

DELEGATED DECISION REPORT

SMD/2026/0150
Valid 02/04/2026

5 BALLINGTON GARDENS
LEEK

DEMOLITION OF AN EXISTING
DETACHED GARAGE AND
WORKSHOP, AND THE
ERECTION OF A KITCHEN
EXTENSION ON THE SAME
FOOTPRINT, LINKED TO THE
HOUSE

(FULL - HOUSEHOLDER)

MAIN ISSUES

- Design
- Amenity

DESCRIPTION OF SITE

The site consists of a semi-detached dwellinghouse and its associated curtilage. The property is two storey, and is red brick at the ground floor level and white rendered above. In the rear garden of the property is a 'L' shaped red brick detached flat roof garage and workshop with a height of approximately 2.5 metres, and gross external area of approx. 25.6m². The garage was granted permission in 1982.

The property is located between 2 roads both known as Ballington Gardens. Ballington Gardens are both private no through roads serving residential properties. The site is in the Leek Development Boundary, but outside of the Leek Conservation Area.

PROPOSAL

The application seeks permission for the removal of the existing garage building, to be replaced with a flat roof domestic extension which will largely occupy the same 'L' shaped footprint as the garage, with the exception of the proposed link to the rear of the property. The roof height of the extension will be slightly greater at 3 metres in height (to the top of the rooflights) and a gross external area of approx. 32.9m². The proposed extension will be finished in materials to match – red brick and white uPVC windows.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Local Plan (adopted 9th September 2020)

SS1 Development Principles
SS2 Settlement Hierarchy
SS5 Leek Area Strategy

DC1 Design Considerations
T1 Development and Sustainable Transport

National Planning Policy Framework

Paragraph(s) 1 -14, 47, 109, 131, 135, 139.

Section(s) 4 – Decision making, 9 – Promoting sustainable transport, 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

- SMD/1982/0440. (OLD REFERENCE: 82/10959/OLDDC). DESCRIPTION: Erection of garage and hobby room. DECISION: APPROVED.

CONSULTATIONS

Publicity

Site Notice expiry date: 05/05/2026

Neighbour consultation period ends: 05/05/2026

Press Advert: N/A

Public Comments

None received.

Town / Parish Comments

None received.

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 site is in the Leek Development Boundary and 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. The proposed development is a single storey rear extension, meaning it is subordinate in nature as it does not conflict with the dominance of the host dwelling in the street scene. The proposed materials are to match – red brick with white uPVC windows. The Design Principles SPD states that flat roofs are generally unacceptable in the Staffordshire Moorlands as they are largely incompatible with the weather conditions usually seen in the District. However, in this case, this flat roofed structure is replacing an existing flat roofed structure with largely the same footprint, albeit slightly larger to accommodate the link to the rear of the dwellinghouse. Furthermore, flat roofs are not uncommon as rear extensions due to the limited impact they have on the street scene by being at the rear. However, the rear of this development is more prominent in the street scene it backs onto (also called Ballington Gardens). However, the overall impact in the street scene will be minimal as the replacement is very similar in visual appearance to the existing (minus the garage door which could be removed without needing planning permission), and other properties in the street have flat roofed garages facing the street. On balance, the proposed development is considered to be acceptable in terms of design as the overall impact on the street scene will be minimal, and the reduced height by not having a roof pitch has amenity benefits for both neighbours and the occupant by minimising overshadowing.

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 4 Ballington Gardens to the north (attached property) and 6 Ballington Gardens to the south. The proposed development would have little amenity impact on no.6 as the proposal is to the north of no.6, there would be no additional overshadowing from the proposed development, as well as no windows on this elevation resulting in overlooking.

With a 3-metre maximum height, it is not considered that the additional height from the existing 2.5-metre-high garage would result in additional overshadowing or loss of amenity for the neighbouring 4 Ballington Gardens. There are windows which would face the garden of no.4 and result in some amenity impact as there is a lack of any substantial boundary treatment between the two properties, except for a lattice - effect concrete block wall of low height. The nature of this common boundary means two way overlooking of gardens and to some extent ground floor windows already occurs freely. The effect of any overlooking from the windows of the proposed extension would have a similar effect to that already available from the garden. Consideration was given to conditioning a fence along the common boundary but this was discounted on the basis that this could, have an adverse impact on the neighbour and their closest ground floor window and be an unwelcome feature. The neighbour retains the right of course to erect a fence on their boundary up to 2m in height without requiring planning permission.

For all these reasons the proposed development is not considered to result in an unacceptable loss of amenity for neighbours and therefore complies with Policy DC1 and is acceptable in this regard.

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 can accommodate the required vehicular parking, in line with Appendix 2. The property is located between 2 roads both known as Ballington Gardens. Ballington Gardens are both private no through roads serving residential properties. The section of Ballington Gardens fronting the property has footways and streetlighting. Ballington Gardens to the rear of the property has no footways or streetlighting.

The proposed development would result in the loss of off street parking in the form of the garage, however, with minimum internal dimensions of 2.5m in width and 5.2m in length, it does not comply with the Staffordshire Moorlands Parking Standards. These standards specify minimum internal dimensions of 3m in width and 6m in length for a single garage. As a result, the existing garage is insufficient to accommodate a modern vehicle. On this basis, it is considered that the proposed development would not result in any detrimental impact on the highway or parking provision and is acceptable in regards to highway safety.

CONCLUSION / PLANNING BALANCE

On balance, the proposed development is considered acceptable in principle, as well as in terms of design, amenity, and highway safety as it complies with all relevant local and national policy. Therefore, the recommendation is to approve.

OFFICER RECOMMENDATION : APPROVE, Subject to conditions.

Case Officer: Reuben Berriman

Recommendation Date: 01/07/2026

X *Jane Curley*

Signed by: Jane Curley

On behalf of Staffordshire Moorlands District Council