DELEGATED DECISION REPORT

SMD/2019/0354 **Valid 18/06/2019**	**LUXMORE 140 BUXTON ROAD LEEK**	**PROPOSED DEMOLITION OF FORMER OUTHOUSES, CONSTRUCTION OF SINGLE STOREY KITCHEN AND UTILITY EXTENSION** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Design
- Amenity

DESCRIPTION OF SITE

The application site comprises a rectangular plot of land south of the A53 Buxton Road, Leek, approximately 0.5 miles from the town centre but still within the development boundary. The site contains 'Luxmore' 140 Buxton Road; a large two storey detached residential dwelling, together with its associated curtilage, which is made up of a private driveway and ancillary detached garage, and a relatively large garden that sits to the south east of the dwelling.

The existing dwelling has an 'L' shaped layout, with elevations predominantly finished in a peddle dash render, a concrete tiled roof containing three chimney stacks, and fenestration finished in a white UPVC. The south western elevation is characterised by a small annex extension with a dual pitched tiled roof and an unsympathetic white UPVC conservatory.

The site is bounded to the north by the A53 Buxton Road. The western boundary is shared with No.132 Buxton Road, part of which is designated as a Grade II Listed Building. To the south and east, the site shares a boundary with a neighbouring bungalow, No.142 Buxton Road.

PROPOSAL

The application seeks consent for the demolition of the existing small annex/extension on the south western elevation and the construction of a replacement pitched roof extension

The plans show that the extension would have a front elevation that is consistent with the existing main side (south western) elevation of the main house, with a dual pitched concrete tiled roof that sits underneath first floor dormer window. A set of bi-fold doors would provide access out on to the garden area.

Other aspects of development include the provision of a new ground floor window shown to be inserted in place of where the current extension is, and the re-render of the elevations in an off white render, subject to an assessment of the brickwork underneath. Subject to an inspection of the brickwork underneath the peddle dash render, the south eastern elevation would be exposed to show red brickwork.

The new extension would serve as a larger kitchen and sitting room area, with a small utility room towards the rear.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Section 38(6) of the Planning and Compulsory Act 2004 requires proposals to be determined in accordance with the Development Plan taking into consideration any material considerations relevant to the determination of the application.

The local development plan for this site comprises the Saved Policies of the Staffordshire Moorlands Local Plan (1998); Staffordshire Moorlands Core Strategy (adopted 26th March 2014) and any relevant Supplementary Planning Documents (SPD's).

The Staffordshire Moorlands Emerging Local Plan (Submission Version February 2018) has now been through an Examination by an Independent Planning Inspector and as such planning policies within it can be given appropriate weight, in line with paragraph 48 of the NPPF.

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 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. At this point, Upon adoption, it 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.

The revised National Planning Policy Framework (2019) sets out the Governments planning policies for England and how these are expected to be applied. As stated in paragraph 2 of the NPPF, the document is a material consideration which must be taken into account in planning decisions.

Core Strategy Development Plan Document 2014

SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS5 Towns
SS5a Leek Sub-area Strategy
SD1 Sustainable Use of Resources
DC1 Design Considerations

Emerging Local Plan Submission Version 2018

SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS5 Leek Sub-area Strategy
SD1 Sustainable Use of Resources
DC1 Design Considerations

National Planning Policy Framework

Achieving Sustainable Development	Chapter 2
Achieving Well Designed Places	Chapter 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/1985/0120 Change of Use to adult rehabilitation centre (Withdrawn)

CONSULTATIONS

Publicity

Site Notice expiry date: 19th July 2019

Neighbour consultation period ends: 11th July 2019
Press Advert: N/A

Public Comments

No comments received

Town / Parish Comments

Leek Town Council – recommend approval

Severn Trent Water

No Objections

OFFICER COMMENTS

Principle of Development

The application seeks permission for extensions and alterations to an existing dwelling which lies within the development boundary of a principal town which sits at the top of the Settlement Hierarchy as defined by Policy SS5 and is not constrained by any sensitive statutory designation.

As such, the principle of development is considered to be acceptable subject to all relevant material considerations.

Design

Core Strategy (CS) Policy SS1 sets out a number of development principles which new development should adhere to in order to contribute positively to the social, economic, and environmental improvement of the Staffordshire Moorlands.

CS Policy DC1 sets out a list of design considerations that new development should incorporate into any new scheme. In particular new development should be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance

Paragraph 127 states amongst other things that decisions should ensure that developments will add to the overall quality of the area; are visually attractive as a result of good architecture; and are sympathetic to the surrounding built environment.

The south western elevation of the dwelling is currently characterised by a small dual pitched extension which is in keeping with the existing dwelling and a white UPVC conservatory. The latter comprises an unsympathetic and poor quality of design which has an overall negative impact on the visual aesthetics of the building and its surrounds.

The proposed extension would see this unsympathetic structure being replaced by a new extension together with the demolition of the existing adjacent extension. The proposal sits neatly with the existing dwelling, is constructed of complimentary materials, and helps to rationalise the elevation and is considered overall to result in a visual enhancement.

The single storey structure does not project beyond the building line of the main house and sits neatly underneath an existing dormer window, thereby resulting in a proportionate and balanced extension.

The proposed re-rendering of certain elevations in an off-white render is considered to represent a visual improvement comparable to the existing peddle-dash appearance. Similarly, if some brick work were to be revealed, this would be preferable to peddle-dash render as it is more in keeping with the overall character of the Staffordshire Moorlands and is encouraged.

As such, the application is considered to result in a high quality design which accords with the design principles set out within Policies SS1 and DC1 of the Core Strategy and paragraph 127 of the NPPF.

Amenity

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

Paragraph 127 states that planning should create places with a high standard of amenity for existing and future users.

Given the modest scale of the proposal, the lack of any windows on its side elevation, and that there is an existing conservatory with transparent windows which extends outwards beyond the building line of the main house, it is not considered that the residential amenity of the nearest neighbour to the east No.142 Buxton Road, or indeed any other neighbouring property would be adversely affected by the proposal, in accordance with Policy DC1 of the Core Strategy and paragraph 127 of the NPPF.

CONCLUSION / PLANNING BALANCE

Policy SS1a of the adopted core strategy reflects the presumption in favour of sustainable development set out within the National Planning Policy Framework (NPPF). It states that planning applications that accord with relevant policies in the Local Plan will be approved without delay.

Paragraph 11 of the NPPF sets out the presumption in favour of sustainable development. For decision taking, this means approving development proposals that accord with an up-to-date development plan without delay; or, where there are no relevant development plan policies, or the policies which are most important for determining the application are out-of-date, granting permission, unless:

- the application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or

- any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole.

The application proposes extensions and alterations to an existing residential dwelling which is located within the development boundary of Leek and not constrained by any sensitive statutory designation. The principle of development is therefore acceptable.

An assessment of the application has concluded that the proposal would relate well to the existing dwelling, results in a positive visual enhancement of the site, and contributes positively to the overall character and appearance of the building and wider area, without having any adverse impacts on neighbouring residential amenity.

The application has been found to comply with all relevant local development plan policies and other material considerations which include the NPPF. In line with Policy SS1a of the Core Strategy and paragraph 11 of the NPPF the application is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION: Approve with Conditions

Case Officer: James Stannard
Recommendation Date: 2nd August 2019

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council