

DELEGATED DECISION REPORT

SMD/2022/0378
Valid 09/08/2022

**25, OAK MOUNT ROAD,
WERRINGTON,
STAFFORDSHIRE, ST9 0BZ**

**TWO STOREY REAR
EXTENSION
(FULL - HOUSEHOLDER)**

MAIN ISSUES

Impact on the character and appearance of the host dwelling and area; and the amenity of the residential neighbours.

- Design and visual impact
- Neighbour amenity
- Highway matters

DESCRIPTION OF SITE

The application site is number 25 Oak Mount Road, Werrington, a brick and tile, two-storey, 4 bedroom, detached dwelling. The dwellinghouse has been successfully extended above the former garage in order to accommodate an en-suite bedroom extension. The extension did not result in the provision of an additional bedroom. On-site parking exists for the parking of up to 2no. vehicles on hardstanding to the front of the dwellinghouse with the provision of 1 no. space if the integral garage were to be used. A landscaped garden is located to the rear of the dwellinghouse and is enclosed by a 1.8m high closed board timber fence.

For the purposes of planning policy consideration, the application site is located within the Werrington and Cellarhead Development Boundary and is bound by residential properties to the north, and east. The site is not within any Conservation Area and there are no Listed buildings/structures or protected trees which need to be considered.

PROPOSAL

Planning approval is sought for the construction of a two storey rear extension.

Note: The existing single storey extension is not permitted development, this is due to the existing single storey extension jutting out beyond the pier, so it is considered a rear/side extension and guidance states that these should not be more than half the width of the original dwelling - which this extension is. In order to regularise the description has been changed to consider a two storey extension.

The ground floor is additional floorspace to the open plan kitchen area and first floor will provide additional floorspace to an existing bedroom to form dressing room, en-suite, and extension to the family bathroom. In addition, a projecting side window will serve bedroom 3.

A previous planning application, reference SMD/2018/0756, was refused. The subsequent appeal was dismissed reference: APP/B3438/D/19/32400147/0467. The submission seeks to address the reason for the dismissal of the appeal, that being: The inspector deemed that adequate living conditions would be created by the proposed extension; however, **this does not overcome the harmful incongruous form and appearance of the slab-faced and largely unrelieved brickwork of the extensions rear facing upper elevation** (*my emphasis*). It is for that reason the appeal was dismissed.

The amended proposal extends over the existing ground floor rear extension to provide a dressing room, en-suite, and extension to the family bathroom. In addition, a projecting side window will serve bedroom 3. It will be conditioned that all first floor windows shown on the approved plans will be obscured glazed in perpetuity.

The extension will be stepped down from the existing ridge level.

The extension will sit off the boundaries with all works contained within the site boundaries.

Roof will be tiled, and walls be brick to match the host dwelling.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted 2020)

S01 Spatial Objectives
SS1 Development Principles
SS8 Larger villages strategy
DC1 Design Considerations
T1 Development and Sustainable Transport

Supplementary Planning Guidance

1. Space About Dwellings
2. Design Principles for Development in the Staffordshire Moorlands: New Dwellings and Extensions to Dwellings.

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide

National Planning Policy Framework 2021

Including sections -
2: Achieving sustainable development
6: Building a strong, competitive economy
9: Promoting sustainable transport
12: Achieving well-designed places

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/2001/0763	First floor extension over existing garage	Approved
SMD/2017/0467	Proposed construction of a two storey Extension to rear of detached property	Refused
SMD/2018/0756	Proposed removal of conservatory and construction of a two storey rear extension	Appeal Dismissed

CONSULTATIONS

Publicity

Site Notice expiry date: 4 October 2022

Neighbour consultation period ends: 26/10/2022

Press Advert: N/A

Public Comments

Objection to initial plans submitted, from 21 Scholars Way received. Matters raised relate to:

- Submitted plans incorrect and misleading, single storey not permitted development
- Bedroom 3 window will not meet building regs standards
- Inadequate light and outlook in dressing room
- Extension would appear unduly overbearing and result in a significant loss of privacy, contrary to policy DC1
- Contrary to 25 degree rule

Objection to amended plans received from 21 Scholars Way. Above points replicated. In addition:

- The objector considers that the amended drawings still do not address the fact that the existing single storey extension requires planning permission (is not permitted development). This element should be treated as retrospective.
- The amended drawings do now show what is on the ground and the objector considers the design is contrary to the council's design guidance and is poor design.
- Non compliance to right to light 25 degree code, referencing Appendix 3: Space About Dwellings; Section A3.4 (12).
- The significant site level difference may exacerbate a potential loss of privacy, referencing Appendix 3: Section A.3.2.
- If the application is refused it should be submitted retrospectively for the single storey extension
- Oriel/obscure windows proposed are inadequate from both a light and outlook point of view – the dressing room will be used as bedroom
- Agree with a previous officer assessment that the extension will be overbearing

- Whilst the revised drawings try to demonstrate that the unprotected area within the existing wall is below the allowed 1m², the objector believes that it is the area of the new oriel window that is shown protruding into the 1m distance from the boundary. Therefore, we would question if the openable window would be large enough to allow egress once the 1m² was considered and what the impact would be for the size of window in relation to the ratio of the room (daylight/ventilation calculations etc).
- It is acknowledge that this may not be a planning matter, the objector feels that it is important to demonstrate compliance of Building Regulations to prevent further changes being made without permission at a later date.

Town / Parish Comments

Werrington Parish Council: No comments received during the consultation period

Severn Trent Water

The site is within a built up area, contact Build Over team for information about sewer assets.

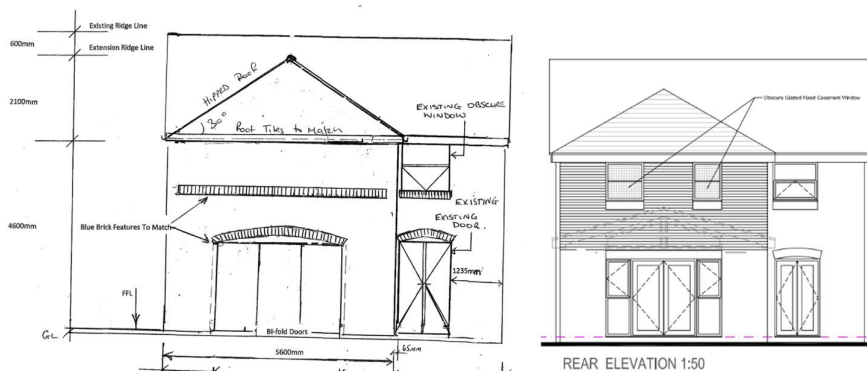
OFFICER COMMENTS

Principle of Development

Local Plan policy SS8 identifies the Werrington and Cellarhead area as a 'Larger Village' where there is support in principle for a range of developments including housing and employment related proposals. Whilst there are no 'in principle' objections to the application, all other material planning considerations must be satisfied for the scheme to be supported and in this instance include design, visual impact, neighbour amenity, parking, and drainage.

The application addresses the issues raised resulting in the dismissed appeal APP/B3438/D/19/32400147/0467, the inspector stated:

*adequate living conditions would be created by the proposed extension; however, this does not overcome the **harmful incongruous form and appearance of the slab-faced and largely unrelieved brickwork of the extensions rear facing upper elevation (my emphasis)**. It is for that reason the appeal was dismissed.*



Amenity

Policy DC1 requires that all new development is designed to protect the amenity of the area, including residential amenity, in terms of satisfactory sunlight, daylight, outlook, privacy, and soft landscaping.

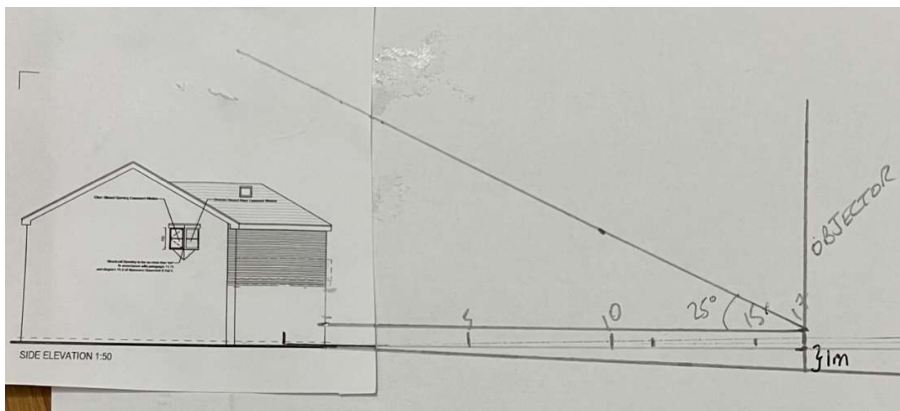
The inspector considered the Council's stance, and concluded that the size, layout and standard of accommodation within the extension was acceptable, it was the expanse of brickwork and bland design that was the issue.

The applicant has redesigned the rear elevation and to address this by inserting windows that are positioned so as to bring balance to the fenestration of the rear elevation. The windows will be obscure glazed. To the side the projecting oriel window will be part obscure glazed to protect neighbour amenity, allowing light into room 3. The insertion of the first floor windows has given relief and breaks up the expanse of brickwork at first floor.

The inspector did not object to the previously proposed two storey extension's size, massing, or light levels. Despite the objector raising a concern about potential loss of privacy, the inspector raised no concerns regards to impact on the neighbours amenity, potential for loss of privacy or reduced light levels. This amended proposal is considered similarly and raises no neighbour amenity concerns.

In accordance with the Staffordshire Moorlands District Council Design SPD the alterations now proposed harmonise with the parent building. No loss of amenity will occur as the windows will be conditioned to be obscure glazed and retained in perpetuity. There will be no impact on the amenity of the properties to the rear.

Taking the neighbours point of objection with regards to being overbearing and not in compliance with the 25 degree code, it is considered compliant as illustrated below:



The objector refers to the 25 degree code, Appendix 3: Space About Dwellings; Section A3.4 (12) is relevant, and the code is satisfied notwithstanding the difference in site levels.

The architect has confirmed, and there is no reason to dispute, that in terms of the side window not complying to building regulations, this is incorrect as:

" .. within 1m of the boundary you are allowed 1sqm of unprotected area, as it is unprotected the window could open. This is explained within paragraph 11.11 and diagram 11.5 of Approved Document B Vol 1.

The definition of an unprotected area is as follows:

Unprotected area (in relation to a side or external wall of a building) All of the following are classed as unprotected areas.

- Any part of the external wall that has less than the relevant fire resistance set out in Section 11.
- Any part of the external wall constructed of material more than 1mm thick if that material does not have a class B-s3, d2 rating or better, which is attached or applied, whether for cladding or any other purpose.
- Windows, doors or other openings. This does not include windows that are designed and glazed to give the necessary level of fire resistance and that are not openable."

A condition will be imposed removing permission to insert additional or amend window openings shown on approved plans at first floor level without approval. Taking the above into account and the imposition of the condition, this application is considered to be in accordance with Policy DC1 of the Local plan.

Design and impact on character and appearance of the locality

Concerns were raised regarding the description and the accuracy of the plans submitted for determination, the officers request for amended plans resulted in a period of reconsultation with interested parties, with one representation received.

The objector is concerned that the existing single storey is not permitted development, this is agreed – hence the amended description to consider a two storey extension. Note: a refusal would trigger the submission of a planning application for the single storey extension in order to regularise the development.

There are no concerns about the design, shape and size of the extension proposed in relation to either the existing dwelling or surrounding residential area/development. With the roof ridge of the rear extension being at a lower height to the existing roof, the proportions of the extension will ensure that it takes the form of a subordinate addition.

The addition of a rear extension will not result in any harm to the street scene in terms of the resultant shape of the building.

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 design of the extension is not unusual and conventional in appearance. The finishes will complement the host dwelling. There would be no harm to the character and appearance of the area or conflict with the NPPF or Policy DC1 of the Local Plan.

In addition, the Staffordshire Moorlands Design Guide states "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.” That has clearly been considered in this resubmission.

Highway Safety

No additional bedrooms are proposed; no concerns are raised, status quo remains the same – there is satisfactory off road parking provision serving the site.

Drainage

As the site is in an urban area and there may be a STW assets located within or adjacent to the application site an appropriately worded informative notes can be used to inform the applicant/developer of their responsibilities.

CONCLUSION / PLANNING BALANCE

An acceptable design providing additional living accommodation to meet applicant's needs. No harm to character and appearance of the area or residential amenity.

For the reasons outlined above, it is recommended that the application is approved subject to conditions and informative notes.

OFFICER RECOMMENDATION: CONDITIONAL APPROVAL

Case Officer: Pet Twigg

Recommendation Date: 2.11.2022

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council



Source Google Earth

Elevation across the profile between the site and 21 Scholars Way varies by 1m

262m at rear of 21 Scholars Way

263m at site