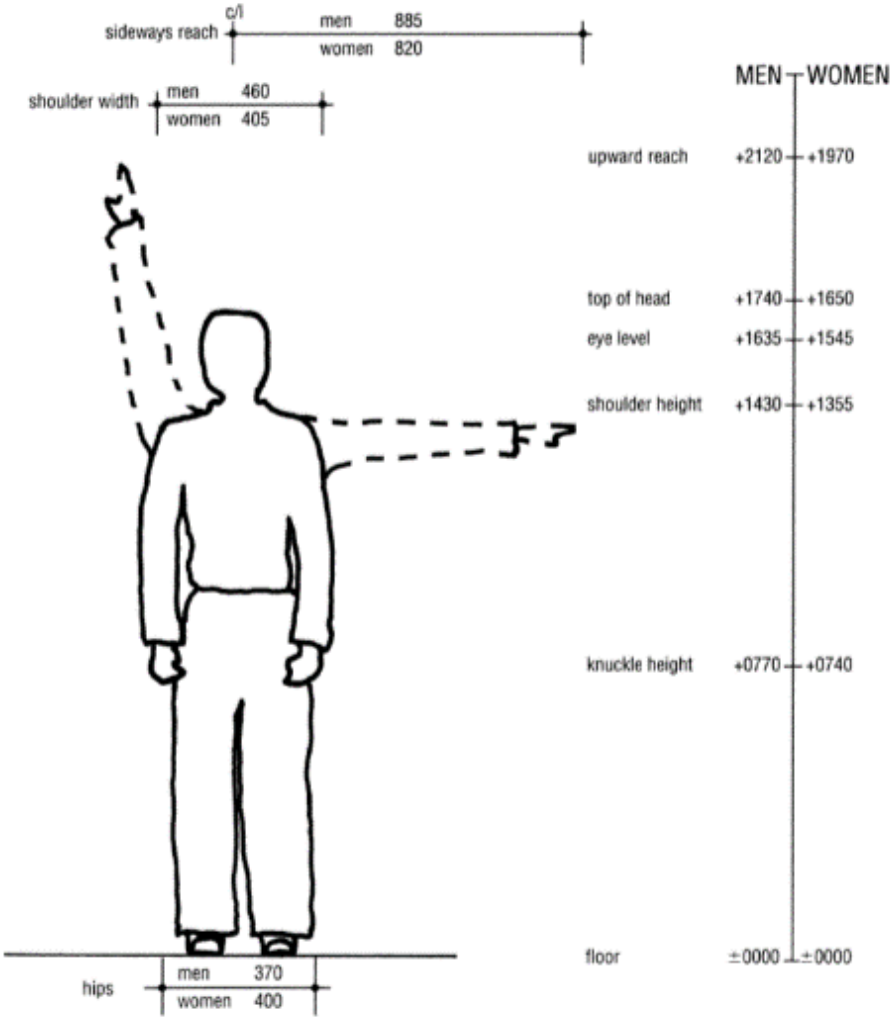
A neighbour at 19 Ceadar Cresent objected to the previous planning application SMD/2017/0585. However, the published comments do not object to the inclusion of full-height glazing, doors, or a Juliet balcony (see Appendix A). Since the previous planning appliaction, 19 Cedar Cresent has been put up for sale.

The Planning Officer's Report for the approved scheme SMD/2017/0585 addresses the potential for overlooking, noting that: "a visit to 19 Cedar Crescent confirms that an opening here would result in an overlooking relationship, including the ***perception of overlooking***." However, it goes on to report that: "overlooking from bedroom windows at a 45 degree angle across neighbouring rear gardens is commonplace in suburban situations" and goes on to conclude that: **"there is no justifiable reason why the application could be refused on the basis of a window being positioned within the rear wall."** [Our emphasis].

We have reviewed the Council's planning policy documents and can find no definition for the terms 'perception of overlooking' or 'perceived overlooking.'

The proposed opening would be the same width as that already approved under application SMD/2017/0585. The approved cill level is set to align with the existing beroom window on the same elevation, however, the proposed finished floor level (FFL) on the approved planning drawings is undefined. The FFL may need to be higher than the existing first floor level, depending on the strengthening required to the existing flat roof joists. If the new floor level were to match existing, the cill would sit at 890mm above FFL. The height of the average man's eye level is 1200mm above FFL when sitting and 1635mm above FFL when standing. Therefore, we maintain that any overlooking opportunity would remain the same as that of the approved scheme, if the cill level were reduced. Please see below antropometric data extracted from the *Architect's Pocket Book (3rd Ed).*





The Report also confirms that 'there is no breach of the *Space About Dwellings* standards set out within the Council's adopted Supplementary Planning Guidance.' Accordingly, we conclude that a new two-storey dwelling in the same location would be acceptable in terms of neighbours' amenity. Therefore, if this were a new dwelling, or indeed, if the applicants wanted to reduce the cill height of one of the windows in an original part of the dwelling, this alteration would be considered permitted development and would not require planning consent.

Likewise, Juliet balconies are generally considered to be permitted development. Page 30 of the *Permitted development rights for householders - Technical Guidance ("April 2017" version),* states that: "A balcony is understood to be a platform with a rail, balustrade or parapet projecting outside an upper storey of a building. A 'Juliet' balcony, where there is no platform and therefore no external access, would normally be permitted development."

Conclusion

We consider that the proposed alterations would not cause any greater harm to the amenity of the neighbouring properties and respectfully request that the Council grants planning permission for the revised scheme.

Appendix A – Objection to SMD/2017/0585

From: planningcomments@staffsmoorlands.gov.uk
Sent: 08 October 2017 11:23
To: Planning Comments (SMDC)
Subject: Comment Received from Public Access

Categories: Blue Category

Application Reference No. : SMD/2017/0585 Site Address: 12 Kent Drive Endon Staffordshire ST9 9EH Stoke On Trent
Comments by: Ian Conway
From:
19
Cedar Crescent
neighbour
Endon
Staffordshire
ST9 9DB
Phone:
Email:
Submission: Objection
Comments: I object to the application on the grounds of:-

1. As the proposed extension increases the height of the rear of the next door property, it would dramatically reduce the direct sunlight received during summer months to the rear of MY property;

2. My privacy would be dramatically impaired as the windows will directly overlook my garden and patio;

3. It will look very imposing and out of proportion as the property is already on higher ground compared to my property, which is a bungalow - it would be comparable to having a 3 storey building next door,

4. I have a multi-fuel stove on the wall adjacent to the proposed extension (with full planning permission). At present, it terminates/vents above the height of the existing garage. Should the proposed extension be built, there is a danger of fumes venting into the new extension, causing a smell (and animosity between myself and the neighbour) or being unable to vent from my property, causing downdrafts with obvious potential carbon monoxide poisoning to myself,

5. I feel this would have an unacceptable negative effect on the value of my property.