

DELEGATED DECISION REPORT

SMD/2024/0105
Valid 14/03/2024

7 RAILWAY COTTAGES
CHEDDLETON ROAD
LEEKBROOK
LEEK

TWO STOREY FRONT AND
SINGLE STOREY REAR
EXTENSION

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Neighbour amenity
- Design

DESCRIPTION OF SITE

The site is a two storey, red brick mid-terraced house dating from the Victorian period. The site is set well away from a public highway down a private road. The principal elevation of the property fronts a small, walled paved yard which is currently in use as a driveway. Beyond the yard at the front is a large communal parking area with more modern concrete garages. The neighbouring properties on either side of the application site have large front extensions which appear to incorporate original outbuildings/ coal stores. The application site does not have an extant outbuilding.

PROPOSAL

The proposal is for a dual pitched single-storey front extension, and a two storey extension at the rear, approx. 4 metres wide, and extending 3.5 metres from the front of the dwelling, 2.85 metres to the eaves, and 3.35 metres to the roof ridge, approximately. The extension at the rear will extend to be flush with the existing gable end of the outrigger at ground floor level (Approx 3.63 metres), and at first floor level, approximately 2 metres from the existing rear wall. At the rear, the extension will be as wide as the gap left between the boundary of the property and the recessed rear wall, which is approx. 3 metres. The ground floor element will have a lean-to roof where it meets the two storey element, which will have a dual pitched gable to match the existing rear outrigger. This part will have a total height of 6.43 metres, approx. 5 metres to the eaves.

Revised plans have been received as the original proposal included a balcony at first floor level, which was unacceptable on amenity grounds due to the harm from overlooking into the neighbouring rear garden. The revised scheme has remedied this.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (Adopted 2020)

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

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
- Space About Dwellings SPD

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

- None.

CONSULTATIONS**Publicity**

Site Notice expiry date: Expired

Neighbour consultation period ends: Expired

Press Advert: N/A

Public Comments

Two comments in objection to the original scheme. The issues raised are:

- Poor and incomplete record of underground utilities and water assets.
- The proposal would build over the mains electricity cable which serves the whole terrace, as well as the common rainwater drain.
- Concerns about where the toilet will drain to, as the common drain is for rainwater only.
- The invasion of privacy from the balcony [now removed from the scheme].
- Overlooking No. 6 to the rear (railway side).
- Blocking light from both NO 6 (railway side) and No. 8 (yard side).
- The front extension is not in keeping with the rest of the terrace.
- Noise and dust pollution as a result of the building works.
- Party wall concerns.
- The applicant has implied the proposal may not be built in line with the submitted plans.

One comment neither in objection or support. This comment draws attention to the issues raised in the objection letters and urges the Case Officer to speak to the neighbour.

Consultation on amended plans. One comment received:

I am relieved that the proposal does not now include the intrusive balcony. However, it does not address the points I have made previously with regard to building over the mains electricity cable, discharging waste water and sewage into an open run-off drain and possibly blocking the run-off drain on the yard side. The new staircase which is to be positioned against the partition wall with my property may not be loadbearing. Perhaps these are matters for building regulations to address. I certainly hope they will do so.

[NB: These issues will be addressed at the end of the report in 'Other Matters'].

Town / Parish Comments

Initial proposal: Objection – the scheme was viewed as being unneighbourly.

Revised proposal: At a meeting of Leek Town Council Planning Committee on 16th July 2024, the council noted that the application has been resubmitted with changes. The

committee noted the comments from the resident and felt these matters are for the building regulations officers to check as they are of a technical nature. Please can the Planning Committee make sure these technical matters are inspected.

Staffordshire County Council Highways

Acceptance.

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 located in the Smaller Village of Leekbrook, and therefore falls under Policy SS9. SS9 states that Smaller Villages shall provide only for development which enhances community vitality or meets a social or economic need of the settlement, including limited housing development. The application proposes a front and rear extension to an existing property, and is therefore acceptable in principle.

Design

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.

Paragraphs 131 and 135 of the NPPF outline what is expected of good design and required for the development of high quality, beautiful places, and provides for a high standard of amenity for existing and future users. 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. In this case, the proposal goes against the design guide as it seeks to extend off the principal elevation. However this is in fact in keeping with the surrounding properties and would therefore not be harmful in the street scene and is acceptable in design terms. The proposal also seeks to extend from the rear of the property, which is also acceptable in design terms as the proposed extension is in keeping design wise with the existing development, with corbelled eaves details, and decorative sash and sill details on the windows. The revised plans are therefore in keeping with the host dwelling and the surrounding area and acceptable in design terms.

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 No. 6 Railway Cottages to the east, and No. 8 Railway Cottages to the west. There have been concerns relating to amenity relating to No. 6, as a result of the proposal, namely the potentially overbearing and overshadowing effect of the development to the rear. This has been assessed, and while it is considered that there could be an issue with the proposal being overshadowing, the positioning of the proposal facing north, and being flush with the existing development, and there not being any principal windows

affected, it is not considered that the proposal would have a materially greater effect than the existing development.

In regard to the proposal being overbearing, as it is built on the boundary of the two properties, this has been considered, however the Permitted Development fallback must also be considered. The PD fallback is 3 metres from the rear of the property, and 4 metres tall, with eaves height being 3 metres. The size of the rear garden must also be considered, and as there is a large amount of outdoor space away from the area which would be impacted. With this considered, the proposal is not thought to have an unacceptable impact on the amenity of No.6. The proposal would not impact No. 6 at the front due to the extant front extension at No.6.

The proposal would not impact No.8 at the rear due to the positioning of the development behind an existing outrigger. At the front, it was considered that the flat roofed extension as previously submitted could be overbearing to No.8, the scheme was amended to provide a pitched roof which would be more in keeping with the area and lower the eaves of the proposal. The amended plans are now considered to have no materially greater amenity impact on No.8, than the existing high boundary wall

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 site is set well away from the public highway down a private road with a large parking area which is more than enough to accommodate residents and guests for the property. the proposal would therefore have no impact on Highway Safety.

Other Matters

There have been a number of issues raised by interested parties, and they will be addressed here. Firstly, it is noted that the Case Officer visited the site, and spoke with both the neighbours from No.6 and No.8.

The issues raised and Case Officer comments are as follows:

- *Poor and incomplete record of underground utilities and water assets. This is not a planning consideration. This will be down to Building Regulations to assess.*
- *The proposal would build over the mains electricity cable which serves the whole terrace. This is not a planning consideration. This will be down to Building Regulations to assess.*
- *The foundations for the extension at the rear would be likely to damage a common drain which runs along the length of the terrace. This is not a planning consideration. This will be down to Building Regulations to assess.*
- *Concerns about where the toilet will drain to, as the common drain is for rainwater only. This is not a planning consideration. This will be down to Building Regulations to assess.*
- *The invasion of privacy from the balcony. The balcony has now been removed from the scheme.*
- *Overlooking No.6 at the rear (railway side). It is not considered that the proposed additional windows at the rear of the property, which are to serve the stairwell, would have an impact on overlooking.*
- *Blocking light from both No. 6 (railway side) and No. 8 (yard side). Amended plans have been supplied which show a pitched roof at the front of the property, and this is considered to have less of an impact on overshadowing at No. 8. As the*

rear extension faces directly north, the proposal would have no greater impacts on overshadowing No. 6.

- *The front extension is not in keeping with the rest of the terrace. The front extension, now revised, is considered in keeping with the rest of the terrace as it has a pitched roof with corbelled eaves. Granted, the tradition is for the coal store/ outbuilding to be converted into a front extension, however No.7 does not have an extant outbuilding. It is therefore acceptable for the proposed extension to be built on the other side of the property, as this is still considered to be in keeping.*
- *Noise and dust pollution as a result of the building works. This is not a planning consideration or reason for refusal as all development works result in some level of disturbance.*
- *Party wall concerns. This is not a planning consideration or reason for refusal. Concerns about ownership of the party wall are a civil matter.*
- *The applicant has implied the proposal may not be built in line with the submitted plans. This is not a planning consideration as it is speculation – any development not built in accordance with approved plans is liable to enforcement action.*

With regard to the reconsultation comments:

Building over the mains electricity cable, discharging waste water and sewage into an open run-off drain and possibly blocking the run-off drain on the yard side and the new staircase which is to be positioned against the partition wall which may not be loadbearing are all matters for building regulations.

CONCLUSION / PLANNING BALANCE

On balance, the proposal is acceptable in principle, and in terms of highway safety. The proposal is considered to be acceptable in terms of neighbour amenity, and design, despite presenting some issues, namely development off the principal elevation is not normally considered good design, however the proposal in this case is in keeping with the neighbouring properties, which all exhibit front extensions. The issues raised by the public have either been resolved through the planning process with revised plans, or are not issues which can be considered at this stage and will be remedied through Building Regulations. In light of this, the application is recommended for Approval, as the proposed development does not present unacceptable planning issues.

OFFICER RECOMMENDATION : **Approve, subject to conditions.**

Case Officer: Reuben Berriman

Recommendation Date: 19/07/2024

X 

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council

