

Development Management
Staffordshire Moorlands District Council
Moorlands House
Stockwell Street
Leek
Staffordshire
ST13 6HQ

24 February 2023
EP ref: 22-141

Dear Sir/Madam

Re: Planning Portal Reference: PP-11955438
Householder planning application - Stonefield House, Tompkin Road, Stanley, Staffordshire

We are instructed by our clients, Mr & Mrs Hopkin, to submit a planning application for a single storey rear extension with minor external alterations to the existing dwelling.

The proposed rear extension represents a modest addition to the host dwelling, and it would enjoy a discrete presence within the streetscene and adjacent Stanley Conservation Area. The proposed external materials would harmonise with the existing property and a planning condition can be imposed to reference the materials shown on the submitted plans. The external alterations to the property, including minor fenestration alterations and a slight extension to the front entrance area to include removal of the existing front porch, would have a negligible impact on the external appearance of the property.

Given the separation distance to nearby properties and the scale of the proposed extension, there would be no implications for the residential amenity of nearby residential occupiers.

The proposed development is therefore fully compliant with the provisions of Policies SS9, DC1 and DC2 of the adopted local plan, and the Council's Design Guide, in terms of design and residential amenity and the setting of the adjacent Stanley Conservation Area. Planning permission should therefore be granted without delay in accordance with paragraph 11 of the Framework.

Notwithstanding the above point about development plan compliance, it should also be noted that prior approval was granted by the Council in January 2023 for the erection of a single storey rear extension (LPA ref: HNT/2022/0041). There is a requirement for this approved extension to be completed within 3 years (i.e. by January 2026), and this represents a viable 'Fallback Position' for the applicants.

There is a realistic prospect of the Fallback Position being implemented given that it provides similar accommodation to that now sought by our clients through this new householder planning application. The only

reason why planning permission is now required for the proposed development is because the height of the extension is now marginally above 3m, and the external material for the walls is now stone. Otherwise, the proposed development would comprise permitted development for the purposes of the Town and Country Planning (General Permitted Development) Order (2015 as amended).

If planning permission was refused by the Council for the proposed development, then the applicants would simply implement the Fallback Position pursuant to permitted development rights. We provide a summary of the differences between the proposed development and the Fallback Position below:

- The proposed rear extension would be of the same footprint and siting as the Fallback Position.
- There would be a negligible height increase of 175mm only and this is to allow for the removal of stepped access and ensure that the property is future-proofed for wheelchair access.
- The proposed rear extension would be finished in stone, whereas the Fallback Position extension would be finished in render.
- The proposed scheme now incorporates minor fenestration changes to the front and rear elevations.
- The ground floor entrance area to the front of the property would be clad in stone as part of the proposed development to better reflect the character of the surrounding area.
- The existing front porch would be removed, and the front entrance area slightly extended to allow for level access and future-proof the property.

The proposed development is preferable to the Fallback Position in terms of the overall character and appearance of the area given the external materials now proposed (i.e. facing stone), and it would ensure that the property is wheelchair accessible. In any event, provided that there would be no greater impact than the Fallback Position attracts significant weight in the decision-making process¹. The reason why accessibility is so important for the applicants is that one of the occupiers has a condition that causes mobility issues, and the works have been designed to meet their needs.

In summary, our principal position is that the proposed scheme is development plan compliant and planning permission should therefore be granted. In the event that the LPA was to identify any conflict with the development plan, then planning permission is justified regardless because of the Fallback Position.

We trust that this clarifies our client's position. Should you wish to discuss then please do not hesitate to contact us.

Yours sincerely
Emery Planning

Gareth Salthouse

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¹ Gambone vs. Secretary of State of Communities and Local Government (2014) EWHC 952 (Admin).