

DELEGATED DECISION REPORT

SMD/2023/0623
Valid 05/12/2023

3 BADNALL CLOSE
LEEK

SINGLE STOREY FRONT
EXTENSION

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design
- Amenity impact

DESCRIPTION OF SITE

The site is a mid-terrace red brick house dating from the mid-20th Century. The property is in an urban setting in 4-property terrace. Access to the terrace is pedestrian only, from Badnall Street or the Leek Town 9 footpath.

PROPOSAL

The proposal is for a single storey pitched roof front extension to provide a w/c and porch. It will extend approximately 2.5 metres wide and 3.25 metres out from the principal elevation. The extension will be approximately 3.3 metres to roof ridge and 2.5 metres to the eaves. The plans also show a pitched roof being added to the existing plat roof of the protruding window bay/ existing porch.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted 2020)

SS1 Development Principles
SS1a Presumption in Favour of Sustainable Development
DC1 Design Considerations
T1 Development and Sustainable Transport
SS5 Leek Area Strategy

National Planning Policy Framework

Paragraph(s) 1 -14, 47, 131, 135.
Section(s) 4 – Decision making, 12 – Achieving well designed and beautiful places.

Adopted Supplementary Planning Documents/Guidance (SPD/G):

- Design Principles for Development in the Staffordshire Moorlands
- Staffordshire Moorlands Design Guide SPD

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

- None.

CONSULTATIONS

Publicity

Site Notice expiry date: 24/01/2024

Neighbour consultation period ends: 02/01/2024

Press Advert: N/A

Public Comments

One objection regarding the impact will have on the party wall with the neighbouring property. Concerns regarding the impact of the pitched roof on the flat roof of the neighbouring property in terms of water damage, as well as concerns about how the proposal comes right to the property boundary.

Town / Parish Comments

No comments received.

Staffordshire County Council Highways

No comments received.

Severn Trent Water

Having reviewed our statutory sewer records, they demonstrate the following sewer with associated protective strip:

- *100mm diameter foul sewer – with a protective strip of 3m either side of the pipe, thus providing 6m across the diameter to the pipe.*

OFFICER COMMENTS

Principle of Development

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.

The proposal is within the Leek Development Boundary and therefore acceptable in principal.

Design

Paragraph 131 of the NPPF states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

SMDC Policy DC1 requires development to be of a high quality and add value to the local area, incorporating creativity, detailing and materials appropriate to the character of the area; and be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, height, density, layout, siting, character and appearance.

Staffordshire Moorlands District Council's Design Guide SPD outlines the Council's expectations in respect of design and states that extensions should harmonise with the parent building. 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.

Building an outrigger from the front elevation of a terraced house undermines and erodes the dominance of the front elevation by making the front elevation similar in appearance to the rear elevation of a terraced house, which would typically have an outrigger. A pitched roof porch, at right angles to the house, in this situation would completely change the way in which these properties are read and relate to the street scene.

The Design Guide SPD states that "*porches must be appropriate to the property and well designed. They rarely look right on small cottages and often spoil terraced properties. They detract from the basic simplicity of such buildings. In these cases, an internal porch is the better solution.*" Like most terraced properties, there is a strong singular frontage along this terrace, and it would be inappropriate to break that with even one addition to the front elevation. The Design Principles for Development SPD states that it is generally not acceptable to build in front of, or along the building line, unless design benefits accrue and neighbours are not disadvantaged. There are no design benefits accruing from this proposal as the proposal is typical of a rear extension, which is inappropriate on the front of a property. Therefore the proposal is contrary to the SPD's.

NPPF paragraph 139 states that "*development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes*". The proposal is not well designed and fails to reflect local design principals and guidelines, and as per NPPF guidance, should be refused.

Policy DC1 aims to create, where appropriate, attractive, active, functional, accessible and safe public and private environments which incorporate public spaces, green infrastructure including making provision for networks of multi-functional new and existing green space (both public and private), landscaping, public art, 'designing out crime' initiatives and the principles of Active Design. This proposal fails to meet the requirements of DC1 to be acceptable as the design is inappropriate visually, and in terms of size and siting.

The agent has the opinion that "*the design guide is rather clearly designed to cover pre-1919 narrow fronted terraced houses with a road frontage and should not be used to regulate a short row of dwellings of modern design without a road frontage*".

The Case Officer response is that this is an interpretation on the part of the agent, for which there is no basis in the Design Guide and therefore the Case Officer does not accept this as a valid reason for allowing the proposal. While the properties may not front a highway, they front the street known as Badnall Close.

Amenity

Paragraph 135 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 site is bounded by 1 Badnall Close to the southwest, and 5 Badnall Close to the northeast. The proposal wouldn't have an amenity impact on the neighbours in terms of overlooking as the proposed window will be glazed as it is intended to be used as a porch and toilet. The proposal does have the potential to cause overshadowing due to the location to the south of the property. The proposal would cause shadow over the applicants own house and garden, as well as a shared rear access passageway. The amenity impact on the application property is a consideration as paragraph 135 f) of the NPPF seeks to secure a high standard of amenity for all existing and future occupants.

While the main outdoor spaces for the terrace are at the rear, the proposal will cause shadowing for a principal window at the same property.

Highway Safety

Paragraph 104 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 scheme would have no impact on highway safety as it does not add bedrooms or remove parking availability, and therefore is compliant with Policy T1.

Other Matters

The agent for this application has requested his comments to be included into the report. The following are his comments which have not been covered in other areas of this report.

- *"The provision of an accessible ground floor w/c is not particularly for an immediate occupier's need but is for the benefit of future occupiers and visitors."*

Case Officer response to the comments: this comment seems to undermine and diminish the claim for a need for the facilities which would be provided in the front extension. The harm caused to the visual amenity and the property as a result of the proposal clearly outweighs the need for the extension.

- *"Without such provision the dwelling is defective under criteria reflected in the current Building Regulations and indeed would be if assessed by the Dept of Housing and Levelling Up / Building Research Establishment under their annual English Housing Survey."*

Case Officer response to the comments: this may be the case, and whilst modern requirements may have introduced different standards, this property is not without

amenities and the need for the additional facilities does not outweigh the harm caused.

- *"It is not feasible to construct the required extension to what is perceived to be the rear because of the close proximity of a public sewer / expected foundation difficulties / lack of construction machinery access / would not fit with existing room layout"*

Case Officer response to the comments: the impossibility of building at the rear of the property has not been demonstrated conclusively to the LPA. Even so, the possible lack of ability to build elsewhere does not outweigh the harm which will be caused by building off the front elevation. The assessment here remains that the proposal is inappropriate.

- *"The so called front of this property is in fact no different in appearance from what is perceived as being the rear and could equally be construed as being the rear in that it faces onto a yarded area and does not front a road. It simply has rear access. It can be considered to be the principal elevation but that is not the same as being the front. The principal elevation can be any elevation."*

Case Officer response to the comments: While the principal elevation can be any elevation, in this case the principal elevation fronts Badnall Close, and is being built upon and added to. The other elevation of this property fronts private garden. It is clear to the Case Officer which elevation is the front, principal elevation, and does not accept the agents opinion on this.

CONCLUSION / PLANNING BALANCE

On balance, the proposal is deemed inappropriate in design terms, and is contrary to the LPA's design SPD's. The NPPF states that development that is not well designed should be refused. The proposal is not supported by Local Plan policies regarding design and amenity. No overriding need for these additional facilities is apparent, and therefore the harm caused by the design of the proposal and to the street scene remain. The application is recommended for refusal on the grounds that the proposal and design is inappropriate and contrary to Policy and SPD's.

OFFICER RECOMMENDATION : Refuse

Case Officer: Reuben Berriman

Recommendation Date: 28/02/2024

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

