DELEGATED DECISION REPORT

SMD/2019/0056 **Valid 07/02/2019**	**9 NAB HILL AVENUE** **LEEK**	**SINGLE STOREY REAR EXTENSION TO REAR OF THE PROPERTY AND RAISED DECKING** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Principle of development;
- Design and visual impact;
- Neighbour amenity.

DESCRIPTION OF SITE

The application site is 9 Nabhill Avenue Leek, a mid-terraced dwelling which has previously benefitted from extensions to both the front and rear of the house. There is a block paved, off-road parking area to the front of the house. To the rear of the house is a raised deck area and a brick outbuilding at the bottom end of the garden. The garden is at a lower level than the deck area and slopes towards the rear timber fence boundary.

For the purposes of planning policy consideration the application site is located within the Leek Town Development Boundary. The site does not lie within a Conservation Area and there are no nearby Listed Buildings or protected trees.

PROPOSAL

The application is for the erection of a single storey rear extension and a raised patio area. The rear extension would replace a lean-to conservatory and would enclose the ground floor section of the existing two-storey rear extension. The plans show that the ground floor area of the two-storey extension consists of a WC and utility room. The WC and utility area would be knocked through to form an open space to be used as a dining/family room. Other internal alterations include converting the existing living room into a bedroom and adding an ensuite to it. Brick and tile to match the existing house would be used. The raised patio would have a brick surrounding wall and a short flight of steps leading down to the rear garden.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

SS1 Development Principles

SS1a Presumption in Favour of Sustainable Development
DC1 Design Considerations
T1 Development and Sustainable Transport

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 has now been held in order to determine whether the Local Plan is sound and legally compliant. Subject to the findings of the appointed inspector, and consultation with interested parties, the Local Plan is expected to be adopted in the Autumn 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 Officer Comments section of this report identifies the level of outstanding objections to each policy and recommends the amount of weight to be given to them at this stage in the process

- 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 are considered to be relevant to this application:

SS1	Development Principles (Moderate)
SS1a	Presumption in Favour of Sustainable Development (Significant)
DC1	Design Considerations (Moderate)
T1	Development and Sustainable Transport (Moderate)

Supplementary Planning Guidance

1. Space About Dwellings
2. Design Principles for Development in the Staffordshire Moorlands

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide

National Planning Policy Framework (February 2019)

2: Achieving sustainable development
12: Achieving well-designed places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HNT/2019/0001	Single storey rear extension. Withdrawn
05/01438/FUL	First floor rear extension. Approved.
03/00913/FUL	Two-storey front extension to form porch and shower room. Approved.

CONSULTATIONS

Publicity

Site Notice expiry date: 28th March 2019.

Neighbour consultation period ends: 4th March 2019.

Public Comments: No representations received.

Leek Town Council: Recommend approval. Not unneighbourly.

Severn Trent Water: The proposal has minimal impact upon the public sewerage system therefore no objections to the proposals and no drainage condition is required. There is a public sewer within the site and an informative to this effect could be added to any decision notice.

OFFICER COMMENTS

The application site is located within the Leek Town Development Boundary. There are no objections to the application in terms of the 'principle' of development. The main issues to consider are those of design, visual impact and neighbour amenity.

The application is for a single storey rear extension to a mid-terraced dwelling. The single storey addition would have a shallow pitched sloping roof containing roof lights, be built with brick to match the existing house and have concertina doors allowing access to a brick built, raised patio area. In its own right a single storey rear extension with sloping roof does not necessarily raise any design concerns however this scheme is slightly different in that it would wrap around the bottom half of a two storey rear wing, masking much of it (two storey addition). The change in land levels means that the rear 'family room' window is higher than would normally be the case if ground levels were continuous and there would be a larger expanse of uninterrupted brickwork however, none of these points are so significant so as to lead the application along the route of a negative decision. The dwelling is not listed and does not lie within a Conservation Area. The site visit revealed a number of the neighbouring dwellings had also benefitted from extensions to the rear of the houses; these extensions vary in shape and size. As the addition is at the back of the house there would be limited views of it; only from neighbouring properties, many of which have already been altered. For these reasons it is considered that the design and visual impact of the proposal raises no significant objections. A condition can be added to secure appropriate building materials.

The application site is surrounded by domestic dwellings and as such consideration must be given to the potential amenity impact of the development.

Number 11 Nabhill Avenue is located to the west of the application site, the two dwellings divided by an undercover walkway from the front of the houses; the rear gardens share a boundary fence. Number 11 has benefitted from a ground floor rear extension which is near to the shared access. The proposed extension does not raise any amenity issues in terms of impact upon the neighbour's nearest ground floor window. The neighbour to the east (number 7 Nabhill Avenue) has benefitted from a two-storey and single-storey rear extension. The proposed extension would not result in any overbearing/overlooking arrangement and nor does the proposed raised patio. Raised patios can often result in poor amenity relationships, particular

where they are associated with terraced or semi-detached properties. In this instance the raised patio part of the scheme does not raise any material planning objections; this is due to the occupants of number 7 also having a raised patio area on the other side of the brick wall (seen in the site photographs). The relationship would therefore be one of a two-way overlooking arrangement and for these reasons it is considered that the proposal is acceptable in terms of neighbour amenity matters. With respect to number 11, there is a close boarded fence which forms the common boundary. Whilst this fence would not prevent all overlooking into the rear garden of number 11, the raised patio would be positioned 4.5m from the boundary fence. In addition there is an existing rear decked area at the application site, which is positioned much closer to the common boundary and does cause overlooking. The position of the new raised patio would be further away from this neighbour and therefore present a better than the existing situation. Overall it is considered that the development would not cause significant harm the either adjoining neighbour.

CONCLUSION / PLANNING BALANCE

For the reasons outlined above it is recommended that the application is approved subject to conditions. It is concluded that the development is acceptable in terms of its overall design and neighbour amenity impact. No third party objections have been received.

OFFICER RECOMMENDATION : Conditional approval

Case Officer: Lisa Jackson
Recommendation Date: 04/04/2019

X

Signed by: Jane Colley

On behalf of Staffordshire Moorlands District Council