

DELEGATED DECISION REPORT

SMD/2023/0582
Valid 23/11/2023

61 OSTLERS LANE
CHEDDLETON

SINGLE STOREY REAR
EXTENSION AND
ALTERATIONS

(FULL - HOUSEHOLDER)

MAIN ISSUES

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

DESCRIPTION OF SITE

The application site relates to a detached dwellinghouse constructed of brick to the ground floor with a rendered first floor. The dwelling is set back from the road by a front garden and is located on a residential street with a mix of semi-detached, detached houses and bungalows. It benefits from a driveway to the side of the property and a rear conservatory. Due to the natural downward slope of the rear garden, the conservatory sits on a brick foundation so that the ground level of the conservatory is in line with the dwelling. The height of the brick foundation is no more than 1m high.

For planning purposes, the application site is located in the Development Boundary of Cheddleton.

PROPOSAL

Planning permission is sought for the erection of a rear extension and a patio area. It will replace the existing conservatory. The extension, to serve an open plan kitchen and dining room, will keep to the same ground level as its predecessor as it will sit on the same brick patio as existing. The extension features a flat roof with a roof lantern and will extend out onto a patio guarded by a balustrade with glazed panels.

The extension will have a length of 7.8m and a width of 4.2m with a ridge height of 4m, half a metre higher than the existing conservatory that will be replaced. It will feature a patio door guarded by a glazed balustrade.

The patio will project 1.8m from the extension and feature a 1.8m high glazed balustrade along the south elevation. The balustrade will wrap around the front and side of the extension reducing to 1.1m.

It will use matching facing brick material used on the existing dwelling.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffs Moorlands Local Plan (adopted September 2020)

SS1 Development Principles

SS8 Larger Villages Areas Strategy

DC1 Design Considerations

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

SMD/1982/0307 Construction of vehicular access Approved

CONSULTATIONS

Publicity

Site Notice expiry date: 05/1/24

Neighbour consultation period ends: 20/12/23

Press Advert: N/A

Public Comments

Neighbours	No representation was received
Cheddleton Parish	No objection
Severn Trent Waters	No objection subject to informatives
Highways	No objection

OFFICER COMMENTS

Principle of Development

Local Plan policy SS8 identifies Cheddleton 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 proposal is in accordance with Policy SS8 of the Local Plan.

Design and visual impact

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 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 the original building and be subordinate to it in terms of its size and massing.

When considering the wider visual impact, the proposed extension will be to the rear of the property and will not be visible from the public street-scene. It is single storey and as such, subordinate to the existing dwellinghouse. The flat roof extension, while larger than its predecessor, will be an improvement to the gable conservatory and better utilises the space that it currently offers. The impact on the amenity of neighbouring properties is considered below.

Owing to the appreciable change in level at the rear, the existing conservatory sits on top of a brick platform in order to maintain level access with the dwelling. The extension will sit on the same level as the existing conservatory that will be replaced whereas the proposed patio will partially sit 0.2m lower than the extension. The extension will extend out into the garden by an additional 1.4m and beyond this a raised patio area approx. 1.8m in width is proposed. While this may appear considerably large, on the whole, the garden space is able to accommodate the mass and appear proportionate to the host dwelling. As such, the extended brick foundation and patio would be sympathetic to the size of the site.

In terms of proposed materials, it will use matching facing brick and single ply roofing membrane. The foundation below the extension will also be exposed brick. It will be a modern addition to the dwelling that would be sympathetic to the dwelling and would be visually acceptable.

This application is therefore considered to be in accordance with Policy DC1 of the Local plan.

Neighbouring amenity

Paragraph 127(f) of the NPPF (2019) and policy DC1 seeks to secure development that protects amenity, including residential amenity, in terms of satisfactory daylight, sunlight, outlook, privacy and soft landscaping.

The main neighbouring properties that this proposal would impact upon are the neighbouring properties at: 59 Ostlers Lane to the north of the site, 63 Ostlers Lane to the south of the site and 30 Ostlers Lane to the east and south of the site. 63 Ostlers Lane is a corner plot that adjoins the side of the applicant's boundary and 30 Ostlers Lane property runs along the side of the applicant's rear boundary such that its rear elevation and conservatory faces the applicant's garden. A portion of No. 30's garden doglegs around the applicant's rear boundary.

It is considered that the proposed extension will improve both neighbours' privacy and outlook at No.59 and No. 63 as both sides of the extension will be bricked up. The extension will undoubtedly be larger in length however, as the extension remains single storey and retain the same height as the existing conservatory, excluding the roof lantern, it would not appear overbearing.

No.30 is a bungalow. It has a number of habitable windows, including a bedroom window and a rear conservatory which faces the side boundary of the application site. There are concerns that the proposal will result in an intrusive and unneighbourly

development. This is because the extension and patio will collectively project out an additional 3.2m (double the length of the existing conservatory) bringing the extension and patio closer to the rear elevation of No 30 and its private garden area. The neighbour's privacy will be compromised owing to the fact that the applicant's garden sits considerably higher than No.30's rear garden, creating a precedence of overlooking and, the extension and patio will run close to the boundary with No 30. As a result the proposal would result in undue visual impact and would result in loss of privacy from the patio area through direct overlooking and the perception of overlooking, due its close proximity and elevated height. Whilst it is acknowledged that No 30 is partially screened by a shared hedge, the raised patio would sit above these elements.

During the planning process, the Agent revised the scheme to provide a 1.8m high glazed balustrade along the side of the patio facing No.30 and reduced the finished floor level of the patio by 0.2m. She noted that the patio would merely provide a safe passage to the lower garden, rather be used as an area for sitting out or gathering.

However these measures are not considered to address the harm identified above nor is it accepted that the patio area would simply be a route to the lower garden rather than provide an area for sitting out/gathering. In any event the Council would not be able to control the use of the patio area in this manner. These revisions do not address the visual impact and loss of privacy discussed above.

As for impact on daylight, the extension does not breach no.59 and no.63's daylight. Any loss of daylight to No.59 will be the result of the applicant's existing detached garage to the rear and No.63's rear elevation faces the full length of the applicant's side elevation. The neighbour's daylight at No.30 will not be breached by the proposal as their existing conservatory and north facing position of the dwelling together would be detriment of the neighbour.

Policy DC1 requires that all development should protect residential amenity in terms of, amongst other matters, visual impact and privacy. The NPPF also says that planning decision should ensure that development should create a high standard of amenity for existing and future users. For the reasons given above, it is not considered that the amenity of No 30 is protected and there is conflict with Policy DC1 and the NPPF.

Highway Safety

Section 9 of the NPPF states that developments should achieve safe and suitable access to the site for all users. Policy T1 of the Local Plan states that permission will only be granted for development incorporating adequate and satisfactory parking provisions.

The construction of the extension to the rear of the property does not have a detrimental impact on the current parking arrangements. The is considered to be in accordance with Section 9 of the NPPF and Policy T1 of the Local Plan.

Other matters

Severn Trent Waters were consulted. They have raised no objections to the proposal.

CONCLUSION

The proposal would adversely affect the amenities of No.30 Ox Pasture by means of undue visual impact and loss of privacy. Accordingly, the application would conflict with Policy DC1 and the NPPF. It is therefore recommended for refusal.

OFFICER RECOMMENDATION : **Refusal**

Case Officer: Lisa Li

Recommendation Date: 06/02/24

X 

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council