

DELEGATED DECISION REPORT

HNT/2022/0004
Valid 26/01/2022

1 CAMPBELL AVENUE
LEEK

SINGLE STOREY REAR
EXTENSION MEASURING 4M
BEYOND THE REAR WALL OF
THE ORIGINAL DWELLING, 3.5
MAXIMUM HEIGHT AND 2.5M
HEIGHT TO EAVES

(HOUSEHOLDER
NOTIFICATION APPLICATION)

MAIN ISSUES

- Whether the development is permitted by the GPDO
- Would there be an unreasonable impact on the amenity of adjoining premises?

DESCRIPTION OF SITE

A semi-detached pre-war dwelling – red brick with hipped roof. At the rear the two attached dwellings have rear facing principal windows within small built out bay window structures, cojoined and built under a shared roof.

PROPOSAL

A single storey rear addition that would extend 4m from the rear elevation and span the full width of the elevation.

The forms indicate 2.5m eaves height and max height of 3.5m, suggesting some form of pitched roof arrangement. However, the applicant later clarifies that the addition would be flat roofed at 2.5m height.

In these regards the development would appear to be permitted under the 'larger homes' provisions of the GPDO. However, it is noted that where this addition would be built around and replace the bay window structure, it would extend from an original side wall and have a width greater than half the width of the original dwelling.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Core Strategy Development Plan Document (Adopted 2020)

S01 Spatial Objectives
SS1 Development Principles
SS5 Leek Area Strategy
DC1 Design Considerations
T1 Development and Sustainable Transport

Space About Dwellings Guidance

National Planning Policy Framework

CONSULTATIONS

Public Comments

2 Objections received from the adjoining adjacent premises No3 Campbell Avenue

OFFICER COMMENTS

The Objection

Two objections have been received from the adjoining premises at No. 3 Campbell Avenue, the attached adjacent semi-detached neighbour. The first objection expressed a frustration at not receiving a consultation letter and not being able to view the detail of the proposal. A second objection received a week later confirmed concerns over loss of light and overshadowing in respect of downstairs adjacent window. The objector explains that at the rear both houses have a rear ground floor bay window on both houses with a connecting roof.

This means that the prior approval of the local planning authority is required as to the impact of the proposed development on the amenity of all adjoining premises.

No. 3 Campbell Avenue

The addition would be a brick or block built solid flat roof addition. It would extend 4m from the rear elevation consuming and replacing a bay window projection, an original part of the dwelling. The side flank wall of the addition would be built just inside the boundary between both dwellings. The addition would be single storey with, as detailed on the app form, a maximum height of 3.5m and an eaves height of 2.5m. This suggests that the roof would have some form of pitch arrangement with max height at ridge falling to a lower eaves. However, more recently the applicant explains the addition would be flat roof, it is assumed that with that the applicant intends to keep the height at 2.5m to try and appease their neighbour.

A solid flank wall with a height of 2.5m that extends 4m from rear elevation, along the boundary would obviously obscure a 45 degree horizontal sight line taken from the centre of the neighbour's adjacent principal window - flanking, obscuring and imposing upon outlook. The rear of the dwelling is north facing which means that around mid-summer the sun would rise in the east shining across the width of the plots before moving around toward the front of the dwelling, where it would shine down over the tops of the roof to some point at the gardens to the rear. The proposed addition would cause significant shadowing to the neighbour's patio and window in the morning when the sun is in the east.

There would be material conflict with the Council's Space About Dwellings guidance and policy DC1 of the Local Plan in these regards and the neighbour's objection is upheld.

Dwellings to the rear

The dwellings behind the applicant's property are some 60m away on the other side of an open area of recreational land. The proposed addition would have no impact on

their amenity. The separation distance is well in excess of Council's Space About Dwellings guidance.

22 Newcastle Road

This property occupies a corner plot on the corner of the junction between Campbell Ave and Newcastle Road. The property backs onto the side of the applicant's plot and the rear is orientated at an angle, past the side wall of the dwelling, toward the rear garden. However, if an addition extends 4m from the rear of the applicant's dwelling and spans its full width, ground floor windows in the rear elevation would be facing onto the side wall of the addition approx. 10m away. The Council's Space About Dwellings requires a separation distance of 11m between a rear window and the side wall of a single storey structure. The distance here would, relatively speaking, be only marginally short. In any event, because the neighbour's dwelling is sat down at a lower level, the rear ground floor windows face onto a retained land level with a close boarded fence and hedge above so that the side of the extension beyond would not be perceptible. No unreasonable impact would arise here.

CONCLUSION / PLANNING BALANCE

An unreasonable impact on the adjoining, adjacent premises, 3 Campbell Avenue. The flank wall of the addition, positioned on the boundary, would overshadow and be imposing from the neighbour's nearest adjacent ground floor principal window and garden area. A 45 degree horizontal sight line from the centre of that window would be obscured by the addition's flank wall within unreasonably close proximity, resulting in a breach of the Council's Space About Dwellings guidance.

OFFICER RECOMMENDATION : PRIOR APPROVAL REFUSED

Case Officer: Ben Hurst

Recommendation Date: 9th March 2022

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council