

## DELEGATED DECISION REPORT

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**SMD/2022/0240**  
**Valid 10/05/2022**

**28 CHURNET VALLEY  
ROAD  
KINGSLEY HOLT**

**PROPOSED LOFT  
CONVERSION**

**(FULL - HOUSEHOLDER)**

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### MAIN ISSUES

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

### DESCRIPTION OF SITE

The existing dwelling is within the semi rural village settlement of Kingsley Holt. It is a semi-detached property that sits at the southern end of the roadside. The property itself is rendered and features a dual pitched projection with a bay window. There is off road parking for 2 cars to the front.

### PROPOSAL

Planning permission is sought for an alteration to the existing roof comprising a hipped to gable roof modification and a rear dormer to accommodate an additional bedroom.

The dormer will be made of composite cladding.

The plans also show a relocation of a first floor side facing window, which would serve a stairwell.

### RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

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

SS1 Development Principles  
SS2 Settlement Hierarchy  
SS9 Smaller Villages Area Strategy  
DC1 Design Considerations  
T1 Development and Sustainable Transport

#### National Planning Policy Framework

Section 4 – Decision making  
Section 12: Achieving well-designed places

### SITE HISTORY

SMD/1991/0588 – Section 64 determination to see if planning permission is required for extension of dwelling WITHDRAWN 16/04/1991

## **CONSULTATIONS**

### **Publicity**

Site Notice expiry date: 23/06/22  
Neighbour consultation period ends: 08/06/22  
Press Advert: N/A

### **Public Comments**

|                        |                                        |
|------------------------|----------------------------------------|
| Neighbour comments     | No representatives received            |
| Town / Parish Comments | Kingsley Parish Council – No objection |

## **OFFICER COMMENTS**

### **Principle of Development**

The dwellinghouse is located within the 'smaller village' of Kingsley Holt, as identified by policy SS9 of the Local Plan (2020). Policy SS9 seeks to allow an appropriate level of sensitive development which enhances community vitality, which would include the provision of extensions to existing dwellinghouses. Where development is permitted it should reflect and enhance each village's special character and heritage by protecting and enhancing the setting and historic character of the village. The principle of the proposed development is therefore considered acceptable subject to consideration of the relevant policies.

### **Design**

The NPPF highlights that good design is a key aspect of sustainable development and should contribute positively to creating places which people wish to live and work. Paragraph 130 requires development to function well and add to the overall quality of the area for the lifetime of the development. It should respond to local character and history and be visually attractive as a result of good architecture, layout and appropriate landscaping. Paragraph 134 of the Framework advises that permission should be refused for development that is not well designed and where it fails to reflect local design policies and local design guidance, including supplementary planning documents.

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.

The adopted Staffordshire Moorlands Design Guide 2018 sets out the parameters which new development should respond to. In respect to extensions it states at paragraph 5.2 that:

*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 and to work with and not against the buildings character. The aim should be to revitalise the building without altering its fundamental character.*

Paragraph 5.5 continues:

*All 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. Setting back the new section from the building line and keeping the eaves and ridge lower than the parent building will normally help.*

This part of Chunett Valley Road comprises a mixture of dwelling types, with semi detached bungalows set behind generous grass verges to the north west and on the application side of the street, a mixture of two storey detached and semi detached properties, positioned much closer to the back of the highway. Properties on the application side of the road, appear to be older than surrounding houses.

The hip to gable extension to the roof would alter the overall character of the property, resulting in a gable end to the host dwelling, whereas the attached semi would have a hipped roof. This change would unbalance the roofscape of the pair of semi's when viewed from the street scene. This incongruous roof form would harm the visual appearance of the host dwelling and disrupt the balanced appearance of the semi detached houses.

The flat roofed rear dormer would negatively impact the overall appearance of the roofscape, by introducing a feature within the roof which is not common in the surrounding area. With its horizontally proportioned window, this would be at odds with the vertically portioned windows on the rear elevation. Cumulatively the flat roofed dormer and hip to gable extension would be out of character with the existing property, negatively affecting the overall appearance and character of both the host dwelling and the wider street scape. The proposal is out of keeping with the character of the street, particularly the neighbouring semi-detached property (no.30). Therefore the proposed scheme is not in accordance with LP Policy DC1 or NPPF 130(c).

### **Impact to neighbouring amenity**

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

No issues raised, the dormer serving a bedroom will not appear overbearing or cause privacy issues to immediate neighbours. This opinion is backed by there being no objection from the neighbouring properties to the proposal. This application is therefore considered to be in accordance with Policy DC1 of the Local plan.

### **Highway Safety**

Policy T1 of the Local Plan states that permission will only be granted for development incorporating adequate and satisfactory parking provisions.

The property benefits from off highway parking. The submitted plans show the proposal will increase the property's floor plan from 2 bedrooms to 3 bedrooms. For a property of 3 bedrooms, 2 parking spaces are required. It is demonstrated on site that the current parking arrangements can accommodate parking for 2 vehicles within the curtilage of the property and therefore meets with Staffordshire Moorlands Parking Standards. As such, the proposal will not 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**

It is also relevant to consider whether there is a fallback position in respect of the roof alterations.

The scheme combines a hip-to-gable with a rear dormer extension to create a larger loft space for the loft conversion. Due to the addition of the rear dormer extension which is not permitted development, full planning permission is required for the entirety of the scheme and therefore, it should be assessed under relevant national and local planning policy and design guidance. It has been demonstrated above why the scheme does not comply with these policies.

Furthermore, In the case of *Gambone v SSCLG and Wolverhampton City Council* [2014] EWHC 952, the Court considered the relevant authorities that deal with the fall back position. The Court concluded that consideration of the fall back position involves a two stage approach (paragraph 25 – 26):

- (i) Is the way in which the land may be developed a matter that amounts to a material consideration? It will be a material consideration where there is a greater than theoretical possibility that development might take place, for example, where there is a planning permission in place.
- (ii) Once the question of whether the fall back is a material consideration has been concluded, the question that then arises for the decision maker is what weight that should be attached to the fall back. The weight that might be attached to it will vary from case to case and will be fact sensitive. Issues that the decision maker will wish to bear in mind include the scale of harm that would arise if the fall back were implemented. The likelihood of the fall back occurring is also relevant to the weight to be attributed to the fall back position.

In this case, it is clear from the plans that both the dormer and hip-to-gable conversion are required to achieve the loft conversion to accommodate the new bedroom which the applicant seeks. Therefore, the alleged fall-back of a constructed hip-to-gable extension only under permitted development only a theoretical possibility of being implemented and is unlikely to occur. If the fall-back were implemented the harm would be no greater than under the application proposals.

For all these reasons, no weight is attached to the fall back as a material consideration in the planning balance.

## **CONCLUSION**

The proposal would comply with the with the relevant policies regarding highway safety and neighbouring amenity.

However the proposed scheme is not acceptable in relation to the relevant design policies and SPD. The addition of the hip-to gable and rear dormer extensions would disrupt the uniformity of the semi detached houses. The addition of the hip-to-gable extension would be incongruous amongst the rows of dwellings to the south eastern side of the road. Furthermore, it would unbalance in the pair of semi-detached dwellings, reiterating how this addition would be out of character with the existing dwelling and surrounding street scene. The proposed development as a whole would have a detrimental and out of place nature amongst the surrounding street scene and is therefore not supported by the Council. Therefore, this application is not considered to be in accordance with the NPPF and the Local Plan. It is therefore recommended for refusal.

**OFFICER RECOMMENDATION :     Refuse**

**Case Officer: Lisa Li c.o Rachel Robinson**

**Recommendation Date: 30/06/22**

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Signed by: Jane Colley Signature

**On behalf of Staffordshire Moorlands District Council**