

DELEGATED DECISION REPORT

SMD/2021/0476
Valid 20/07/2021

7 THE CRESCENT
LEEK

**SINGLE STOREY REAR LEAN-
TO EXTENSION.**

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design
- Amenity
- Highway Safety

DESCRIPTION OF SITE

The site is comprised of a semi-detached brick and tile dwellinghouse and its associated curtilage located in the Leek North Ward. Additionally, the site is within the Leek development boundary, where positive development is encouraged to be concentrated. The dwellinghouse is enclosed by neighbouring dwellings on the South-East and North-West. No. 5 The Crescent is situated to the South-East of the dwelling and No. 9 The Crescent adjoins the site on the North-West. The Crescent Allotment Gardens are positioned to the West of the site. The Crescent highway runs adjacent to the site along the East.

It is noted that a number of properties within the estate have been extended; however the established character of the original estate has been largely retained. A number of dwellings comprising the street scene have undergone alterations of varying degrees including the introduction of grey render or pebble dash to the principal elevations.

PROPOSAL

The proposed development comprises a single storey rear lean to extension which spans across nearly half of the rear elevation. The proposed extension would allow for a larger open plan kitchen to the rear of the dwelling. The proposed extension would project beyond the rear elevation of the original dwellinghouse by 2.93 metres and have a width of approximately 3.82 metres. The maximum height would be approximately 4.46 metres and the maximum eaves height would be 3.52 metres. It would be constructed from materials which would harmonise with the existing dwellinghouse and dwellinghouses comprising the street scene, including red brick, Pearl Grey or Granite Grey tight (off white) render, Forticrete Centurion tiles and white uPVC.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted 2020)

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) 4 – Decision making, 12 – Achieving well designed places

Staffordshire Moorlands Design Guide SPD

Part 5 – Alterations, Extensions and Conversions

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

N/A

CONSULTATIONS

Publicity

Site Notice expiry date: 14/09/2021
Neighbour consultation period ends: 10/08/2021
Press Advert: N/A

Public Comments

No public comments were received.

Town / Parish Comments

Leek Town Council feel that the proposed extension is not unneighbourly.

Severn Trent Water

Severn Trent have commented that the proposal has minimal impact on the public sewerage system and can advise that they have no objections to the proposals and do not require a drainage condition to be applied.

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 expects all new development to make a positive contribution towards the sustainability of communities and to protect and where possible enhance the environment. A concentrated focus on future growth is to be directed to 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 works are acceptable in principle, subject to conformity with other relevant national and local planning policies. The main issues which need to be considered as part of the assessment of the proposed works 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 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 proposed development is a single storey rear extension to the dwellinghouse.

The proposed extension would project beyond the rear elevation of the original dwellinghouse by 2.93 metres and have a width of approximately 3.82 metres. The maximum height would be approximately 4.46 metres and the maximum eaves height would be 3.52 metres. For a development to be considered appropriate in terms of its size and massing, the Council would universally expect to see extensions subordinate to the dominance of the original building. Thus, as the proposed extension would be single storey and therefore have an eaves and maximum height lower than the parent building, as well as be subordinate to the host dwellinghouse, it would be considered appropriate development in accordance with the Council's Design SPD.

Red brick, Pearl Grey or Granite Grey tight (off white) render, Forticrete Centurion tiles and white uPVC would be used in the construction of the proposed extension. Although the surrounding street scene is comprised of a varied selection of house types, a prominent feature of the street scene is the brick used in the construction of the dwellinghouses. Render is not a typical material in this area and therefore a condition is recommended that the materials should be brick to match the existing dwelling. Subject to this condition, the materials which would be used are considered appropriate in relation to the existing dwellinghouse, as well as the surrounding street scene. Thus, the proposed materials would match the existing materials and harmonise with the surrounding street scene, not detracting from the character of the original estate which has been largely retained.

The proposal, by virtue of its size, scale and siting maintains the character of the existing dwelling and area. 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 application site is bound by No. 5 The Crescent to the South-East and No. 9 The Crescent to the North-West. Therefore, amenity impact assessment is essential on the direct neighbouring properties to the sides of the application site.

I note that the proposed rear extension would impact the light amenity of the neighbours at No. 9 The Crescent, thus assessment has undergone to establish how detrimental this impact would be. Some of the potential overshadowing impact which could occur for No. 9 The Crescent as a result of the extension would be mitigated by the curtilage boundary foliage screening. However, the proposed rear extension would breach the 45 degree line. Despite this, the kitchen window on the rear elevation of the neighbouring dwellinghouse is not considered a 'habitable' window. Following a site visit to next door property at No. 9, I consider this to be non-habitable and therefore, the breach of the 45 degree line when considering loss of

light will be less than significant to the neighbour's amenity and insufficient to sustain a refusal. Furthermore, this affirms that the proposed extension would not cause detrimental loss of light to this neighbour. Although I could not gain access to the inside of the neighbouring dwelling it appears that the dining area, if any, is already set back from the window, meaning that the daylight to reach this area is already restricted and this would not be exacerbated by the extension. No objections were received from any neighbours in relation to the proposed extension.

Upon assessment of the potential amenity detriment which the proposed extension could bring forth on No. 5 The Crescent, it has been established that the proposed rear extension would not create loss of light amenity or overbearingness into the garden or any windows of the neighbour. Due to the substantial amount of distance of the proposed rear extension from this neighbouring dwellinghouse, as well as the foliage which creates the boundary treatment between the two dwellings, light amenity of this neighbour would not be affected. As the sunlight trajectory travels from East to West, the proposed rear extension would not cause overshadowing upon the neighbour at No. 5 The Crescent.

It cannot be ignored that part of the proposed extension would be built across two different ground levels, in a stepped layout which follows the course of the existing varied ground levels. The lean-to roof structure combined with the fact that half of the extension would be built on a lower ground level than the dwellinghouses results in a reduced impact relating to overbearing effects on neighbour amenity, due to the hedging which creates the translucent screened boundary.

There would be no side windows on the elevation of the proposed rear / side extension facing No. 9 The Crescent, therefore privacy amenity of this neighbour would not be impacted at all in this sense. A door and a window are proposed to face No. 5 The Crescent, however due to the distance of the proposed extension from this neighbour, as well as the foliage boundary screening in place which separates the dwellings, privacy amenity of this neighbour would not be affected. Thus, no adverse privacy impact would occur upon either of the neighbours.

There are no dwellings adjacent to the rear curtilage of the dwellinghouse, thus no amenity impact will occur here.

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.

The proposed extension would not increase the number of bedrooms of the dwelling. Therefore, it is clear that no additional parking spaces will be required for the number of people habituating the dwellinghouse. Additionally, as the proposed extension would be to the rear of the dwelling, the available off road parking to the front of the dwelling would not be compromised, in compliance with Policy T1.

Thus, the proposed extension would have no impact on highway safety, 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 of an acceptable design, not detrimentally effecting neighbour or street scene amenity and having no overall impact on the highway, it is deemed acceptable under planning policy. It cannot be ignored that although the light amenity of the neighbours at No. 9 The Crescent would be impacted through the rear kitchen window, it is considered that the kitchen at this dwellinghouse is not a habitable room where people would spend quality time and is not regarded as a principal window. No neighbours have objected to the proposed extension, reinforcing that there are no neighbour concerns. Therefore, the proposed extension is recommended for approval, subject to compliance with all conditions.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Hollins
Recommendation Date: 14/09/2021

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council