

DELEGATED DECISION REPORT

SMD/2022/0362
Valid 01/07/2022

25 WESTWOOD PARK
AVENUE
LEEK

PROPOSED TWO STOREY
SIDE EXTENSION TO FORM
HOME OFFICE AND
ENLARGED KITCHEN SPACE

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design
- Amenity
- Highway Safety

DESCRIPTION OF SITE

The proposed site comprises a semi-detached 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 proposed site is enclosed by neighbouring dwellings comprising a section of Westwood Park Avenue and backs onto the rear curtilage of a dwelling on Warrington Drive. No. 23 Westwood Park Avenue lies to the North-East of the proposed site and No. 27 Westwood Park Avenue is situated to the South-West. The rear curtilage of the site runs adjacent to the rear curtilage of No. 36 Warrington Drive on the South. The Westwood Park Avenue highway runs adjacent to the proposed site on the North-West.

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.

PROPOSAL

The proposed development comprises a two storey side extension. The proposed extension would allow for a larger kitchen / living area and utility room on the ground floor of the dwelling and a larger third bedroom and home office on the first storey. The proposed side extension would have a length of approximately 7.72 metres and have a width of approximately 2.48 metres beyond the original side elevation of the dwelling. The maximum height would be approximately 7.76 metres and the maximum eaves height would be 5.23 metres. It would be constructed from materials which would harmonise with the existing dwellinghouse, including red / brown facing brickwork, off white painted textured render, dark brown concrete interlocking roof slates 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: 26/08/2022
Neighbour consultation period ends: 16/08/2022
Press Advert: N/A

Public Comments

One objection has been received from the neighbours at No. 23 Westwood Park Avenue.

Reasons for the objection of this neighbour include concern over loss of light into the kitchen window and garden, the difference in levels between their plot and the site meaning that extra weight will be put on the land at the site and privacy concerns due to the positioning of a new side door.

Town / Parish Comments

No comments have been received from Leek Town Council.

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

Paragraph 130 of the NPPF sets out that new development should add to the overall quality of the area, be visually attractive as a result of good architecture and sympathetic to local character including the surrounding built environment. Policy DC1 of the adopted Local Plan 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 (paragraph 5.5). Moreover alterations need to be undertaken with care, insensitive changes can easily spoil a building. The key to a sensitive approach is to take note of what is there already before preparing the design to work with and not against a buildings character (paragraph 5.1)

The proposed development is a two storey side extension to the dwellinghouse. The proposed side extension would have a length of approximately 7.72 metres and have a width of approximately 2.48 metres beyond the original side elevation of the dwelling. The maximum height would be approximately 7.76 metres and the maximum eaves height would be 5.23 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.

Although the proposed side extension would add a two storey element to the North-East side of the dwelling, it would reflect the style of the existing building in terms of the roof course to complement the roof course of the side of the dwellinghouse. The eaves and maximum height of the proposed side extension would be slightly set down from the parent building, as well as follow the course of the original dwellinghouse, thus it would be considered appropriate development in accordance with the Council's Design SPD. The two-storey side extension would be slightly set back from the principal elevation of the dwellinghouse, again reiterating its subordinate nature to the parent dwelling due to not competing with the proportions of the parent dwelling.

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. 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. Red / brown facing brickwork, off white painted textured render, dark brown concrete interlocking roof slates and white uPVC would be used in the construction of the proposed extension. Therefore, 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 distinctive character of the original estate which has been largely retained.

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. 23 Westwood Park Avenue to the North-East and No. 27 Westwood Park Avenue is situated to the South-West. The rear curtilage of the site runs adjacent to the rear curtilage of No. 36 Warrington Drive on the South. Assessment of amenity impact will be required on the direct neighbouring dwellinghouses to the sides and rear of the site.

The proposed 2 storey side extension would be positioned on the North-Eastern side elevation. As the neighbouring dwellinghouse at No. 27 Westwood Park Avenue is positioned to the South-West of the site, the two storey North-Eastern side extension will be tucked behind the host dwelling on the opposite side to the neighbour, meaning that the neighbour would not be impacted by this at all. Thus, for the reasons above, any significant chance of overshadowing as a consequence of the erection of the proposed extension would be eradicated.

Consideration has been given to whether the proposed side extension might be seen to adversely affect the amenity of the neighbours at No. 23 Westwood Park Avenue. The proposed two storey extension would be within closer proximity to the neighbours at No. 23 Westwood Park Avenue, thus amenity impact assessment on this neighbour is paramount. The neighbours at No. 23 Westwood Park Avenue have made an objection to the proposed two storey side extension, based on concern regarding loss of light into their kitchen window and court yard. Due to the East to West sunlight trajectory, overshadowing on the neighbours at No. 23 Westwood Park Avenue could be caused by the addition of the proposed two storey side extension in the later afternoon hours. Thus the 45 degree rule has been assessed, between the corner of the proposed extension closest to No. 23 and the central point of their closest rear fenestration (the kitchen window), to ensure that light amenity will not be impacted. It has been established that the 45 degree rule would not be breached. From this observation, it becomes apparent that the light amenity of No. 23 Westwood Park Avenue would not be adversely impacted by the proposed extension. Although the proposed extension may cast some shadowing over the courtyard to the side of the neighbouring dwelling, it would not impact the main rear garden area, due to the very minimal projection of the extension beyond the rear wall of the neighbouring dwelling.

No.23 has a first floor side window in the gable of the property. However, this is clearly a secondary window and therefore any loss of light to this window would not provide a reason for refusal.

As the proposed extension would be positioned on the North-Eastern side elevation of the site and the neighbours at No. 27 Westwood Park Avenue adjoin with the site on the South-West, there would be no side windows on the proposed extension which could face this neighbour. Therefore their privacy amenity would not be adversely impacted. There would be no areas of glazing on the side elevation of the proposed extension which would face the neighbours at No. 23 Westwood Park Avenue. There would be a new door on the side elevation of the proposed extension which would face this neighbour, however there would be no glazing in the door. Although the neighbour has expressed concern regarding loss of privacy from the addition of this door, there is no glazing in the new proposed door and the glazing in the door belonging to this neighbour is obscure glazed. Furthermore, there is already

an access path along the side of the dwelling to the rear garden, therefore no more potential overlooking could occur as a result of the new door than the existing situation. Thus, no adverse privacy impact would occur upon either of the neighbours.

The curtilage of No. 36 Warrington Drive adjoins the rear curtilage of the site to the South, therefore amenity impact assessment is essential for these neighbours too. I note that the proposed extension would be of a substantial enough distance and at an oblique angle from the neighbour to mitigate any potential amenity impact. Therefore, it is apparent that the amenity of the neighbours at No. 36 Warrington Drive would not be impacted.

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, instead it would increase the size of the existing third bedroom. Furthermore, it is clear that the driveway of the dwelling would accommodate for enough parking spaces for people inhabiting the dwellinghouse. Additionally, as the proposed extension would be to the side 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.

Other Matters

The neighbours at No. 23 Westwood Park Avenue have made an objection to the proposed extension regarding the ground levels. The proposed extension would be on a higher ground level than the neighbouring dwellings' plot, therefore the neighbour is concerned that a considerable amount of extra weight would be put on the ground when the only thing holding it up would be their single storey garage wall and a small breeze block wall creating the common boundary between the dwellings. Building regulations would cover this aspect of the process to ensure that the ground is stable enough to build an extension of this size on. This is not something which would be covered in the planning decision making process.

In terms of being unaware that the neighbours were applying for the proposed two storey side extension, this is a civil matter which would not be a factor in the planning decision making process.

CONCLUSION / PLANNING BALANCE

In consideration of all of the above, the application is recommended for approval. Due to the application having no adverse effect 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, subject to compliance with all conditions.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Hollins

Recommendation Date: 25/08/2022

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council