

## DELEGATED DECISION REPORT

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**SMD/2021/0261**  
**Valid 09/04/2021**

**WOODSIDE CHEDDLETON**  
**ROAD**  
**LEEK**

**SECOND STOREY EXTENSION**  
**ABOVE EXISTING BALCONY,**  
**CONVERSION OF EXISTING**  
**GARAGE TO A LIVING AREA,**  
**CONSTRUCTION OF DOUBLE**  
**GARAGE AND SINGLE**  
**STOREY EXTENSION TO THE**  
**EXISTING DINING ROOM.**

**(FULL - HOUSEHOLDER)**

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### MAIN ISSUES

- Principle of development
- Design and visual impact
- Neighbouring amenity
- Highway safety

### DESCRIPTION OF SITE

The application site is located on a residential street of predominately detached dwelling all mix in character and appearance within the development boundary of Leek.

The application site comprises a detached three-storey dwellinghouse constructed of brick, white timber cladding with red/brown tiled gable roofs. The dwelling itself has a 'C' shape form and features an integral garage and balcony that is visible from the access to the site. There is a small garden to the side and rear with ample parking to the front of the property that can accommodate at least 3 cars onsite. Due to the orientation of the property, the main access directly faces the side of the adjacent neighbouring property, known as Goldmine. Woodside is part of a cul-de-sac accessed via an unadopted road connected to Cheddleton Road.

### PROPOSAL

Planning permission is sought for the erection of an extension above the existing balcony in order to create an additional bedroom; The extension will have the same footprint as the balcony it will replace (4.2m by 5m) and retain the same eaves (2m) and ridge (4.7m) height as the existing dwelling. It will feature a patio door guarded by a Juliet balcony.

On the ground floor, the applicant seeks planning permission to infill the overhang above the existing integral garage in order accommodate a living room together with kitchen and bathroom. An external single garage is proposed to replace the lost garage. It will be 6m by 4.3m with a eaves height of 2.5m and ridge height of 3.8m.

The application also seeks planning consent to erect a 2.4m length by 4m width ground floor extension which is to serve a dining room; The extension will retain the same eaves and ridge height of the existing dwelling.

It will use matching materials used on the existing dwelling.

## **RELEVANT LOCAL AND NATIONAL PLANNING POLICIES**

### **Staffordshire Moorlands Local Plan (Adopted Sept 2020)**

SS8 Larger Villages Areas Strategy  
DC1 Design Considerations  
T1 Development and Sustainable Transport

### **National Planning Policy Framework**

Paragraph 127  
Section 9

### **SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS**

|               |                                                      |                       |
|---------------|------------------------------------------------------|-----------------------|
| SMD/2009/0337 | Single storey front extension                        | Approved<br>12/05/09  |
| SMD/2009/0506 | Detached Dwelling Driveway and Vehicle Passing Area  | Withdrawn<br>15/09/09 |
| SMD/2010/0097 | Detached Dwelling, Driveway and Vehicle Passing Area | Approved<br>07/04/10  |
| SMD/2012/0255 | Erection of dwelling, garage and access              | Refused<br>20/04/12   |

## **CONSULTATIONS**

### **Publicity**

Site Notice expiry date: 19/05/21  
Neighbour consultation period ends: 13/05/21  
Press Advert: N/A

### **Public Comments**

Neighbours                      One representation was received.  
Objection

- The single storey extension will cause overlooking into neighbour's property and requests this to have limited distance imposed with no direct windows. No proposed side windows, however should this be allowed, the window should be obscure
- Subject to approval, no windows, bi-fold doors are to be proposed to the dwelling to protect neighbouring amenity
- No measurement of the garage and extensions were provided to consider the harm to neighbouring amenity

- Subject to approval, conditions should impose no windows are to be proposed to the rear wall of the garage and no garage conversion.

#### **Town / Parish Comments**

Leek Town Council                      No objection

**Severn Trent Waters**                      No objection subject to informatives

**County Council Highways**                      No objection

#### **OFFICER COMMENTS**

##### **Principle of Development**

The site is within the development boundary for Leek where there is a general presumption in favour of new development. .

Whilst there are no 'in principle' objections to the application, all other material planning considerations must be satisfied for the scheme to be supported and in this instance include design, visual impact, neighbour amenity, parking and drainage.

The proposal is in accordance with Policy SS8 of the Local Plan.

##### **Design and visual impact**

Paragraph 127 of the NPPF (2019) 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.

Policy DC1 requires development to be well designed and reinforce local distinctiveness by positively contributing to and complementing the special character of an area in line with the Council's Design Guide SPD.

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 the original building and be subordinate to it in terms of its size and massing.

Whilst this proposal further increases a considerably large dwelling, it is considered that the proposed extensions are marginal to the overall scale and mass of the existing dwelling. The extensions will utilise the existing footprint that the site currently offers without compromising the overall bulk of the dwelling to appear incongruous with the host dwelling. In addition, it is considered that the scale of the extensions serving the bedroom and dining room will respect the character and appearance of the host dwelling as it will retain the same eaves and ridge height as the existing.

In terms of the proposed external garage, this is setback from the street scene so not to appear prominent and is of a modest scale to the host dwelling as it is single storey in statue and as such, considered to be visually acceptable.

When considering the wider visual impact, the application site sits within a well-established residential area formed by dwellings of varying size, age, shape and materials; the proposal will not introduce any incongruous features either in terms of its shape or proposed materials but rather uses matching materials which relates well to the design of the existing dwelling and immediate street-scene. Therefore, the scheme is considered to be visually acceptable

This application is therefore considered to be in accordance with Policy DC1 of the Local plan.

### **Neighbouring amenity**

Paragraph 127(f) of the NPPF (2019) and Core Strategy policy DC1 seeks to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

The main neighbouring properties that this proposal would impact upon are the neighbouring properties at: The Goldmine (to the west), 4 Boundary Close (to the rear), Sunrise (to the east) Daybreak and Horizon (both to the front).

Both the extension above the balcony and extension on the ground floor serving an annex will extend the liveable area towards the side elevation of The Goldmine. The Goldmine has a first floor-small narrow window that appears to be obscure glazed. It is considered that whilst the extensions will extend the usable living area towards The Goldmine, views from both extensions will overlook either an obscure window and front of this neighbour's property which is currently screened by mature hedging. As such, the neighbour's amenity will be maintained. Also regard must be given to the existing balcony which already generates a good degree of overlooking, which would be reduced to a French window and side window.

To the front and east of the application site, it is considered that the neighbours' amenity will be maintained due to the sufficient distance and position of the extensions proposed.

The extension serving the dining room will look towards the side/ rear of 4 Boundary Close. There are no side windows on the first floor facing the application site. Due to the orientation and gradient of the neighbour's property in relation to the application site, the proposed ground floor extension will directly face the neighbour's brick wall on the first floor and as such, will not cause any undue overlooking. It is also recognised that whilst the extension could potentially look down towards the neighbour's main residential garden, there is a sufficient distance of approx. 25m from the neighbour's nearest wall to not cause adverse overlooking. The extension will serve the existing dining room that looks directly at the neighbour's side/ rear wall and therefore, views from the extension would not be dissimilar from what is there currently.

Concerns were raised by the immediate neighbour relating to the north west extension. The neighbour requested the proposed window serving the dining room to be removed or alternatively obscure glazed. On balance, it is considered unnecessary to remove the proposed window or impose a condition for the window

to be obscure glazed as there is already restrictive views into the neighbour's private amenity area and the length of the extension is modest in scale.

Whilst the objections and concerns of the neighbour are noted, and it is acknowledged that the new window / extension will be closer to the boundary than the existing it is not considered that any overlooking of the garden area alone would be sufficient to sustain a refusal on amenity grounds for the reasons given above.

Concerns were also raised by the neighbour relating to the potential use of the garage that would affect their privacy. The neighbour requests no rear windows and restrict the use for vehicle storage only. It is considered unnecessary to impose a condition to restrict a rear window in the future as the garage will abut a 2m high fence that would limit any potential views into the neighbour's garden. In addition, it is considered unnecessary to restrict the garage for incidental or ancillary purposes as to do so would not breach the necessary parking facilities on site under Policy T1 (see Highway Safety) nor would it cause any loss of light, overlooking and overbearing issue owing to the orientation and single storey stature. It is also considered to be unreasonable to prevent the occupier from using the garage for incidental domestic purposes other than vehicle storage.

It is for these reasons that the proposed development will comply with policy DC1 of the Local Plan (2020) and the NPPF (2019).

### **Highway Safety**

Section 9 of the NPPF states that developments should achieve safe and suitable access to the site for all users. Policy T1 of the Local Plan states that permission will only be granted for development incorporating adequate and satisfactory parking provisions.

For a dwelling consisting of four bedroom units (including the annex on the lower floor), a minimum of three parking spaces are recommended. The proposal would not affect the two existing parking provisions on the driveway and would replace the integral garage with an external single garage. Thus, three parking spaces are available following the proposal.

County Council Highways was consulted. No objections were raised as there is sufficient off highway parking within the curtilage of the property to meet the Parking Standards. The proposal is considered not to have a detrimental impact on the adopted highway.

This application is therefore considered to be in accordance with Section 9 of the NPPF and Policy T1 of the Local Plan.

### **Other matters**

Severn Trent Waters were consulted. They have raised no objections to the proposal subject to an informative requiring the applicant to contact Severn Trent Waters to discuss the implications of their assets crossing the application site following any decision made.

A neighbour representative has noted that there are no measurements showing the distance of the extensions and external garage on the proposed plans from adjoining neighbours. The proposed plans are to scale and measurements can be made.

### **CONCLUSION**

The proposal would respect the scale and character of the existing dwelling and would not adversely affect the amenities of the neighbouring properties. Accordingly, the application is to be considered to be in accordance with the NPPF and the Local Plan. It is therefore recommended for approval subject to conditions.

**OFFICER RECOMMENDATION :** Approval subject to conditions and informatives

**Case Officer:** Lisa Li

**Recommendation Date:** 14/05/21

X *B.S. Haywood*

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Signed by: Ben Haywood

**On behalf of Staffordshire Moorlands District Council**