

DELEGATED DECISION REPORT

SMD/2021/0648
Valid 07/10/2021

7 BROOKSTONES
WHISTON EAVES LANE
WHISTON

SMALL EXTENSION TO
ENABLE SPACE FOR THE
PROVISION OF
HOMEWORKING AND A WC

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Impact on the character and appearance of the existing dwellinghouse and the surrounding area.
- Impact on neighbouring amenity.
- Impact on highway safety.

DESCRIPTION OF SITE

The application site comprises a detached bungalow constructed of brick with a pitched roof covered in modern concrete roof tiles. The bungalow is sited on the eastern side of Whiston Eaves Lane and is set back from the road by an open-plan front garden and driveway. The bungalow is raised above the height of the road.

The bungalow forms one of three bungalows that are sited on this side of Whiston Eaves Lane that are all of a similar appearance and follow the same building line. Dwellings of differing ages and designs are positioned along the road to the north, on the opposite side of the road to the west, as well as to the rear. A Public Right of Way (PRoW) – Kingsley 97, follows a cut-through to the north of the application site.

The application site is located in the ‘smaller village’ of Whiston.

PROPOSAL

Full planning permission is sought for the erection of a single storey front extension. This is a re-submission of a recently refused application for a similar front extension.

It was noted whilst undertaking a site visit that work had been undertaken within the front side garden of the bungalow, including engineering works to create level tiers, fencing had been erected and a tree house had been constructed. The applicant was advised via their agent that these works were unauthorised and were reported to the Council's Enforcement Team to investigate further. These works do not form part of this application.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted Sept 2020)

SS1 Development Principles
1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS9 Smaller Villages Area Strategy
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 - 14
Section(s) 4, 12

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2021/0282 Proposed single storey extension and storage shed
Refused

CONSULTATIONS

Publicity

Site Notice expiry date: 16/11/2021
Neighbour consultation period ends: 29/10/2021
Press Advert: N/A

Public Comments: None

Town / Parish Comments: Kingsley Parish Council have no objection to the application.

Severn Trent Water: No objection to the proposals and do not require a drainage condition to be applied.

Peak & Northern Footpaths Society: PROW is close to, but outside, the proposed site. Use of the PROW must not be affected by the development,

Ramblers Association: Footpath Kingsley 95 follows the perimeter of the site. Care must be taken during and after completion of work.

SCC Highways: Recommend refusal of the application.

OFFICER COMMENTS

Principle of Development

Paragraph 11 of the National Planning Policy Framework (NPPF, 2021) 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 (2021) identifies three dimensions to sustainable development as being economic, social and environmental. In accordance with policies SS1 and 1a 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. When considering development proposals, the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the NPPF (2021).

The dwellinghouse is located within the 'smaller village' of Whiston, as identified by Local Plan policies SS2 and SS9. Extensions to dwellinghouses in villages is considered acceptable in principle as they accord with both 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 130 of the NPPF (2021) 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. In terms of alterations it states that *'alterations need to be undertaken with care. Insensitive changes can easily spoil a building...The aim is to revitalise the building without altering its fundamental character'*.

It is proposed to erect a single storey extension to the front of the dwellinghouse. It will project 4.15 metres into the front garden, will be 3.8 metres in width and have a pitched roof with the gable facing towards the road. Due to the sloping nature of the

front garden, the eaves height will be a maximum of 3.3 metres and the ridge height will be a maximum of 4.3 metres. The extension will be positioned immediately outside the existing integral garage to the north of the dwellinghouse, with the remainder of the garage converted into additional living accommodation.

The extension will be utilised as a home office. The converted garage will be utilised as a utility room and WC as the existing utility room will be displaced due to the kitchen being increased in size.

The extension will have a large glazed window with feature glazing within the front gable and 1no. window will be positioned in the southern side elevation of the extension. A new window will be positioned in the northern side elevation of the original bungalow and an existing window in the same elevation will be changed to a door. The extension will be constructed of brick with a tiled dual-pitched roof.

The proposed extension has been amended since the previously refused application in that its depth has been reduced by 35cm, its ridge height has been reduced by 30cm and the render and timber cladding has been omitted. This has not overcome the previous concerns as the reductions in size are minor so as unlikely to be detectable and the proposed materials could have been conditioned to omit those that were deemed unacceptable.

The proposed extension will still be attached to the front elevation of the bungalow and will project 4.15 metres into the front garden. It will appear prominent and alter the original linear design of the existing bungalow. It will be contrary to the Design Guide SPD that requires extensions to be subordinate to the existing dwellinghouse and set back from the building line. The window within the front gable of the extension is out of proportion with the existing windows and it does not reflect their design. Overall, the design of the proposed front extension is not considered to reflect the character or appearance of the existing dwellinghouse.

The bungalow forms one of a row of three bungalows that were constructed at the same time and therefore they have a similar design and materials. The 3no. bungalows also follow a defined building line. The proposed extension will project forward of this building line and will appear prominent within the street scene. Whilst it is acknowledged that the buildings to the north of the application site have a building line that is further forward, this part of the street is different in age, character and appearance. In contrast, the 3no. bungalows have open-plan front gardens devoid of development. It is for these reasons that the proposed extension will appear incongruous in the street scene and have a detrimental effect on its character and appearance.

For the reasons outlined above, it is considered that the proposed single storey front extension will appear incongruous and prominent within the street scene. It will have an adverse impact on the character and appearance of the existing dwellinghouse due to its siting, scale and design. These aspects of the development are considered contrary to policy DC1 of the Local Plan (2020), the Design Guide SPD and the NPPF (2021).

Amenity

Policy DC1 and paragraph 130(f) of the NPPF (2021) seek to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

The proposed front extension will not directly face the dwellinghouse on the opposite side of Whiston Eaves Lane (No. 16) and a separation distance of over 25 metres will be maintained, exceeding the distance outlined within the Space About Dwellings SPG. The proposed development will therefore not have a detrimental effect on the amenity of No. 16 Whiston Eaves Lane.

The proposed development will be sited on the opposite side of the plot from the adjacent bungalow located to the south, No. 9 Whiston Eaves Lane. The extension will comply with the 45-degree guideline and the window within the side elevation of the proposed extension will be a secondary window and will overlook No.9's front garden that is already overlooked from the street scene. The proposed development will therefore not have a detrimental effect on the amenity of No. 16 Whiston Eaves Lane.

The dwellinghouse to the north of the application site is 'West View' (No. 5 Whiston Eaves Lane). A PRoW separates 'West View' from the application site. A conservatory has been erected on the side elevation of 'West View'. The proposed development will be sited behind the conservatory (further to the east) and due to the scale and siting of the proposed extension, it will not adversely affect the amenity of 'West View'.

The property to the rear of the application site, 'Sans Souci' (No. 2 Black Lane) is sited at right angles to the dwellinghouse at the application site. The siting and scale of the proposed extension will ensure that it does not adversely affect the amenity of this property.

It is for these reasons that the proposed development will not have a detrimental effect on neighbouring amenity and it will comply with policy DC1 of the Local Plan (2020) and the NPPF (2021).

Highway Safety

Policies DC1 and T1 seek to achieve a level of parking and an access that is appropriate to the development it serves.

Off-street parking was previously provided by an integral garage and a driveway. However, it appears that part of the integral garage has been previously converted to additional living accommodation. The proposed development will result in the conversion of the remainder of the integral garage to living accommodation and the proposed front extension will be sited on the bungalow's existing driveway. The space available on the remainder of the driveway will not comply with the minimum size for a parking space.

The bungalow has 3no. bedrooms and therefore 2no. off-street parking spaces are required within the application site in order to comply with the Parking Standards outlined at Appendix 2 of the Local Plan (2020).

The Highways Engineer requested the submission of a Parking Plan to accompany the planning application to indicate how the 2no. parking spaces will be accommodated within the application site. A revised drawing ('Scheme Drawing D') was submitted that shows 2no. parking spaces positioned in front of the proposed extension. These spaces would not be wholly sited within the site edged red nor wholly within the applicant's land ownership.

The Highways Engineer assessed the application on the basis of the submitted drawing and made the following comments:

'The 3-bedroom property currently has a garage and driveway which can accommodate 2 vehicles and therefore meets with Staffordshire Moorlands Parking Standards which state; Detached/Semi-detached property up to 3 bedrooms requires 2 spaces (2.4 x 4.8m each space).

The proposal is to construct an extension to the front elevation of the property to provide a home office, this will encroach into the driveway reducing the current available parking area. The garage is also to be converted into a utility and WC.

This application shows parking for 2 vehicles however this out of the red outline plan and therefore not within the applicants' control. There is a likelihood that vehicles would be parked on the verge/highway.

Recommendations: This application should be refused for the following reason:- Application fails to demonstrate adequate provision for the parking of vehicles within the curtilage of the dwelling resulting in an increase in the likelihood of highway danger due to vehicles being parked on the public highway.'

Accompanying the parking plan drawing were two applications for adverse possession. No evidence has been provided that Adverse Possession had been granted, only that the applicants have applied. Staffordshire County Council Highways has also advised that as part of the land on which the vehicles are proposed to be parked is highway, even if the Adverse Possession Title were granted, the applicants would only own the subsoil and highway rights over the land take precedence. Therefore, no weight is attached to the adverse possession applications.

The proposed development will therefore not provide sufficient off-street parking, contrary to Appendix 2 of the Local Plan (2020), as well as policies DC1 and T1 of the Local Plan (2020) and the NPPF (2021).

Other Considerations

A Planning, Design & Access Statement was submitted with the application. Paragraph 3.18 of the statement outlines that the extension is required as the *'occupiers need to adapt their property to enable permanent home-working following changes made by their employers in response to the COVID-19 pandemic'*.

This may be true, however, the existing dwellinghouse could be reconfigured to provide a home office of the same or even bigger proportions if the remainder of the existing garage was converted for this use. The proposed extension is only required due to the applicant's desire to enlarge their existing kitchen which will displace the existing utility room. A separate WC could be accommodated in the space beside the existing utility room. No weight is therefore attached to the applicants' argument that the extension is required to provide a much needed home office, as such a home office could be accommodated within the existing shell of the bungalow without the proposed extension being required.

CONCLUSION / PLANNING BALANCE

The proposed development will not have an adverse effect on neighbouring amenity. However, the siting, scale and design of the single storey front extension, forward of the established building line into an open-plan front garden will result in a prominent and incongruous feature that will adversely affect the character and appearance of the existing dwellinghouse as well as the street scene. The proposed extension will not appear subordinate to the existing bungalow, as required by the Design Guide SPD. The proposed extension will therefore be contrary to policy DC1 of the Local Plan (2020), the Design Guide SPD and the NPPF (2021).

The proposed development will result in the existing off-street parking provision being displaced. The proposed Parking Plan indicates that 2no. parking spaces will be provided on land outside the site edged red, which is also land outside the applicants' ownership and on land that forms part of the highway. The proposed development does not demonstrate that 2no. off-street parking spaces of the required dimensions can be provided within the application site. This will result in a danger to highway safety due to vehicles parking on the public highway. The proposal will be contrary to policies DC1 and T1 of the Local Plan (2020), Appendix 2: Parking Standards of the Local Plan (2020) and the NPPF (2021).

As such, the application is recommended for refusal.

OFFICER RECOMMENDATION: REFUSE

Case Officer: Ailsa Berry

Recommendation Date: 02/12/2021

X *J. Colley*

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council