DELEGATED DECISION REPORT

SMD/2020/0472 **Valid 28/08/2020**	**5 THE SLEEVE** **LEEK**	**DEMOLITION OF EXISTING GARAGE AND CONSERVATORY AND 2 STOREY SIDE EXTENSION.** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

The impact on the character and appearance of the area
The impact on residential amenity
The impact on highway safety

DESCRIPTION OF SITE

The site is within the development boundary of Leek and lies in the west part of the town. It comprises a 1960s style detached 3-bed gable-fronted house which is at the end of a row of five similar houses which face The Sleeve cul-de-sac to the north. There are also similar houses on the opposite side facing the road. To the rear (south) and east side of the site lie the rear gardens of other residential properties on other streets. The rest of the row of houses on The Sleeve lie to the west side.

PROPOSAL

This is a full householder planning application for the replacement of the flat-roofed garage attached to the side of the house with a two-storey side extension with side gable and rooms comprising a dining kitchen on the ground floor and a fourth bedroom for the house (facing rear) with ensuite (facing the front) on the first-floor.

Amended plans were received to show the proposed side wall moved a further 0.3 metres away from the side boundary, level with the side wall of the conservatory behind the garage, thus reducing the projection from the side wall from 3.3 metres to 3.0 metres. The roof ridge of the extension has been dropped below the main roof ridge and the amended site plan also shows the kerb dropped along the whole frontage of the site and a parking area provided to the front of the house for three cars which would involve some additional hard-surfacing. Neighbours have not been reconsulted on the revised plans because the proposals involve a reduced width and lower extension and thus an overall smaller extension.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffs Moorlands Local Plan (adopted September 2020)

SS5 – Leek Area Strategy
DC1 – Design Considerations

NPPF (Revised February 2019)

Sections 12 (Design).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

09/00972: Two-storey side extension. Approved but never built.

CONSULTATIONS

Publicity

Site Notice expiry date: 23.10.20
Neighbour consultation period ends: 23.10.20
Press Advert: N/A

Public Comments

One letter of objection was received from a neighbouring property concerned that an insufficient gap between the extension and side boundary (where the side wall of the neighbouring house is located) and that this would prevent sufficient access for maintenance purposes of the neighbouring property and scaffolding.

Town / Parish Comments

Not unneighbourly.

Local Highways Authority

No objection raised on the basis that parking for three cars shall be accommodated within the site.

OFFICER COMMENTS

The application site leis within the settlement boundary of Leek whereby, the general principle of development is considered to be acceptable, in accordance with Policy SS5. However, this is subject to all material considerations including design and the impact on residential amenity.

Design considerations

With regard to the impact on the appearance of the area, two of the five houses on the row at The Sleeve have two-storey side or first floor extensions over the side garage and therefore the proposal would not be out of character with the street. Amended plans show the side wall moved away from the side boundary resulting in an increase in the size of the gap between the extension and side boundary from 0.5 to 0.8 metres and this respects the degree of spaciousness in the street scene where similar sized gaps are left between side extensions and side boundaries.

The set back of the front wall at first-floor level and also the dropping of the roof ridge below the main ridge also succeed in making the extension appear subservient to the main dwelling in accordance with the Council's Space About Dwellings design guidance. The particular design of the extension is also acceptable and amounts to an improvement on the one approved in 2009 which was never built (and which also had the same 3.0 metre projection from the side wall). It would also amount to an improvement on the existing side extensions at The Sleeve which all have flat roofs on this side of the road. The design put forward for No.5 harmonises more with the style of the dwelling and also the window design.

Impact on adjacent neighbours

With regard to the impact on residential amenity, there are no side windows on the flank wall of the neighbouring dwelling to the west (No.6) facing the side wall of the extension and therefore light provision would not be affected at the neighbouring property. The rear bedroom window would allow overlooking only of the rear part of the rear garden of No.6 and this would not lead to a harmful loss of privacy.

The points raised by the objector are noted. However, any legal covenants protecting gaps of 124 cm between houses in the street for maintenance purposes, as alleged in the letter, are a completely separate legal matter that the site owners must tackle and may not be overridden by the grant of planning permission. Legal matters such as this and the impact on the maintenance of neighbouring properties are separate civil matters and not material planning considerations that can be used to refuse planning application. Whilst the neighbour raises concerns about maintenance difficulties as a result of the extension, the increase in the separation as shown on the revised plans would mirror that approved in 2009,which considered to be acceptable at that time. There are no differences, when compared to the circumstance in 2009.

Highway considerations

With regard to highway safety, it is noted that the existing garage would be lost and a fourth bedroom gained leading to one adequate parking space on the current driveway when three spaces are needed for a 4-bed dwellings in accordance with the Council's parking standards. However, there is sufficient space to the front of the house for a total of three cars achieved by the hard-surfacing over the rest of the front garden, the complete removal of the dwarf wall and the dropping of the entire kerb directly in front of the site to allow adequate access to the three spaces. The arrangement is shown in the amended site plan. It is noted that the highway officer raises no objections to the development. Accordingly it so considered that there are no highway safety matters preventing the grant of planning permission.

CONCLUSION / PLANNING BALANCE

The proposal as shown on amended plans would not harm the visual or residential amenities of the area and would not lead to any highway safety problems with the safeguard of conditions. The proposal therefore complies with the Council's adopted Local Plan and the government planning guidance contained within the National Planning Policy Framework (NPPF).

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 2.12.20

X

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council