DELEGATED DECISION REPORT

SMD/2019/0348	**11 LADYDALE CLOSE**	**TWO STOREY REAR**
Valid 04/06/2019	**LEEK**	**EXTENSION.**
		(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design
- Amenity
- Highway Safety

DESCRIPTION OF SITE

The application site comprises a parcel of land to the west of Ladydale Close; a cul-de-sac that runs northwards from the junction with Ashenhurst Way, at the southern end of Leek Town Centre.

The site contains No.11 Ladydale Close a detached two storey property which like other properties on the street, stands slightly above the ground level of the cul-de-sac. The property has a simple form with two gables facing north west and south-eastwards; the principal front elevation facing south eastwards towards the highway, between which stands a small front garden.

To the rear of the dwelling is patio and garden area which due to the change in levels is tiered. An ancillary single storey garage sits adjacent to the north eastern side elevation.

The site is bounded to the southeast by the public highway. To the north is the neighbouring detached property No.15 Ladydale Close, whilst to the south stands another detached property No.9 Ladydale Close. The rear boundary to the west borders No.7 Ballington View.

PROPOSAL

The application seeks consent for a modest two storey rear extension, which takes the form of two gables of equal scale and visual appearance.

The proposed plans show the extension to span the whole width of the existing rear elevation protruding outwards by approximately 1.5m. The extension would serve an extended dining and lounge, with new WC at ground floor level, and further space for bedrooms 3 and 4 at first floor level.

As shown on the plans and on the accompanying application form, the proposed extension will be constructed and finished in materials which match those used in the existing dwelling.

Following design concerns, with regard to the flat roof element between the two gables, revised plans have been submitted which shows the omission of this element.

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. 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, 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
DC1 Design Considerations
SD1 Sustainable Use of Resources
T1 Development and Sustainable Transport

Emerging Local Plan Submission Version 2018

SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
SS5 Leek Area Strategy
SD1 Sustainable Use of Resources
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework 2019

Achieving Sustainable Development Chapter 2
Achieving Well Designed Places Chapter 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/1983/0456 Extension to form front porch (Approved)

CONSULTATIONS

Publicity

Site Notice expiry date: 19th July 2019
Neighbour consultation period ends: 26th June 2019
Press Advert: N/A
Public Comments

No comments received

Town / Parish Comments

Leek Town Council – No comments received

Severn Trent Water

No comments received

Staffordshire County Council Highways

No comments received

OFFICER COMMENTS

Principle of Development

The application seeks consent for extensions and alterations to an existing residential property that is located within the development boundary of Leek; one of three principal towns in the District. The site 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. Policies SS1 and DC1 contained in the Emerging Local Plan are consistent with current adopted policy.

Paragraph 127 of the NPPF states amongst other things that developments should will to the overall quality of the area, be visually attractive as a result of good architecture and sympathetic to the surrounding built environment.

The proposed extension is shown to extend outwards by 1.5m which when considering that the existing dwelling has a depth of approximately 7m is considered to represent proportionate and balanced development. In line with supplementary design guidance, the ridge height of the two gables has been set below that of the main dwelling, with materials matching the existing dwelling.

The original plans submitted showed the two gables to be separated by a small flat roof element. Whilst the majority of the design was considered to be acceptable, the applicant was requested to amend the proposal by increasing the height of the gables and omitting this flat roof element, as flat roofs are generally discouraged in

the Staffs Moorlands. The two gables are almost of equal width, height and have a consistent visual appearance, resulting in an balanced and acceptable appearance.

Revised plans have been duly submitted which addresses this minor design issue and therefore in its revised form the proposed development is judged to comply with the design principles set out at Policies SS1 and DC1 of the Core Strategy, Supplementary Design Guidance, the Emerging Local Plan, 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 three properties that have the potential to be adversely affected by any extensions and alterations to No.11 Ladydale Close, are No.9 and No,15 Ladydale Close which sit to the south and north respectively, and No.7 Ballington View to the west.

Due to the change in land levels to the rear of the site, the existing boundary treatment, and the modest nature of the proposed extension, there are not considered to be any adverse impacts upon the residential amenity for occupiers of No.7 Ballington View. This neighbour due to the level changes overlooks to the roof of the application site.

The extension only extends by 1.5m and given that there are no windows proposed on either side elevation, it is considered that there would be no adverse impacts to the neighbouring properties to the north and south by way of overlooking or loss of privacy, overbearing impacts, loss of sunlight or any other aspect relating to residential amenity.

It is therefore concluded that the proposed development will not result in any adverse impacts to the residential amenity of any neighbouring property, in line with Policy DC1 of the Core Strategy, and paragraph 127 of the NPPF.

Highway Safety

CS Policy T1 requires all new developments to be satisfactorily located where they can be absorbed within the existing highway network. CS Policy DC1 requires new development to provide a sufficient level of off-street parking provision.

Paragraph 108 of the NPPF states that in assessing applications for development, a safe and suitable access to the site should be provided for all users. Paragraph 109 goes on to state that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The existing dwelling already benefits from off-street parking provision. Whilst the extension would increase the size of the first floor bedrooms 3 and 4, it would not result in any increase in the number of bedrooms. As such, there is no requirement to provide additional off-street parking and it would not result in any adverse impacts to highway safety, in line with CS Policy T1.

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 is for a modest two storey rear extension to an existing dwelling, situated within the development boundary of Leek, which is not constrained by any sensitive statutory designation. The principle of development is therefore acceptable.

An assessment of the application has concluded that the proposed extension, as revised has been designed in such a way that it is balanced, proportionate, relates well to the existing dwelling and the wider street scene. Accordingly, it is considered that there would no adverse impacts to neighbouring residential amenity or highway safety.

In light of the above, the application has been found to comply with all relevant local development plan policies, supplementary design guidance, and other material considerations which include the NPPF.

The application is therefore considered to comprise a sustainable form of development, and in line with Policy SS1a of the Core Strategy and paragraph 11 of the NPPF, is recommended for approval subject to appropriate conditions.

OFFICER RECOMMENDATION: Approve with Conditions
Case Officer: James Stannard
Recommendation Date: 2nd September 2019

X 

Signed by: JaneC

On behalf of Staffordshire Moorlands District Council