

DELEGATED DECISION REPORT

SMD/2025/0238
Valid 15/05/2025

22 MILL HAYES ROAD
KNYPERSLEY

FRONT AND REAR, FLAT ROOF SINGLE-STOREY EXTENSIONS, WITH THE INTERNAL GROUND FLOOR LAYOUT BEING RECONFIGURED TO CREATE AN OPEN-PLAN LIVING SPACE. THE EXISTING ROOF WILL BE ALTERED TO ACCOMMODATE FOR A REAR FLAT ROOF DORMER AND A FRONT PITCHED ROOF DORMER. THE SCHEME WILL OFFER A BEDROOM AND BATHROOM TO THE ROOF SPACE, INCLUDING A STUDY AND STORE CUPBOARD. (FULL - HOUSEHOLDER)

MAIN ISSUES

- Design
- Amenity
- Highway Safety

DESCRIPTION OF SITE

The proposed site comprises a detached brick and tile dwellinghouse and its associated curtilage, situated in the Biddulph South Ward. The site is within the Biddulph Development Boundary, where the Staffordshire Moorlands Local Plan seeks to concentrate development. No. 20 Mill Hayes Road lies to the North-East of the site and No. 24 Mill Hayes Road is situated to the South-West. The rear curtilage of the site adjoins the rear curtilages of No. 19 and No. 21 Colwyn Drive to the North-West. The Mill Hayes Road highway runs adjacent to the South-Eastern curtilage of the site.

It is noted that a number of properties within the estate have been extended, with a variety of rear and front dormer windows, however the established character of the original estate has been largely retained.

PROPOSAL

The proposed development consists of a single storey rear extension, a rear dormer extension, a front dormer extension and a single storey front extension. The proposed extensions would allow for a larger kitchen / living / dining space, a larger second bedroom, a larger bathroom and a W/C on the ground floor and a third bedroom, an additional bathroom, a study and a store on the first storey. Materials used in the construction of the proposed extension would match those used in the construction of the existing dwellinghouse, including brick, tiles, hung tiles, single ply membrane and cream UPVC.

Notably, the proposed development is a revised scheme from the initially proposed development, with neighbours having been reconsulted.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan (2020)

SS1 Development Principles
1a Presumption in Favour of Sustainable Development
SS2 Settlement Hierarchy
SS6 Biddulph Area Strategy
DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 – 14
Section(s) 4 – Decision making, 12 – Achieving well designed places

Biddulph Neighbourhood Development Plan Referendum Version December 2023

DES1: Design
DES2: Public Realm, Car Parking and Movement

Staffordshire Moorlands Design Guide SPD

Part 5 – Alterations, Extensions and Conversions

Staffordshire Moorlands Space About Dwellings SPD

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

N/A

CONSULTATIONS

Publicity

Site Notice expiry date: 10/01/2026

Neighbour consultation period ends: 09/01/2026

Press Advert: N/A

Public Comments

Four public comments have been received from surrounding neighbours, raising the following concerns:

- The proposal conflicts with the National Planning Policy Framework (NPPF), which requires development to provide a high standard of amenity for existing residents.
- Planning policy requires that development proposals are well designed and that harm to neighbouring occupiers is minimised wherever possible. Where a less harmful alternative exists that would deliver the same benefit, it is unreasonable to approve a scheme that causes demonstrable and unnecessary harm when a clearly preferable and non-intrusive alternative is available.
- The windows in the rear dormer extension would serve a bedroom (a primary, habitable room), leading to a severe loss of privacy and residential amenity for neighbours. Any rear dormer should be strictly limited to non-habitable accommodation, such as a bathroom only.
- Overlooking into neighbours' primary, habitable living space (kitchen / diner and lounge) and garden would occur as a result of the windows in the rear dormer extension, having detrimental impact on their privacy amenity, living environment, personal space and general wellbeing.
- There would be breaches of the 21 metre rule that looks to ensure the privacy between habitable windows, leading to direct overlooking.
- Where existing dormer windows do result in some degree of overlooking, this is generally limited to bedroom windows, which are secondary living spaces and typically subject to less frequent daytime use.
- The harm caused by the proposed development could be avoided by locating the bedrooms to the dormer extension on the front elevation of the property and the bathroom to a single dormer on the rear elevation complete with obscure-glazed windows, which would prevent overlooking and protect the privacy of neighbouring residents.
- We would like it noted that we did not receive a letter concerning this application even though we were on the consultation list. (We were informed by our neighbours). Also have not seen any planning notices in the area concerning this application.

Town / Parish Comments

Final Comments

Biddulph Town Council have provided the following comments:

Recommended Conditions:

*Refer planning officer to concerns regarding non-compliance with Biddulph NP policies **DES1 & DES2** and consideration of valid neighbours concerns regarding invasion of privacy.*

Additional Comments:

DES1 – Revised design is now more in keeping with surrounding extended properties, retaining the characteristic front room apex, however dominant rear elevation overlooks neighbouring properties.

DES2 – still no details of parking spaces for increased property size required to comply with DES2, SMDC min 3 parking spaces defined in curtilage of 4 bedroom property, while only 3 rooms are designated as bedrooms, the upstairs study/store room may fulfil the same function.

Since the original application was considered, 3 objections have been lodged by residents on Colwyn Drive, who back onto the property and would be overlooked by the proposed rear dormer windows.

OFFICER COMMENTS

Principle of Development

Paragraph 11 of the National Planning Policy Framework (NPPF) promotes a 'presumption in favour of sustainable development'. For decision takers this means (c) approving development proposals that accord with an up-to-date development plan without delay; or (d) where there are no relevant development plan policies, or the policies which are more important for determining the application are out-of-date, granting permission, unless: i) the application of policies in the Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed; or ii) Any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the Framework taken as a whole.

Paragraph 8 of the NPPF identifies three dimensions to sustainable development as being economic, social and environmental.

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. A concentrated focus on future growth is to be directed to larger settlements, including Biddulph. When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework (NPPF).

In compliance with Policy SS6, new development will be directed to the most

sustainable locations. The site lies within the town of Biddulph, which is one of the main urban areas where the focus of new development will be directed, with the aim of crafting all development to enhance the character and appearance of the town.

The proposed site is within the Development Boundary, thus the proposed works are acceptable in principle, subject to conformity with other relevant national and local planning policies. The main issues which need to be considered as part of the assessment of the proposed works include design, neighbour amenity and highway safety.

Design

Policy DC1 seeks to ensure that all development is well designed and of a high quality, contributing to local distinctiveness and harmonising with sense of place. Policy DES1 of the Biddulph Neighbourhood Plan sets out that development must be well designed and complement the local context in terms of height and massing. Development must also use high quality, durable materials, to complement the site, character and surrounding context.

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

Initially, the maximum ridge height of the dwelling was proposed to be raised, in order to accommodate three proposed dormer extensions; two on the principal roof plane and one on the rear roof plane. The initially proposed flat roof rear dormer extension adjoined the proposed flat roof rear extension. Due to the flat roof of the rear dormer extension, the roof profile and side gable walls of the original dwelling would have been lost. Furthermore, due to the size and scale of the rear dormer, as well as the fact that it would not be stepped inwards from the side elevations and stepped down from the roof height, the rear roof slope would have been completely lost. Thus, the extension would have strongly detracted from the character of the rear and side of the original dwelling. Whilst the Council recognise that other rear dormers have been approved amongst the street scene, they have been designed in ways which the loss of the roof profile would not be evident, for instance set down from the roof height or stepped inwards from the side elevations. The joining of the rear dormer extension to the flat roof rear extension further exacerbated the complete loss of character of the original rear and side elevations of the dwelling, which was not appropriate.

Whilst there are some other rear dormer extensions amongst the street which have flat roofs, these are considered poor in their design. No planning history can be located to suggest that the rear flat roof dormer extension at No. 18 Mill Hayes Road was ever approved by the planning department of the Council, therefore this cannot be used as a ground to approve a flat roof rear dormer in this case. Furthermore, the rear dormer extension approved at No. 10 Mill Hayes Road was not granted permission in light of the current Design Guide SPD, adopted in 2018.

Since these issues were raised with the applicant, a revised plan has been submitted to the Council, stepping the proposed rear dormer inwards from the side elevations and slightly setting it down from the maximum roof height of the host dwelling. Whilst this is a small improvement to the design of the proposed rear dormer extension, its flat roof still remains of poor design and not being in compliance with the Council's Design Guide SPD which generally discourages flat roofs. Notably, based on the revised plan submitted, the proposed rear dormer extension would now be permitted development in compliance with The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). Therefore, although the flat roof of the rear dormer extension is considered to be poor in its design, if this development commenced in advance to the rest of the proposed works, it would be permitted development. This represents a realistic fallback position.

Initially, the principal elevation and roof plane of the dwelling would have been significantly altered. An extension was proposed to be built to run flush with the existing projecting gable. Furthermore, the existing gable feature would have no longer been present; instead the ridge height of the dwelling was proposed to be raised in order to accommodate two pitched dormers. The Council recognise that a number of dwellings amongst the streetscape have feature front facing gables / dormers, so do not believe that front dormers would be out of character with the street scene. This being said, the Council believe that the front dormers should fit into the existing roof plane as opposed to completely changing the appearance of the roof, as the character of the principal elevation of the original dwelling would have been completely lost.

Following this issue being raised with the applicants, a revised plan was submitted to the Council. The existing front roof plane and projecting gable would remain in situ and a small lean to extension would be built slightly set back from the principal elevation of the projecting gable. One small pitched dormer would be incorporated into the existing principal roof plane of the dwelling. The revised plans would much better maintain the character of the original principal elevation of the dwelling. The height of the proposed front extension would be substantially set down from the maximum height of the dwelling, ensuring a subordinate relationship with the host dwelling. Furthermore, the window in the proposed dormer extension would neatly align with the ground floor window in the proposed extension to the principal elevation. Therefore, based on the revised plan submitted, the scheme is now considered to be of an acceptable design which better retains the character of the principal elevation of the original dwelling.

The proposed rear extension would be single storey, therefore the maximum height of the extension would be set down from the parent building. Thus, it would be considered appropriate development in accordance with the Council's Design SPD. I note that the rear extension would clearly be set back from the principal elevation of the dwellinghouse, again reiterating its subordinate nature to the parent dwelling.

The proposed single storey rear extension would have a flat roof. Although flat roof extensions are generally discouraged in the adopted Staffordshire Moorlands Design Guide SPD, it is considered that the rear extension would not form a prominent addition in the area and when viewed from the street scene. It would barely be

visible from the public domain due to it being located to the rear of the dwelling. Furthermore, there is a precedent for flat roof extensions amongst the streetscape, including on the direct neighbouring dwelling at No. 20 Mill Hayes Road. On balance, although the proposed rear extension would conflict with the Design Guide SPD in terms of its flat roof, its minimal visibility from the wider public domain would not result in a visually harmful addition to the dwelling. It is therefore considered acceptable in this case.

Materials used in the construction of the proposed extension would match those used in the construction of the existing dwelling, as well as from surrounding dwellings in the area. Although the surrounding street scene is comprised of a varied selection of house types, a prominent feature of the street scene is the brick used in the construction of the dwellinghouses. Brick, tiles, hung tiles, single ply membrane and cream UPVC would be used in the construction of the proposed extensions. Thus, the proposed materials would match the existing materials and harmonise with the surrounding street scene, not detracting from the character of the original street.

The proposal, by virtue of its size, scale and siting maintains the character of the existing dwelling and area. The proposal would therefore accord with the provisions of local plan policy DC1 and section 12 of the NPPF in this regard.

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 application site is bound by No. 20 Mill Hayes Road to the North-East and No. 24 Mill Hayes Road is situated to the South-West. The rear curtilage of the site adjoins the rear curtilages of No. 19 and No. 21 Colwyn Drive to the North-West.

The proposed single storey rear extension would not create a detrimental loss of light into the rear principal windows of the neighbour at No. 20 Mill Hayes Road. After a site visit, an examination of the submitted site plan shows that the proposed single storey rear extension would not breach the 45 degree line from the closest rear fenestration belonging to this neighbour. Notably, the natural slope of the public highway means that No. 20 is sited on a significantly higher ground level than the site. This would significantly reduce any shadowing impact created as a consequence of the proposed extension, as the roof of the extension would roughly align with the bottom of the side windows belonging to this neighbour. Furthermore, the common boundary treatment in the form of stone walling and close boarded fencing situated between the proposed rear extension and the neighbour, would aid in preventing the shadowing impact on the neighbouring property. There would be no windows on the side elevation of the proposed single storey rear extension which

would face towards the neighbours at No. 20, thus there would be no privacy impact on this neighbour.

The proposed single storey rear extension would not have a detrimental impact on the light amenity of the neighbours at No. 24 Mill Hayes Road. There would be no breach of the 45 degree line from the corner of the proposed extension to the closest rear windows of No. 24, therefore there would be no shadowing impact. Furthermore, there is no fenestration on the side elevation of No. 24, thus no habitable windows would be impacted by overshadowing. There would be no windows on the side elevation of the proposed rear extension which would face towards the neighbours at No. 24, therefore their privacy amenity would not be impacted.

As previously mentioned, No. 20 is sited on a significantly higher ground level than the site. Due to the ground level difference, the proposed dormer extension would not be of a height which could create shadowing over the window in the closest dormer extension at No. 20. The proposed rear dormer extension would align with the side elevation of No. 20, which incorporates four windows. Due to the East to West sunlight trajectory, the proposed dormer extension could lead to some shadowing over the side elevation of No. 20 during mid to late afternoon hours. According with planning history (under SMD/2003/0142), the front two side windows comprise secondary windows which serve a lounge. As the primary window on the principal elevation would not be impacted, the Council would not seek to protect the two secondary windows. The two side windows to the rear of the side elevation appear to serve a kitchen and a small room off the kitchen. According to the plans submitted under SMD/2003/0142, the kitchen is also served by a window on the rear elevation. Similarly, the small room to the rear of the kitchen is also served by a window on the rear elevation. Therefore, these rooms would continue to gain a plentiful supply of natural light. There are no windows on the side elevation of the proposed rear dormer extension which would face towards No. 20, therefore their privacy amenity would not be impacted.

The neighbouring dwelling at No. 24 sits on a similar ground level to the site. As previously referred to, there are no side windows on the side elevation of No. 24 adjacent to the site. Based on these facts, it is clear that no detrimental shadowing impact would occur over any habitable space belonging to No. 24 as a result of the proposed rear dormer extension, as this extension would be within the existing roof space of the dwelling. There are no windows on the side elevation of the proposed rear dormer extension which would face towards No. 24, therefore their privacy amenity would not be impacted.

It is clear that the proposed single storey extension to the front of the dwelling and the dormer on the principal roof plane would not breach the 45 degree rule to the closest windows on the principal elevations of No. 20 or 24. Thus, there would be no light amenity impact on these neighbours resultingly. There would be no windows on the side elevations of the proposed front extension or dormer facing the neighbours at No. 20 or No. 24, thus no privacy amenity impact would occur.

The proposed single storey rear extension would have an approximately 20.29 metre plus distance from No. 19 and No. 21 Colwyn Drive and the proposed rear dormer

extension would have an approximately 23.45 metre plus distance from these neighbours. This would clearly be a substantial enough distance to ensure that no overshadowing is caused and the light amenity of these neighbours is not adversely impacted.

Notably, the neighbours at No. 19, No. 21 and No. 23 Colwyn Drive have objected to the proposed development. These neighbours believe that the proposal conflicts with the National Planning Policy Framework (NPPF), which requires development to provide a high standard of amenity for existing residents. The neighbours have stated that the windows in the rear dormer extension would lead to a severe loss of privacy and residential amenity for them. The neighbours believe that there would be breaches of the 21 metre rule that looks to ensure the privacy between habitable windows, leading to direct overlooking. They have stated that any rear dormer should be strictly limited to non-habitable accommodation, such as a bathroom only, rather than the proposed primary, habitable bedroom which would lead to more overlooking. Therefore, they believe that overlooking would occur into their primary, habitable living space (kitchen / diner and lounge) and garden resultingly, having a detrimental impact on their privacy amenity, living environment, personal space and general wellbeing. Biddulph Town Council have also objected to the application based on the proposed dominant rear elevation overlooking neighbouring properties to the rear of the site.

As previously mentioned, the proposed rear dormer extension would be permitted development in compliance with The Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). If the development of the rear dormer extension had commenced in advance of the rest of the proposed works, it would be permitted development. Therefore, planning permission would technically not be required for the rear dormer extension and the matter would be out of Council control. As such, despite the neighbours and Town Councils concerns, as this element of the scheme represents a realistic fallback position, it would be unreasonable refuse this application on the basis of the impact on the neighbours.

Since this objection has been made, a site / location plan drawing has been submitted to the Council, which details the distances from the proposed single storey rear extension and dormer extension to the neighbours at No. 21 Colwyn Drive. The proposed rear dormer extension would be located approximately 23.45 metres away from the closest rear wall of No. 21, which exceeds the 22 metre limit between principal windows on rear elevations set out in the Staffordshire Moorlands Space About Dwellings SPD. Therefore, it is not considered that the proposed extension would cause a detrimental impact on the privacy amenity of the neighbours at No. 21, despite the windows of concern serving a habitable room. No. 19 is further from the site than No. 21, thus the same would apply in the case of their privacy amenity.

The neighbours at No. 21 have also commented that where existing dormer windows do result in some degree of overlooking, this is generally limited to bedroom windows, which are secondary living spaces and typically subject to less frequent daytime use. Although the first storey rear bedroom and bathroom windows could cause an element of overlooking, this is typical in the suburban type of environment which the site sits amongst. Another example of this can be seen at the neighbouring dwelling at No. 20, where three dormer extensions have been built in the rear roof

plane (approved under SMD/2003/0142). Two of these dormer extensions incorporate windows which serve bedrooms.

The ground floor rear windows and bi-folds on the proposed rear extension would be a lesser distance from the primary rear windows at No. 21 than the 22 metre limit in the Space About Dwellings SPD. Regardless of this, ground floor fenestration can be installed using permitted development rights. Furthermore, the approximately 2 metre high common boundary treatment in the form of stone walling with a close boarded fence on top would mitigate any overlooking from occurring as a result of the addition of this fenestration.

The neighbours have referenced that planning policy requires development proposals to be well designed and that harm to neighbouring occupiers should be minimised wherever possible. Where a less harmful alternative exists that would deliver the same benefit, it is unreasonable to approve a scheme that causes demonstrable and unnecessary harm when a clearly preferable and non-intrusive alternative is available. Leading on from this, the neighbours have mentioned that harm caused by the proposed development could be avoided by locating the bedrooms to the dormer extension on the front elevation of the property and the bathroom to a single dormer on the rear elevation complete with obscure-glazed windows. They have stated that this alternative option would prevent overlooking and protect the privacy of neighbouring residents. Whilst this point has been noted, the Council can only consider the proposal as presented on its own merit. It has been identified that the existing proposal would not have a detrimental or demonstrable impact on the amenity of any neighbouring dwellings.

It is clear that the front extension and front dormer extension would not impact the light or privacy amenity of the neighbours at No. 19 and No. 21 Colwyn Drive, which adjoin the rear curtilage of the site. Thus, these extensions would be tucked away out of sight from these neighbouring dwellings.

Overall it is considered that the proposed extension would not harm the living conditions of surrounding neighbours and complies with the relevant policies of the adopted Local Plan and SPD's.

Highway Safety

Paragraph 109 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. Policy DES2 seeks to ensure that the number of parking spaces provided within the curtilage of each dwelling is proportionate to the size of the property.

The proposed extension would increase the number of bedrooms of the dwelling from two to four (one is labelled as a study but could easily be used as a bedroom). Despite this increase, the driveway to the side of the dwelling is substantial enough to accommodate the three parking spaces required under the Staffordshire Moorlands Parking Standards for a dwelling with four bedrooms.

In terms of not receiving a consultation letter, a letter of consultation was sent by the Council. Overall the Council has exceeded its consultation responsibilities by sending both letters and placing a site notice at the site, which exceeds the requirements of the Town and County Planning (Development Management Procedure) Order 2015.

CONCLUSION / PLANNING BALANCE

In consideration of all of the above, on balance, the application is recommended for approval. Due to the application not having an adverse effect upon neighbour or street scene amenity and not having an impact on the highway, it is deemed acceptable under planning policy. Therefore, the proposed development is recommended for approval, subject to compliance with all conditions.

OFFICER RECOMMENDATION: APPROVE

Case Officer: Hannah Varley

Recommendation Date: 14/01/2026

X 

Signed by: Jane Colley Signature

On behalf of Staffordshire Moorlands District Council