DELEGATED DECISION REPORT

SMD/2019/0383 **Valid 24/06/2019**	**11 BLACKBIRD WAY** **BIDDULPH**	**REAR AND SIDE SINGLE STORY EXTENTION FORMING NEW KITCHEN, UTILITY AND SHOWER ROOM.** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Design
- Amenity

DESCRIPTION OF SITE

The application site comprises a residential plot to the north of Blackbird Way; a small cul-de-sac containing 17 properties accessed from Torville Drive on the eastern fringes of Biddulph.

The site itself contains No.11 Blackbird Way; a two storey semi-detached dwelling which like all other properties in the street, is built in a light red brick, with a tiled roof and dark brown fenestration. The residential curtilage associated with the property comprises an area of hard standing to the front, utilised for off street parking, and a garden to the rear, accessed via a side entrance between the side elevation of Nos.11 and No.15 Blackbird Way.

The site is bounded to the south by the public highway. To the north beyond the rear garden boundary stands the side elevation of No.5 Linnet Way, Biddulph. To the east stands No.15 Blackbird Way, whilst the western boundary is shared with the other half of the semi-detached property No.9 Blackbird Way.

PROPOSAL

The application seeks full planning permission for a single storey ‘wrap around’ side and rear extension. The plans show that the extension will serve a utility room and small shower room on the side aspect and a large kitchen at the rear.

The side extension is shown to project outwards by approximately 1.9m, set back some 3.6m behind the front elevation. The side extension is shown to have a mono-pitch ‘lean to’ roof which becomes a dual pitched roof at the rear. The rear extension projects outwards by approximately 4m spanning the width of the elevation, leaving a space of approximately 400mm between the side elevation and the boundary with No.9 Blackbird Way.

The Proposed Plans and Application Form confirms that the extension would be constructed in a facing red brick and tiled roof, consistent with the existing dwelling.

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 (Adopted 2014)

SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS5 Towns
SS5b Biddulph Sub-area Strategy
DC1 Design Considerations

National Planning Policy Framework
Achieving Sustainable Development Chapter 2
Achieving Well Designed Places Chapter 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

No relevant planning history

CONSULTATIONS

Publicity

Site Notice expiry date: 19th July 2019
Neighbour consultation period ends: 17th July 2019
Press Advert: N/A

Public Comments

None

Town / Parish Comments

Biddulph Town Council

Recommends approval subject to no valid neighbour concerns

OFFICER COMMENTS

Principle of Development

The application seeks permission for extensions and alterations to an existing residential dwelling that is situated within the development boundary of Biddulph; one of three principle towns in the District; on a site that 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 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 existing dwelling forms part of a pair of semi-detached properties that each have a width of some 4.6m and a depth of 8m. Both are constructed from a light red brick with tiled roof and dark fenestration.

The side aspect of the proposed extension is set back a significant distance behind the principal front elevation and with a width of only 1.9m is considered to represent a proportionate, secondary, and subordinate extension. This aspect would also sit behind an existing boundary fence and gate which limits views in to the site from the public highway.

The rear extension protrudes outwards by 4m which would be relatively consistent with the depth of the neighbouring conservatory which stands to the rear of No.9. This aspect of development is also considered to comprise a proportionate and balanced extension that relates well to the existing dwelling. The height of the dual pitched roof sits neatly under the first floor window.

The materials proposed in the construction of the extension are consistent with the existing dwelling, and will ensure that the new development fits neatly with the old, in line with supplementary design guidance.

In light of the above, the application is considered to constitute an acceptable design which responds well to the existing dwelling and surrounding development, in accordance with Policies SS1 and DC1 of the Core Strategy, supplementary design guidance, 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.

The residential properties that have the potential to be adversely affected by proposals at No.11 Blackbird Way are the neighbouring properties to the east and west (No.15 and No.9 respectively) and No.5 Linnet Way to the north.

The existing dwelling is part of a pair of semi-detached properties (No.9 and No.11) which has a front building line some 3m further forward than the neighbour to the east No.15 Blackbird Way. For this reason, the proposed side and rear extension would not result in any adverse impacts for the residential amenity of No.15 with regards to any overlooking, loss of privacy, loss of sunlight, or shadowing.

The neighbouring property to the west (No.9) is separated by a timber boarded boundary fence approximately 1.8m in height and is characterised by a rear conservatory that extends approximately 4m. Given that the proposed rear extension at No.11 is single storey and would reach an eaves level height of 2m; that there is a gap of 400mm separating the side elevation of the rear extension and the boundary fence; and that there would be no windows facing this property; it is not considered that the proposed development would result in any harm to the residential amenity of No.9 Blackbird Way in relation to any of the aspects of amenity set out at Policy DC1 of the Core Strategy.

The side elevation of No. 5 Linnet Way is situated some 15m from the rear elevation of No.11 Blackbird Way. The rear elevation of No.11 Blackbird Way contains a single window serving the kitchen. The Council's Space About Dwellings SPD states that the distance between principal windows in flank walls and rear elevations should be 14m. However, a site visit has confirmed that the sole window in the first floor of this neighbouring property is not habitable (it serves a bathroom) and as such, there would not be adverse impacts on their amenity.

Following the above assessment, it is concluded that the proposed side and rear extension would not result in any harm to the residential amenity of any neighbouring property, in accordance with Policy DC1 of the Core Strategy, relevant supplementary planning guidance, 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 seeks permission for extensions and alterations to an existing residential dwelling that lies within the development boundary of a principal town, and is not constrained by any sensitive statutory designation. The principle of development is therefore acceptable.

An assessment of the application has found the proposed extension to be of an acceptable design that responds well to the existing dwelling and neighbouring development, and found that it would not result in any harm to neighbouring amenity.

The application therefore complies with all relevant local development plan policies and other material considerations including supplementary planning guidance and the NPPF. In line with Policy S1a 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: 13th August 2019

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council