DELEGATED DECISION REPORT

SMD/2018/0736	**42 MOW LANE**	**PROPOSED SINGLE STOREY**
Valid 21/11/2018	**GILLOW HEATH**	**REAR EXTENSION**
		(FULL - HOUSEHOLDER)

MAIN ISSUES

- Principle of development
- Design/impact on the character and appearance of the area
- Impact on residential amenity
- Highway safety
- Sustainability

DESCRIPTION OF SITE/CONTEXT

The application property is a semi-detached bungalow with gardens to the front and rear, driveway at the side and detached outbuilding in the rear garden. Within the context of the Local Plan the site is located within the Built-up Area of Biddulph. The property is constructed of red brick under a tiled roof.

It is noted that a HNT application (HNT/2018/0012) for an identical proposal did not obtain the approval of the LPA as the proposal didn't quite meet the technical requirements. The applicant was advised to submit a planning application, hence, this application.

PROPOSAL

The application seeks full planning permission for what is described as: *"proposed single-storey rear extension."*

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES, GUIDANCE AND OTHER MATERIAL CONSIDERATIONS

Core Strategy Development Plan Document (Adopted 2014)

SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS5 Towns
SS5b Biddulph Area Strategy
DC1 Design Considerations
C1 Creating Sustainable Communities
NE1 Biodiversity and Geological Resources
T1 Development and Sustainable Transport

National Planning Policy Framework

- 1 - Introduction
- 2 - Achieving sustainable development,
- 6 - Building a strong, competitive economy
- 9 - Promoting sustainable transport
- 12 – Achieving well designed places
- 14 - Meeting the challenge of climate change, flooding and coastal change

National Planning Practice Guidance

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

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 was held in October 2018. Additional information is to be submitted to the Inspector after which Modifications will be required; the Proposed Main Modifications will be subject to public consultation. The timescale for the adoption of the Local Plan currently remains as Spring 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 examination in public has been undertaken.
- The extent to which there are unresolved objections to relevant policies – this varies depending on the policy in question. The level of outstanding objections to each policy indicates the amount of weight to be given to each of the policies at this stage in the process.

- The degree of consistency of policies with the NPPF – At this stage, the Council considers the submitted version of the Local Plan to be sound and policies are deemed to be consistent with the NPPF. As noted above, additional information is to be submitted along with Modifications.

Emerging Policies

The following policies are considered to be relevant to this application:

- SS1 - Development Principles
- SS1a - Presumption in favour of Sustainable Development
- SS2 - Settlement Hierarchy
- SS6 – Biddulph Area Strategy
- DC1 -Design Considerations
- DC3 -Landscape and Settlement Setting
- SD1 – Sustainable Use of Resources
- SD3 – Sustainability measures in development
- T1 - Development and Sustainable Transport

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HNT/2018/0012 – Single-storey rear extension. Planning permission required. 25.09.2018

CONSULTATIONS

Publicity

Site Notice expiry date: 09.01.2019
Neighbour consultation period ends: 18.12.2018
Press Advert: N/A

Public Comments

None received.

Biddulph Town Comments

Approve, subject to no valid neighbour concerns. Proposal meets the 45 degree splay.

Severn Trent Water

As the proposal has minimal impact on the public sewerage system STW has no objections to the proposals and do not require a drainage condition to be applied.

Severn Trent Water advises that there may be a public sewer located within the application site. Although our statutory sewer records do not show any public sewers within the area you have specified, 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 seeks full planning permission for a single storey rear extension. Within the context of Development Plan policies the principle of the proposed development is acceptable.

Design/impact on the character & appearance of the area

The proposed extension measures 4.5m deep, 9.5m wide with a max. height of 3m and an eaves height of 3m. The proposal has a flat roof with 2 No. lanterns inserted. The plans suggested that the proposed extension would project to the rear of both numbers 42 and 44. However, a site visit confirmed that number 42 has, in previous years, incorporated part of number 44 (a bedroom at the rear) into the fabric of number 42 and part of the garden of number 44 has also been incorporated into the plot of number 42. I have been informed by the Agent that all due processes have been followed to legalise this (an arrangement between family members).

Given that the proposed extension is not in a prominent position and would not be visible from public vantage it is considered that the size, scale, siting, design and materials of the proposed extension would have an acceptable impact on the character and appearance of the area. As such, the proposed development is considered to comply with the design tenets of Core Strategy policy DC1 and section 12 of the Framework.

Impact on neighbour amenity

The proposed extension is adjacent to the boundary of adjoining bungalow. However, given the presence of a boundary fence approx. 1.9m high and an existing extension to the rear of the adjoining neighbour, it is considered that the proposed extension would not have any significant impact on the amenities of this, or any other neighbouring properties. As such, the proposal accords with the amenity tenets of policy DC1 of the Core Strategy and bullet point ‘f’ of para. 127 of the Framework.

Highway Safety

The proposal does not result in any additional bedrooms being created, as such, no additional off-street parking is required; there are no alterations to the access or existing on-site parking. Therefore it is considered that there would be no highway safety issues arising from the proposal and that the site location is a sustainable location. As such it is considered that the proposal complies with Core Strategy policy T1 and section 9 of the Framework.

CONCLUSION / PLANNING BALANCE/SUSTAINABILITY

Bearing all the above matters in mind the proposed development is considered to be a sustainable form of development that accords with Development Plan policies SS1, SS1a and all other relevant Development Plan policies. Therefore it is recommended the application is approved.

OFFICER RECOMMENDATION: APPROVE

Case Officer: John Williamson
Recommendation Date: 16/01/2019

X 

Signed by: Jane Colley

On behalf of Staffordshire Moorlands District Council