DELEGATED DECISION REPORT

SMD/2019/0128	**88 BROWN LEES ROAD**	**TWO STOREY REAR**
Valid 25/03/2019	**BROWN LEES**	**EXTENSION**
		(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design
- Neighbour Amenity
- Access and Parking

DESCRIPTION OF SITE

The application relates to a semi-detached two storey property located along the south western side of Brown Lees Road within a linear row of properties with open countryside and Green Belt to the rear of the site. The site is located within a residential area and within the development boundary of Biddulph.

PROPOSAL

The application is for full planning permission for a two storey rear extension which will extend across the full width of the rear elevation of the property. The ground floor element which would provide a new lounge would extend 6 metres from the rear elevation whilst the first floor extension above would be inset and project 4 metres. Materials used in construction would comprise brick and tiles to match the existing property.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

S01 Spatial Objectives
SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
DC1 Design Considerations
T1 Development and Sustainable Transport

Emerging Staffordshire Moorlands Local Plan

<u>National Policy Guidance</u>

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 is ongoing in order to determine whether the Local Plan is sound and legally compliant. Hearing sessions were conducted in October 2018 and the Inspector issued his initial post-hearing advice in January 2019 which set out some actions for the Council and a range of modifications that would be necessary to make the plan sound. The full schedule of modifications is to be determined and will be subject to consultation in due course. The Inspector will then be in position to write his final report. Subject to the findings of the appointed Inspector, the Local Plan can then be adopted by the Council. This will be towards the end of 2019 at the earliest. Upon adoption, the Local Plan 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
SS1a - Presumption in favour of sustainable development

SS2 - Settlement Hierarchy
DC1 - Design Considerations
SD1 – Sustainable Use of Resources
T1 - Development and Sustainable Transport

National Planning Policy Framework

Paragraph 11 – Presumption in Favour of Sustainable Development
Section 2 - Achieving Sustainable Development
Section 4 – Decision making
Section 9 – Promoting Sustainable Transport
Section 12 – Achieving well designed places

Other Material Considerations

Staffordshire Moorlands Space About Dwellings Supplementary Planning Guidance (SPG)

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2012/0542 (12/00509/FUL) – Proposed Garden Room – Approved 13/07/2012.

CONSULTATIONS

Publicity

Site Notice expiry date: 19/05/2019
Neighbour consultation period ends: 01/05/2019
Press Advert: N/A

Public Comments

1 no. letter has been received from the occupier of the attached neighbouring property, who states that they support the proposal but requests clarifications as to the exact dimensions of the proposed extension and its position relative to the boundary line between the two properties. Such clarification would allow the neighbour to understand what actions need to be taken ahead of construction work and also any alterations to the rainwater guttering to their side, which the neighbour states currently overlaps the boundary.

Town / Parish Comments

No comments received.

Severn Trent Water

No objections. Severn Trent Water advise that there may be a public sewer located within the application.

OFFICER COMMENTS

Design

Policy SS1 of the Staffordshire Moorland adopted Core Strategy promotes development which maintains the distinctive character and Staffordshire Moorlands, its individual town and villages and their setting.

Policy SS1a reflects the overall objective of the National Planning Policy Framework (NPPF) of taking a positive approach that reflects the presumption in favour of sustainable development.

Policy DC1 sets out a list of criteria that new development should meet to ensure good design. Development should be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area; and should be designed to respect the site and its surroundings.

Section 12 of the NPPF highlights the importance of good design and that it is a key aspect of sustainable development.

The proposed extension is a large addition, however given its position at the rear of the property and the ridge of the extension being set below the existing ridge it is considered that the proposal would achieve a subordinate relationship to the host property. The proposal is of similar scale and height to the extension to the rear of the attached neighbouring property, No. 90 Brown Lees Road.

It is considered that the proposal reflects the design of the existing building in terms of roof form and fenestration and materials used in construction would match the existing building, i.e. matching brick and roof tiles. Due to its siting at the rear of the property there is not considered to be any adverse impact on the street scene.

Accordingly it is considered that the proposal accords with Policy DC1 and Section 12 of the NPPF.

Neighbour Amenity

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

Consideration has been given to the impact on the amenities of the occupiers of the neighbouring properties on either side of the site, namely Nos. 86 and 90 Brown Lees Road.

In relation to the impact on No. 86, this neighbouring property has a kitchen window to the rear elevation within relative close proximity of the boundary with the site and a bathroom window to the first floor also close to the boundary. The neighbouring property is on slightly higher ground than the site. The applicant has provided plans which demonstrate that the proposed extension would not infringe on a 45 degree angle drawn on elevation from the centre of the neighbour's kitchen window. The

single storey element would, however, slightly breach the 45 degree angle drawn from the kitchen window on the floor plan. Therefore the proposal would not strictly comply with the guidance relating to obstruction to daylight contained within the Space About Dwellings SPG. Notwithstanding this, there are a number of mitigating factors which lead me to conclude that the kitchen window would not be significantly affected by the proposal in terms of light loss. The proposed extension is to the south east of the neighbour's property and therefore situated favourably in relation to sunlight; the proposal would not affect sunlight to the neighbour's property for much of the day. As noted, the neighbouring property is situated on higher ground than the site, there is a high close boarded fence on the boundary which will screen most of the proposed single storey element from view of the kitchen window and there is a gap of approx. 4m between the side wall of the extension and the kitchen window. In addition, the relationship between the proposed extension and the neighbouring property would be no worse than the relationship that currently exists between the application property and the rear extension to No. 90 Brown Lees Road. It is therefore concluded that there would not be a significant impact on the amenities of the occupiers of No. 86 Brown Lees Road.

With regard to the impact on the neighbouring on the other side of the site, No. 90 Brown Lees Road, this property has been extended to the rear with a two storey extension and a conservatory on the end. The neighbour's two storey extension is of similar scale and height to the application proposal. The proposed first floor projects to the same extent as the neighbour's first floor extension whilst the proposed ground floor element would not extend beyond the neighbour's conservatory. There are no windows to the side of the neighbour's two storey extension. Although the conservatory does have glazing to the side elevation facing the site, it is unlikely to be significantly affected by the proposal as the two storey element would not project beyond the conservatory and any loss of light to the conservatory as a result of the proposed single storey element would be minimal given that there is a high close boarded fence on the boundary which already causes light obstruction to the conservatory. It is therefore considered that the proposal would not adversely affect the amenities of No. 90 Brown Lees Road in terms of loss of light or privacy.

It is noted that the objector of this neighbouring property has raised queries about the position of the extension relative to the common boundary line with their property and the potential works that they will need to undertake to the rainwater guttering to their own extension, which they state currently overlaps the boundary. It appeared from the officer site visit that the guttering to the neighbour's extension did indeed overhang the side boundary with the site. It is considered that this is a private matter that would need to be resolved between the applicant and the neighbour and is not a material planning consideration that can be taken into account in determining this planning application.

In summary, it is considered that the proposed development has been designed to protect to the amenities of the neighbouring occupiers and it thereby accords with Policy DC1.

Highway Safety

The development will result in the dwelling becoming a 3 bedroom unit. Whilst the Council has no specific parking standards, a 3 bedroom dwelling in other areas would usually be expected to provide 2 parking spaces. The site contains space for a minimum of 2 spaces on the driveway to the front of the property, thereby meeting a reasonable standard. It is not considered that the proposals would result in any 'severe' impact on highway safety in the area. As such I am satisfied that the application will have no adverse impacts upon highway safety and complies with policy T1 of the adopted Core Strategy.

CONCLUSION / PLANNING BALANCE

The proposed development is considered acceptable in terms of scale and design and will not have any adverse impacts upon the residential amenity of neighbouring properties or highway safety. The application is therefore considered to accord with relevant policies contained within the local development plan and is sustainable development. In line with paragraph 11 of the NPPF this application should be approved.

OFFICER RECOMMENDATION : APPROVE

Case Officer: Mark Ollerenshaw
Recommendation Date: 27/06/2019

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council