

## DELEGATED DECISION REPORT

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**SMD/2018/0620**  
**Valid 01/10/2018**

**105 HEATH AVENUE**  
**CELLARHEAD**

**DOUBLE STOREY WRAP**  
**AROUND EXTENSION**

**(FULL - HOUSEHOLDER)**

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### MAIN ISSUES

- Principle of Development;
- Design and visual impact;
- Neighbour amenity;
- Parking;
- Drainage.

### DESCRIPTION OF SITE

The application site is number 105 Heath Avenue Cellarhead, a detached, two-storey dwelling with attached flat roof garage and flat roof front porch. Land levels within the site are generally flat. Off-road parking is located to the front of the house, there are gardens to the front and rear and a patio area at the back of the house. Boundaries consist of timber fencing, hedgerow and a low level front wall running adjacent to the pavement. To the west and eastern sides of the application site are domestic dwellings, to the rear is an open field.

### PROPOSAL

The application seeks planning consent for the erection of ground floor and first floor extensions. On the ground floor the extensions would allow for an open plan kitchen/dining area, utility, WC and porch. At first floor level the scheme would see the enlargement of bedroom 3, a new and enlarged bathroom and the addition of a master bedroom with ensuite. The integral garage area would remain but its depth would be reduced by approximately half, to only 2.7m deep.

For the purposes of planning policy consideration the application site is located within the Werrington and Cellarhead Village Development Boundary. The application site does not sit within a Conservation Area, there are no Listed Buildings within or near to the application site and there are no protected trees nearby. To the rear (north) of the dwelling is an open field which forms part of the Green Belt.

### RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

#### **Core Strategy Development Plan Document (Adopted 2014)**

SS1 Development Principles

SS1a Presumption in Favour of Sustainable Development

SS6a Larger Villages Area Strategy

## **Emerging Staffordshire Moorlands Local Plan**

### National Policy Guidance

Paragraph 48 of the newly adopted NPPF states that:

“...decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

### Local Plan process

The Council agreed to publish the Local Plan Submission Version for representations in February 2018. At this point, the Council agreed that the Local Plan was “sound”. Formal representations were then invited from residents, businesses and other stakeholders to provide them with the opportunity to support or challenge the soundness or legal compliance of the Local Plan. This stage in the process followed three previous public consultations since 2015 which had informed the preparation of the Local Plan alongside a comprehensive evidence base.

In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public will now be held this Autumn in order to determine whether the Local Plan is sound and legally compliant. Subject to the findings of the appointed inspector, the Local Plan is expected to be adopted in the Spring of 2019. At this point, it will supersede the adopted Core Strategy and become part of the statutory development plan for the District.

In this context, the Council’s position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is as follows:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the Council has submitted it to the SoS for examination
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question.

- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

### Emerging Policies

The following policies (including their weighting) are considered to be relevant to this application:

SS1 Development Principles (Moderate)  
 SS1a Presumption in Favour of Sustainable Development (Significant)  
 SS8 Larger Villages Area Strategy (Limited)  
 DC1 Design Considerations (Moderate)  
 T1 Development and Sustainable Transport (Moderate)

### **Supplementary Planning Guidance**

1. Design Principles for Development in the Staffordshire Moorlands: New Dwellings and Extensions to Dwellings
2. Space About Dwellings

### **Supplementary Planning Guidance**

1. Staffordshire Moorlands Design Guide

### **National Planning Policy Framework**

Section(s)

- 2: Achieving sustainable development.  
 4: Decision-making.  
 9: Promoting sustainable transport.  
 12: Achieving well-designed places.

### **SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS**

None

### **CONSULTATIONS**

#### **Publicity**

Site Notice expiry date: 1st November 2018.

Neighbour consultation period ends: 26<sup>th</sup> October 2018.

**Public Comments:** One letter of representation received making the following comments;

- Adverse impact upon neighbours bedroom window;
- Extension will take properties out of line;
- Block sunlight to neighbours bedroom;
- Significantly limit neighbours views of sunrise;
- Would be happy with the extension if it was in line with the neighbour's second storey.

**Cheddleton Parish Council:** No objections to the application.

**Staffordshire County Council Highways:** No objections on highways grounds subject to condition.

**Severn Trent Water:** The proposal has minimal impact upon the public sewerage system therefore there are no objections to the proposal and no drainage condition is required. Severn Trent Water advise that there may be a public sewer located within the application site and comment that although their statutory sewer records do not show any public sewers within the specified area there may be sewers that have been recently adopted under the Transfer Of Sewer Regulations 2011. Public sewers have statutory protection and may not be built close to, directly over or be diverted without consent and contact must be made with Severn Trent Water to discuss the proposals. Severn Trent will seek to assist in obtaining a solution which protects both the public sewer and the building.

## **OFFICER COMMENTS**

### **Principle of Development**

The application site is located within the Werrington and Cellarhead Village Development Boundary. Within Development Boundary locations domestic extensions can be supported subject to other material planning considerations being satisfied. In this instance the matters to consider include design and visual impact, neighbour amenity, parking and drainage.

### **Design/visual impact**

The proposed extension would remove the flat roof above the garage and the front porch, the new projecting gable (front elevation) adding some visual interest to the dwelling. The resultant appearance is acceptable (both front and rear). Whilst the Council's Design Guidance (SPG) does generally discourage extensions to the front of dwellings it does not prevent them entirely. Support can be given to front extensions providing that 'design benefits accrue and neighbours are not disadvantaged.' In this instance it is reasonable to conclude that the proposed front gable extension will be a design benefit to the property by removing the visually prominent flat roofs. The site visit confirmed the proposal would not raise any concerns in terms of resultant street scene visual impact. Surrounding properties are not uniform in terms of their size or design and an extension to this dwelling will not

look out of place. Whilst it is normally desirable for the side extension to be set back and down to disguise mismatch of materials and to avoid a terracing effect, in this instance, given that it will step forward, the same effect will be achieved. It is concluded that the proposed development is acceptable in terms of design and visual impact.

### **Neighbour amenity**

There are no concerns in respect of neighbour amenity impact upon the occupants of number 107 Heath Avenue (east of the application site). There are no dwellings to the rear of the site and those to the south are of a sufficient distance away (across the road) so as not to be affected.

It is noted that a letter of representation has been submitted by the occupant(s) of number 103 Heath Avenue, the concerns relating to the extent to which the rear extension projects beyond the existing rear wall of the dwelling and the resultant impact upon a first floor bedroom window. In this instance with standards set out within the Space About Dwellings (SPG) must be taken into consideration. The standard in relation to impact upon bedroom windows is that there should be no obstruction to daylight beyond the horizontal angle of 45 degrees measured on plan view from the mid point of the nearest principal window of an adjacent property. In this instance the 45 degree angle from the neighbour's bedroom window is not breached and therefore the scheme cannot be refused on overbearing grounds. There are no implications in respect of the neighbour's ground floor windows as the property benefits from a ground floor extension which means that the windows are not affected by any 45 degree vertical angle measurement.

For these reasons it is concluded that the proposed extension meets the Space About Dwellings standards in terms of assessing whether the development would be overbearing.

The original plans included a Juliette balcony with large opening doors. However negotiations with the architect have seen amended plans submitted to remove this feature and replace it with a standard waist height window in the interests of neighbour amenity/preventing overlooking and intrusion. To allow for extra light into the room a high level, obscured and non-opening window has been added within the side wall. For clarification purposes the Juliette balcony was not a matter raised by any neighbouring property owner, it was an issue which was picked up during the site visit.

In the event of planning permission being approved it is recommended that a condition is added to ensure no further window/door openings are created, in the interest of neighbour amenity.

### **Parking**

The application site currently includes off road parking to the front of the house as well as space in the form of an attached, single garage. The proposals include reducing the garage space internally by approximately half of its current floor area. The new arrangement would see part of the garage space being utilised for a utility room and WC and in effect, resulting in the loss of a parking space. The county highways officer did not object at initial consultation stage, simply recommending a

pre-commencement condition to secure plans showing adequate parking at the front of the house for three vehicles. The applicant took the opportunity to provide an amended plan which shows that the curtilage is large enough to accommodate three vehicles, the County Highways officer is happy with the information, confirming as such by issuing a revised Form X.

### **Drainage**

The consultation responses section of the report shows that Severn Trent Water has no objection to the application and that no drainage conditions are required. It is noted that they comment about the possibility of a public sewer running through the application site and that public sewers have statutory protection. In the event of planning permission being approved it is recommended that an informative is added to the decision notice to remind the applicant/developer of their responsibilities/duties relating to development in close proximity to public Sewers.

### **CONCLUSION / PLANNING BALANCE**

The application raises no objections in terms of the principle of development. For the reasons outlined above it is recommended that the application is approved subject to conditions and informative noted.

**OFFICER RECOMMENDATION :** Conditional approval

**Case Officer:** Lisa Jackson

**Recommendation Date:** 9/11/18

X *B.J. Haywood*

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Signed by: Ben Haywood

**On behalf of Staffordshire Moorlands District Council**