

DELEGATED DECISION REPORT

SMD/2025/0174
Valid 01/04/2025

DEEPDALE BIRCHALL
LANE
LEEK

REAR GARDEN
LANDSCAPING TO CREATE A
RAISED TERRACE, STONE
GABION WALLS AND SINGLE
STOREY REAR EXTENSION
TO DWELLING.

(FULL - HOUSEHOLDER)

MAIN ISSUES

The impact on the character and appearance of the area.
The impact on residential amenity.

DESCRIPTION OF SITE

The site is within the Development Boundary of Leek and is on the southern edge of Birchall, an area of spacious low-density detached housing, with the Development Boundary running along the south boundary of the site. It lies at the end of one of the Birchall Lane cul-de-sacs. There is a large two-storey detached 1950s style house with a render finish. To the rear (east) is a new-build dwelling which was built in the former back garden of Deepdale on substantially lower ground. The access to this backland plot bends around Deepdale to the south and then east and then continues to slope downwards to the plot. Woodland rises up to the east of the new plot. To the south of the site is open land and fields. To the west and north are other detached dwellings also reached via the Birchall Lane cul-de-sac.

PROPOSAL

This is a full householder planning application for earthworks to the rear of the house, on an embankment to help support a proposed single-storey rear extension and enlarged terrace/outdoor seating deck (enclosed by new perimeter railings) supported by posts on the embankment. The part of the embankment to the south of the enlarged decking would be built up and landscaped, including a planting strip level with the house. The part of the embankment to the north of the enlarged decking would have a 3.8m high stone gabion wall added, which is slightly tilted diagonally towards the house. This would support a new flat lawn area and further planting, level with the house, forming part of an enlarged level rear decking and garden area accessed straight from the ground floor of the house.

The proposed extension would accommodate part of a large open plan living/dining/kitchen area and would have rear and side bi-folds to allow access directly onto the proposed enlarged deck (and new garden areas). It would have a cream render finish to match the house and a low-pitch tiled roof (also to match the

house) with a gable end. The decking area would project from 6.8 to 8.7 from the original rear wall of the house. It would be widened from 9.2 to 11.8m.

This is shown on amended plans which differ with the original plans submitted. The applicant chose to change the plans before the assessment of the original plans was undertaken. The original plans show a diagonal “crib wall” added the whole way across the embankment which would be filled in by earthwork and which would and which would support the proposed enlarged decking area.

Although the original submission stated the rear extension was “permitted development”, I consider that it would have required a planning permission due to it forming a larger development with the rest of the proposal and the extension was simply added to the application.

Further amended plans were received on 11th July 2025. These primarily involved the removal of the diagonal stone gabion wall to the north of the house, supporting a proposed lawn and planted garden area and the replacement with a smaller garden area (with the east edge pushed back towards the house) supported by earth banking and a 1.6m stone wall (with a finish to match the other existing garden walls) at the top marking the new east edge of the garden.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (Adopted Sep 2020)

DC1 Design Considerations

National Planning Policy Framework (NPPF) (Feb 2025)

Sections 12 (Design).

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

None relevant.

CONSULTATIONS

Publicity

Site Notice expiry date: 27.5.25

Neighbour consultation period ends: 27.5.25.

Press Advert: N/A

Public Comments

One letter of support from a neighbour who lives to the north-west of the site.

Town / Parish Comments

None.

Local Highways Authority

No objection.

OFFICER COMMENTS

The proposed development is entirely to the rear of the house and would not be visible from roads, footpaths (the nearest of which is a considerable distance to the south) or the public realm in general. It would not significantly harm the character and appearance of the area. The proposed extension would not be out of keeping with the form, design and materials of the existing house.

With regard to the impact on neighbours, the only dwelling the works would be visible from is the new dwelling which was built on the backland plot to the east (which was formerly the rear garden of the house on the application site). There is a considerable drop in ground levels to the new plot from the application site. The west elevation of the new dwelling to the east would not directly face the new earth banking and stone wall (where a previous diagonal taller stone gable wall was going to be placed on the previous superseded plans). There is a distance of at least 40m between the east elevation of the dwelling on site and the west elevation of the new dwelling. This distance together with the location of the raised garden works to the north of the house would allow only views of the works at a diagonal angle from the west facing windows of the new house. The amount of vegetation screening and trees on the slope to the rear of the site is such that the works would not appear significantly intrusive from the property to the east to the extent that it would lead to overall harm to the residential amenities of the new backland plot.

The proposed large terrace due to its siting and elevated position above the new plot would lead to potential for noise, disturbance and overlooking affecting the residents of the new plot to the east. However, there is an existing large outdoor terrace in the same location. The proposal would enlarge it and push this out towards the new property to the east although with the proposed rear extension to the house into the existing decking area, the resultant overall size of the new decking area would not be much larger than existing. As stated above, there is a 40m gap between the two houses and there is ample vegetation screening on the slope in between. The garden area of the new plot appears to be on the opposite side to the application site i.e. lies to the east of the new dwelling. Furthermore, the plans amended on 11th July show a smaller new lawn garden area to the north of the dwelling, pushed back towards the existing house on site and away from the new plot. Due to these factors, I do not consider the proposed new decking would lead to any significant additional loss of privacy or noise and disturbance affecting the new neighbours in relation to the impacts of the current terrace.

CONCLUSION / PLANNING BALANCE

The proposal on the latest amendments received on 11th July 2025 would not lead to any significant harm to the visual or residential amenities of the area. The proposal would therefore comply with Council's Local Plan (including Policy DC1 'Design Considerations') and the government planning guidance contained in the National Planning Policy Framework (NPPF).

OFFICER RECOMMENDATION : APPROVE

Case Officer: Chris Johnston
Recommendation Date: 4.8.25

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council