DELEGATED DECISION REPORT

SMD/2020/0082 **Valid 14/02/2020**	**82 FOUNTAIN STREET** **LEEK**	**FIRST FLOOR EXTENSION AND SINGLE STOREY SIDE EXTENSION** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Design and streetscene impact;
- Amenity; and
- Highway safety.

DESCRIPTION OF SITE

This application is located within an area that is predominantly residential in character. The application site comprises a double fronted dwellinghouse which sits perpendicular to the highway, attached to the rear is a building that falls within the ownership of the applicant and is believed to operate as a vehicle repair shop. An enclosed private amenity space and off-street parking area is located to the front and side of the dwellinghouse. The site is bound by brick built walling and timber fencing. The scale, form and layout of the dwellinghouse sit at odds with the prevailing streetscene character, which is of traditional terraced dwellings. The site is located within the Leek Town Development Boundary.

PROPOSAL

Approval is sought for the demolition of an existing single storey front and side extension and for the construction of a two storey extension that it is sit in its place and for the construction of a single storey side extension.

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
SS5 Towns
SS5a Leek Area Strategy
DC1 Design Considerations
T1 Development and Sustainable Transport

Emerging Staffordshire Moorlands Local Plan

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 was agreed by the Council and the subject of public consultation between 18th September 2019 and 31st October 2019. The schedule consisted of modifications that the Inspector has deemed necessary to make the Local Plan sound. Following the consultation, the Inspector concluded that further hearing sessions were necessary to consider; proposals for safeguarded land at Gillow Heath in Biddulph, housing land supply, Local Green Spaces in Cheddleton (Ox Pasture), Biddulph (Dorset Drive and implications for the emerging neighbourhood plan) and Blythe Bridge. They were held on 4th and 5th February.

On 27th February, the Inspector issued his post hearing advice. Key recommendations in the letter include:

- The proposed safeguarded land at Gillow Health, Biddulph should be removed. Neither should the site be allocated for housing as requested by the landowners as the case for exceptional circumstances has not ben met. The land will remain Green Belt as per the Local Plan Submission Version agreed by the Council in June 2018

- No further housing allocations in Biddulph are required

- No further amendments to the housing trajectory are required aside from pushing back the predicted commencement of the Wharf Road, Biddulph site (excluding BDNEW) until 2022/23.

- Monitoring of housing supply will determine if a full or partial Local Plan review is required within 5 years

- Land at Ox Pasture (Cheddleton) and Dorset Drive (Biddulph) should revert back to the Local Green Space designations as per the Local Plan Submission Version as agreed by the Council in June 2018.

- Other modifications were considered during the recent hearings sessions are necessary to make the plan sound, including; updating neighbourhood area housing requirements (Policy SS4) to reflect the latest monitoring data, updating the employment land area for the Tunstall Road allocation to reflect the masterplan and other adjustments to the wording of Policy SS4 and Policy DC2.

No further representations will be sought by the Inspector. As such, the Local Plan policies as proposed to be modified in September 2019 along with the Inspector recommended revisions (February 2020) provide a strong indication of the final policies likely to be adopted in the Local Plan. The Inspector's final report is expected within 2 months and will reflect the post hearing advice. The Council will be able to consider the adoption of the Local Plan at this point. As such, the plan is at a very advanced stage of preparation with some of the key outstanding objections now having been resolved following the February 2020 hearing sessions.

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 considered below:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the main modifications have been subject to consultation

- The extent to which there are unresolved objections to relevant policies this varies depending on the policy in question – the Inspector wishes to explore outstanding objections on a limited number of issues at the February hearing sessions further before drawing conclusions.

- The degree of consistency of the relevant policies in the emerging plan to this Framework – policies have been modified to address soundness issues identified by the Inspector to date. It is the Council's view that the policies (as modified) are consistent with national policy. The Inspector has yet to draw final conclusions, particularly on the matters subject to further hearing sessions.

Given the above, the majority of policies (as modified) can be given substantial weight.

Emerging Policies:

SS1 Development Principles
1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS5 Leek Area Strategy
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 - 14
Section(s) 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

There is no site history relevant to the determination of this application.

CONSULTATIONS

Publicity

Site Notice expiry date: 01.04.2020
Neighbour consultation period ends: 09.03.2020
Press Advert: N/A

Public Comments

No comments received.

Town / Parish Comments

Leek Town Council: Recommend approval

Staffordshire County Council Highways

No comments received.

OFFICER COMMENTS

Principle of Development

Paragraph 11 of the National Planning Policy Framework (NPPF) promotes a 'presumption in favour of sustainable development'. For decision takers this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless: i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 8 of the NPPF identifies three dimensions to sustainable development as being economic, social and environmental.

In accordance with policies SS1 and SS1a of the Staffordshire Moorlands Core Strategy the Council will expect all new development to make a positive contribution towards the sustainability of communities and to protecting, and where possible

enhancing the environment. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF).

The application site is located within the Leek Town Development Boundary, where extensions to existing dwellings are considered to be acceptable in principle in accordance with local and national planning policy.

Design

Policy DC1 refers to design and seeks to secure development of a high quality which is designed to add value to the area and to respect the site and its surroundings. New development should promote a positive sense of place and identity through its scale, density, layout, siting, landscaping, character and appearance.

Paragraph 127 of the National Planning Policy Framework requires the design of a development to add to the overall quality of an area, by being sympathetic to local character and by being visually attractive as a result of good architecture.

The Council's Design SPD outlines the Council's expectations in respect of design and states that extensions should harmonise with the parent building. An extension should respect the dominance of the original building and be subordinate to it in terms of its size and massing.

The application site is located on the southern side of Fountain Street and appears as an anomaly within a residential area that is predominantly characterised by traditional terraced rows. The application dwelling comprises of a double fronted two storey rendered dwellinghouse and though attached to a building to the rear, the dwellinghouse is detached from neighbouring residential properties.

Approval is sought for the construction a first floor front and side extension, and single storey side extension. The proposed first floor extension would serve to square off the south western corner of the dwellinghouse. It would introduce a hipped roof form which would not be characteristic of this property. Nevertheless it is already an awkward form due to the unusual footprint and previous unsympathetic extensions and it is considered that, given the low visibility from the street scene, the hipped roof is on balance acceptable .Amended plans have been received to step the first floor section of the proposed extension back from the principal elevation by 30cm in order to offer a sense of subservience to the main dwellinghouse. Amendments have also been made to the fenestration in order to retain the character of the original dwelling.

The proposed single storey extension is to extend beyond the existing dwellinghouse to the south and will tie into an existing single storey flat roof structure to the rear. A flat roof is proposed and though this is not considered to represent good design the flat roof element of the proposal would be rear within a streetscene context that itself contains a number of flat roof structures. Similarly it will extend forward of an existing flat roof structure. The proposed single storey extension would not occupy a visually prominent location within the streetscene and it is therefore considered that a refusal on such grounds could not be substantiated.

The design and proportions of the proposed development is considered to be acceptable and in accordance with policy DC1 of the SMDC Core Strategy and Design SPD.

Amenity

Core Strategy policy DC1 and paragraph 127f) of the National Planning Policy Framework seek to secure development that protects the amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

The application site is bound by numbers 47 and 49 Shirburn Street to the east and numbers 44, 46 and 48 Parker Street and no.80 Fountain Street to the west. The proposed first floor extension and single storey extension would extend to the west of existing structures. As such the impact of the proposed development will be mitigated against. It is noted that a first floor window is proposed within the south facing elevation. This window is to serve as a secondary window to a bedroom and though would not present a direct loss of privacy due to overlooking into neighbouring windows; it would present an unacceptable sense of overlooking that would be detrimental to the amenity of neighbouring properties on Shirburn Street. Submitted plans illustrate that this window is to be obscure glazed which is considered an acceptable solution. In order to secure the obscure glazed nature of this window in perpetuity an appropriately worded condition is recommended.

Separation distances between windows located within the proposed extension and those located to the rear of neighbouring properties on Parker Street fall short of those the LPA would normally expect to achieve. However this is representative of the historic pattern of development and the impact imposed by additional fenestration would be no greater than that imposed by existing windows located within the west facing elevation of the dwellinghouse.

It is not considered that this application would result in unacceptable effects to residential amenity.

Highway Safety

Policy DC1 and T1 seek to achieve parking and access appropriate to the development it serves.

The dwellinghouse, once extended, will accommodate four bedrooms. Sufficient off-street parking exists to the west of the dwellinghouse to serve a dwelling of this size. As such it is not considered likely that the development would result in harm to highway safety.

CONCLUSION / PLANNING BALANCE

This application is considered to accord with the relevant policies outlined in the Staffordshire Moorlands Core Strategy, emerging Staffordshire Moorlands Local

Plan and the National Planning Policy Framework. As such a recommendation of approval is provided.

OFFICER RECOMMENDATION : Approve

Case Officer: Lisa Howard
Recommendation Date: 22.04.2020

X B.J. Haywood

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council