DELEGATED DECISION REPORT

HNT/2019/0019 **Valid 24/09/2019**	**19 EAST BANK RIDE** **FORSBROOK**	**SINGLE STOREY EXTENSION TO REAR MEASURING 5.1 METRES BEYOND THE REAR WALL OF THE ORIGINAL DWELLING, 2.8 METRES MAXIMUM HEIGHT AND 2.5 METRES TO HEIGHT OF EAVES** **(HOUSEHOLDER NOTIFICATION APPLICATION)**

MAIN ISSUES

- Consider whether or not the proposed single-storey rear extension complies with domestic Permitted Development Rights and as a result if the scheme is eligible to be considered by a Prior Approval Notification for a Larger Homes Extension.
- Consider if the development is acceptable in terms of neighbour amenity impact but only in the event of a neighbour objection(s) being received.

DESCRIPTION OF SITE

The application site consists of a semi-detached dormer bungalow known as 19 East Bank Ride, Forsbrook. The dwelling currently benefits from a single-storey rear extension and the addition of rear dormer windows. There is external amenity space to the front and rear of the property and an off-road parking area. Boundaries are marked by fencing and planting. Land levels within the site slope from the road towards the rear boundary.

The dwelling forms part of a well-established residential area and sits within the Blythe Bridge and Forsbrook Village Development Boundary. There are no Listed Buildings or protected trees either within, or in close proximity to, the application property.

PROPOSAL

The application is for the erection of a single-storey, flat roof, rear extension. The application drawing shows that the additional accommodation would provide a seating area in which to link a kitchen with a dining area (following on from internal remodelling of the living accommodation). The extension would project 5.067m from the rear wall of the original house, have a width of 2.5775m and overall height of approximately 2.75m. The application states that the extension would be built using matching, facing brickwork.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2014)

Planning policies are only taken into account if any neighbour(s) raise an objection to

the proposal and then only in respect of amenity impact(s) upon any adjoining premises.

SS1	Development Principles
SS1a	Presumption in Favour of Sustainable Development
SS6a	Larger Villages Area Strategy
DC1	Design Considerations

Supplementary Planning Guidance

1. Design Principles for Development in the Staffordshire Moorlands: New Dwellings and Extensions to Dwellings.

2. Space About Dwellings.

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide

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 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 (Moderate)
SS1a	Presumption in Favour of Sustainable Development (Significant)
SS8	Larger Villages Area Strategy (Limited)
DC1	Design Considerations (Moderate)

National Planning Policy Framework

Including sections;

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

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

81/10374/OLDDC	Erection of car port. Approved.
05/01213/FUL	Single storey rear extension. Approved.

CONSULTATIONS

Neighbour consultation period ends: 17/10/2019.

Public Comments: No representations received.

Forsbrook Parish Council: Object to the application on the grounds of overdevelopment.

OFFICER COMMENTS

This is a Householder Notification application for the erection of a single-storey rear extension. The extension would project 5.067m from the rear wall of the original house, have a width of 2.5775m and overall height of approximately 2.75m. The application states that the extension would be built using matching, facing brickwork.

The General Permitted Development Order (2015) (as amended), Schedule 2, Part 1, Class A is the part of the GPDO to be considered in respect of a single-storey, rear extension. Applicable to this application is the allowance for a semi-detached dwelling to be extended between 3.0m and 6.0m (subject to compliance with other criteria and satisfying the requirements of the Householder Notification procedure).

The proposed rear extension complies with Class A for the following reasons;

A) Dwelling is not formed as a result of a Part 3, Class M, N, P or Q application;

B) Extensions would not exceed 50% of the total area of the curtilage;

C) Extension would not exceed the height of the highest part of the existing house;

D) Eaves of the extension would not exceed the height of the eaves of the existing house;

(Please see further explanation below).

E) Does not extend beyond a principal elevation, does not front a highway and form a side extension;

F) (Refers to section G);

G) Extension is not upon restricted land, does not extend beyond the rear wall of the house beyond 6.0m and would not exceed 4.0m in height

H) Does not relate to an extension greater than single storey in height;

I) Extension is within 2.0m of the boundary but the eaves would not exceed more than 3.0m in height. Height is 2.75m.

J) Does not relate to a side extension;

K) Does not include provision of verandah, balcony or raised platform; relate to microwave antennas, chimneys, flue, soil, vent pipe or any alteration to the roof of the house.

Further to point D above, it is noted that when looking at the elevation drawings the flat roof does appear to be higher than the eaves of the dwelling. This dwelling has two different eaves heights, the one belonging to the main roof (can be seen on the rear elevation drawing between the proposed rear extension and the boundary and side wall of the neighbours extension) and the eaves of the existing pitched roof rear extension. The Technical Guidance (2019) defines existing as a building as it existed immediately before the permitted development (for example a house extension) is undertaken. *The existing house will include previous development to the house, whether undertaken as permitted development or as development resulting from a planning permission from the local authority.'* The Technical Guidance goes on to explain that where the existing house has

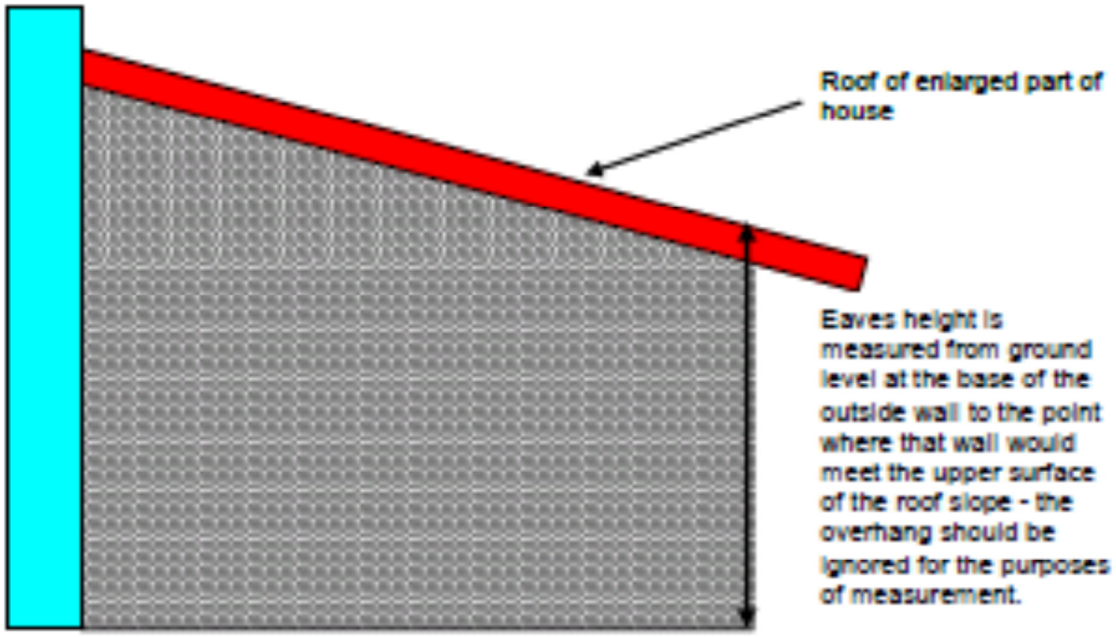
eaves of different heights, then the restriction on the height of the eaves for the part of the house enlarged, improved or altered is measured against the highest level of eaves on the existing house.

On this basis it is clear that the higher of the two eaves heights is the applicable measurement ie the level set by the pitched roof rear extension.

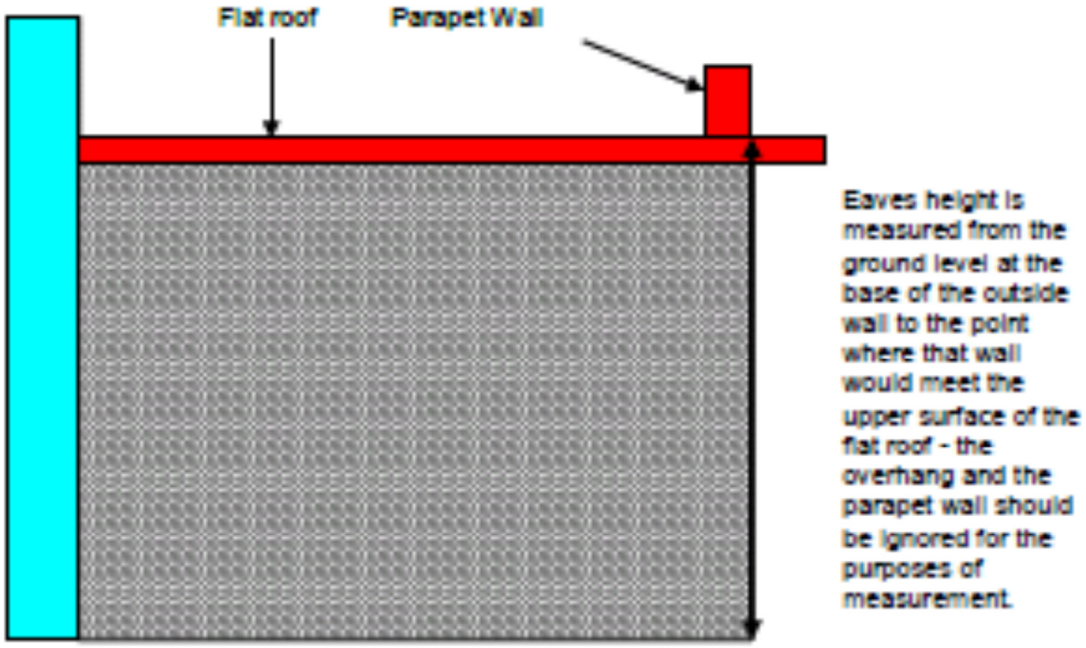
The following diagram is an extract from the Technical Guidance 2019 and is applicable to this case in measuring the eaves heights. When viewed from the rear elevation the pitched roof eaves measurement should be taken from the point where the vertical wall would meet the roof slope. The proposed plans mask where this measurement would be taken due to the thick barge boards on the rear elevation. By extending this line upwards and then comparing to the height of the proposed flat roof extension it ca be seen that the two heights are the same, therefore the proposed extension is no higher than the eaves height of the existing house.

The side elevation view is an optical illusion; the flat roof appears to be higher than the eaves of the pitched roof extension. However this is not the case, the eaves height measurement is in fact underneath the roof overhang in accordance with the diagram below; the sloping roof masks the point at which the measurement should be taken.

The following example shows the side view of an extension with a pitched roof:



Where there is a flat roof, a similar approach should be taken for measuring eaves



In accordance with the regulations immediate neighbouring properties have been notified of the application; no objections have been received from residents and therefore consideration of the policies relevant to neighbour amenity impact are not engaged.

CONCLUSION / PLANNING BALANCE

Based on the information submitted as part of the application it is concluded that the proposed ground floor rear extension complies with permitted development rights in respect of larger homes extensions. As no neighbour objections have been received, the Local Planning Authority cannot consider neighbour amenity impact. It is therefore recommended that the application is approved as permitted development.

OFFICER RECOMMENDATION : Approve.

Case Officer: Lisa Jackson
Recommendation Date: 05/11/2019.

X B.J. Haywood

Signed by: Ben Haywood
On behalf of Staffordshire Moorlands District Council