DELEGATED DECISION REPORT

SMD/2020/0604 **Valid 29/10/2020**	**13 THOMAS STREET** **LEEK**	**PROPOSED ALTERATIONS AND EXTENSION WORKS TO FORM GROUND FLOOR BEDROOM AND EN-SUITE** **(FULL - HOUSEHOLDER)**

MAIN ISSUES

- Design
- Amenity
- Highway Safety

DESCRIPTION OF SITE

The proposed site comprises a terraced brick and tile dwellinghouse and its associated curtilage, situated in the Leek West ward. The site is within the Leek Development Boundary, where the Staffordshire Moorlands Local Plan seeks to concentrate development. The sides of the proposed site are enclosed by neighbouring dwellings comprising a section of Thomas Street. No. 11 Thomas Street lies to the North of the proposed site and No. 15 Thomas Street is situated to the South. To the East of the proposed site is a warehouse within the curtilage of Carrs Billington Agricultural, Macclesfield Road. The Thomas Street highway runs adjacent to the proposed site on the West.

PROPOSAL

The proposed developments include a single storey rear extension and improved access arrangements. The extension will have a maximum height of 4 metres and maximum eaves height of 2.8 metres measured externally from natural ground level. It will have a depth of 4.12 metres. Materials used in the construction of the proposed extension would match those used in the construction of the existing dwellinghouse, including reclaimed Staffordshire Blue plain clay tiles, smooth red facing brickwork and white UPVC.

To facilitate improved access arrangements, ground levels will be excavated to allow the formation of a tarmac hardstanding ramped to a maximum gradient. Additionally, disabled bay markings will be laid out to create a higher level of ease for access to the dwellinghouse.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan Document (Adopted 2020)

SS1 Development Principles
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) 4 – Decision making, 12 – Achieving well designed places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

HNT/2020/0014 – Ground floor bedroom and en-suite bathroom measuring 4 metres beyond the rear wall of the original dwelling, 4 metres maximum height and 2.8 metres to the height of the eaves. Refused.

CONSULTATIONS

Publicity

Consultation period ends: 23/11/2020

Public Comments

No public comments were made during the consultation period.

Town / Parish Comments

No comments were made.

Staffordshire County Council Highways

Highways do not object to removing part of the front wall and reshaping the front forecourt. However, they state that the forecourt is too small to provide a parking bay for a vehicle in any direction. Highways are unable to grant permission to drop a kerb where there is effectively nowhere for a vehicle to go without obstructing the footway. Although vehicles already park partially on the footway in Thomas Street, highways cannot be seen to condone or facilitate this. It was suggested by Highways that a disabled parking bay may be of use to safeguard a space in front of the dwelling.

A revised plan was then submitted, removing all reference to dropped kerbs for vehicular use. Resultantly, Highways no longer object to the proposed development.

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 SS2 of the Staffordshire Moorlands Local Plan 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. A concentrated focus on future growth is to be directed in larger settlements, including Leek. 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).

In compliance with Policy SS5, new development should be directed to the most sustainable locations. The site lies within the market town of Leek, which is one of the main urban areas where the focus of new development will be directed, with the aim of crafting all development to enhance the character and appearance of the town.

The proposed site is within the Development Boundary, thus the proposed extension and access alterations are acceptable in principle, subject to conformity with national and local planning policies. The main issues which need to be considered as part of the assessment of the proposed extension include design, neighbour amenity and highway safety.

Design

Policy DC1 seeks to ensure that all development is well designed and of a high quality, contributing to local distinctiveness and harmonising with sense of place. The proposal, by virtue of its size, scale and siting maintains the character of the existing dwelling and area. The proposed extension would have depth of 4.12 metres, a maximum height of 4 metres and a maximum eaves height of 2.8 metres.

Materials used in the construction of the proposed extension would match those used in the construction of the existing dwelling, as well as from surrounding

dwellings in the area. Smooth red facing brickwork, Staffordshire Blue Plain Clay tiles and white UPVC windows would all be used to match the existing materials, as well as to harmonise with the surrounding street scene. Additionally, the proposed extension would follow the course of the existing rear gable wall of the dwellinghouse, although it would have a width larger than the existing rear gable wall by 1.18 metres.

The proposal would therefore accord with the provisions of local plan policy DC1 and section 12 of the NPPF in this regard.

Amenity

Paragraph 127 f) of the NPPF seeks to secure a high standard of amenity for all existing and future occupants. Local Plan Policy DC1 requires development to achieve a satisfactory relationship to adjacent development and to not cause unacceptable effects by reason of visual intrusion, overlooking, shadowing, overbearing effect, noise, light pollution or other adverse impacts on local character and amenity.

The proposed extension will run parallel to a brick wall of the garage at No. 11 Thomas Street, thus having no overbearing impact on the neighbour. Subsequently, there will be no loss of light, as the extension would not project further than the garage. The brick wall of the garage at No. 11 Thomas Street would mean that privacy of this dwellinghouse would not be compromised.

Despite the fact that the proposed extension would have no adverse impact on the amenity of No. 11 Thomas Street, it could potentially be overbearing as well as create loss of light at No. 15 Thomas Street. As there are a number of windows on the rear and side elevations of No. 15 Thomas Street, it cannot be ignored that the proposed extension would breach the 45 degree rule. Despite this, the kitchen windows on the rear and side elevation of the neighbouring dwellinghouse are not ‘habitable’ windows. As the kitchen looks to hold a functional use rather than being a diner where people would spend quality time, the impact on neighbour amenity is lessened as it is not considered a habitable room. Additionally, the windows on the rear gable end provide another source of light to the neighbouring kitchen, which the proposed extension would not impact.

As the proposed extension would be North and the windows at No. 15 are South, the orientation would not affect their accessible sunlight or cast a shadow over them, especially by the time the sun reaches the West in the evening. Furthermore, the proposed extension would only be single storey, it would not impact the rear and side windows on the first storey of the existing dwellinghouse. Therefore, light amenity of the neighbours would not be negatively impacted on.

An approximately 1.7-metre-high fence surrounds the curtilage of the property, creating sufficient boundary treatment to protect the amenity of the neighbours at No. 15 Thomas Street. Although there are side windows on both the neighbouring property and the proposed extension, the 1.7 metre fence would be substantial

enough to mitigate a lot of potential privacy impact, on top of the fact that the side en-suite window of the proposed extension would need to be obscure glazed.

Furthermore it is a material consdieration that if the proposed extension followed the course of the rear gable wall of the dwellinghouse, it would be permitted development under a Householder Notification application. Therefore, if this was the case, neighbour amenity assessment would not be required, unless a direct neighbour made an objection. I note that no neighbour objections were received.

Highway Safety

Paragraph 102 of the NPPF states that patterns of movement, streets, parking and other transport considerations are integral to the design of schemes and contribute to making high quality places. Policy T1 seeks to provide safe and sustainable access and ensure that development does not lead to an increase in on street parking.

Initially, as highways are unable to grant permission to drop a kerb where there is effectively nowhere for a vehicle to go without obstructing the footway, they objected to the plans due to reference to dropped kerbs for vehicular use. It was also mentioned that the forecourt is considered too small to provide a parking bay for a vehicle in any direction. However, it was suggested by Highways that a disabled parking bay may be of use to safeguard a space in front of the dwelling. Amended plans were then submitted, removing all reference to dropped kerbs for vehicular use. Since, Highways no longer object to the proposed development.

The proposed extension would increase the number of bedrooms of the dwelling. Highways are happy that the proposed disabled bay markings and works will meet Highway standards required. As Highways raise no objection towards the proposed extension and the access alterations, this concern can be dismissed, in accordance with Policy T1.

CONCLUSION / PLANNING BALANCE

In consideration of all of the above, the application is recommended for approval. Due to the application being acceptable in design, having no adverse affect upon neighbour or street scene amenity and no overall impact on the highway, it is deemed acceptable under planning policy. Therefore, the proposed extension is recommended for approval.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Hollins
Recommendation Date: 27/11/2020

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council