

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL  
PLANNING APPLICATIONS COMMITTEE**

**27 June 2019**

<b>Application No:</b>	SMD/2019/0052	
<b>Location</b>	18 Essex Drive, Biddulph	
<b>Proposal</b>	Two-storey rear/side extension and single-storey carport extension	
<b>Applicant</b>	Mr and Mrs D Mitchell	
<b>Agent</b>	GDA Design Associates Ltd	
<b>Parish/Ward</b>	Biddulph	<b>Date registered</b> 29/01/2019
<b>If you have a question about this report please contact:</b> Mr C Johnston Christopher.johnston@staffsmoorlands.gov.uk		

**SUMMARY OF RECOMMENDATION**

**APPROVE subject to conditions**

**REFERRAL**

1. The application is brought before Planning Committee to due a call-in from Councillor Hart, to assess the impact on residential amenity.

**1. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS**

- 1.1 The application site is within the development boundary of Biddulph and lies within the Gillow Heath area of the town to the north-west of the town centre. It comprises a two-storey brick-and-tile detached dwelling on a 1960s/70s housing estate. It has a front gable design. The dwelling faces the bend in Essex Drive, a cul-de-sac to the north-west of the site. There are rows of houses facing Essex Drive either side of the site and to the other side of the road. There are also dwellings further away to the rear of the site to the east to the other side of Biddulph Brook. The rear garden slopes downwards towards the brook and is largely within a flood zone but the dwelling itself is not within this. Unlike many plots on Essex Drive, the site is not a uniform shape. It narrows towards the bend in the road and widens outwards towards the rear. As a result, the dwelling is placed at a diagonal angle to the neighbouring dwelling (semi-detached) at No.20 to the north and also to the neighbouring dwelling (detached) at No.16 to the south-west.

## **2. DESCRIPTION OF THE PROPOSAL**

- 2.1. This is a full householder planning application for extensions. The main extension would be a two-storey extension attached to the rear wall of the house, spanning its whole width and beyond towards the side boundary. It would project 5.05 metres from the rear wall and to the side would project 2.6 metres beyond the existing side wall of the house, creating an L-shaped dwelling.
- 2.2. These are amended plans which replace the plans originally submitted which showed the side projection as a “lean-to” with catslide roof.
- 2.3. A car port structure with fully hipped roof is proposed to be attached to the south-west side wall of the house. A rear raised terrace area with five steps from the garden (which slopes downwards towards the rear) would be built along with a glass balustrade.
- 2.4. The application, the details attached to it, including the plans, any comments made by residents and the responses of consultees can be found on the Council’s website at:-  
<http://publicaccess.staffs Moorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=128101>

## **3. RELEVANT PLANNING HISTORY**

None.

## **4. PLANNING POLICIES RELEVANT TO THE DECISION**

4.1 The Development Plan comprises:-

- Saved Staffordshire Moorlands Local Plan Proposals Map/Settlement Boundaries (Adopted 1998);
- The Staffordshire Moorlands Core Strategy Development Plan Document (Adopted 26<sup>th</sup> March 2014)

Staffordshire Moorlands Core Strategy Development Plan Document (Adopted March 2014)

4.2 The following Core Strategy policies are relevant to the application:-

- SS1 Development Principles
- SS1a Presumption in Favour of Sustainable Development
- DC1 Design Considerations

## Emerging Staffordshire Moorlands Local Plan

### Local Plan Process

The Council agreed to publish the Local Plan Submission Version for representations in February 2018. At this point, the Council agreed that the Local Plan was “sound”. Formal representations were then invited from residents, businesses and other stakeholders to provide them with the opportunity to support or challenge the soundness or legal compliance of the Local Plan. This stage in the process followed three previous public consultations since 2015 which had informed the preparation of the Local Plan alongside a comprehensive evidence base.

In June 2018, the Council subsequently agreed to submit the Local Plan Submission Version to the Secretary of State for examination. An examination in public has now been held in order to determine whether the Local Plan is sound and legally compliant.

In this context, the Council’s position on the weight to be given to the policies contained in the Local Plan Submission Version in terms of the three criteria set out in Paragraph 48 of the NPPF is as follows:

- The stage of preparation – the Local Plan is now at an advanced stage of preparation as the Council has submitted it to the SoS for examination;
- The extent to which there are unresolved objections to relevant policies; this varies depending on the policy in question;
- The degree of consistency of policies with the NPPF – given that the Council has submitted a Local Plan that it considers to be sound, all policies are deemed to be consistent with the NPPF.

### Emerging Policies

The following policies and their weighting are considered to be relevant to this application:

SS1	Development Principles (Moderate)
SS1a	Presumption in Favour of Sustainable Development (Significant)
DC1	Design Considerations (Moderate)

### National Planning Policy Framework (NPPF February 2019)

The following NPPF sections are relevant;

12: Achieving well-designed places.

### National Planning Policy Guidance

## Supplementary Planning Guidance

1. Space About Dwellings.
2. Design Principles for Development in the Staffordshire Moorlands: New Dwellings and Extensions to Dwellings.

## Supplementary Planning Document

1. Staffordshire Moorlands Design Guide (Feb 2018)

## **5. CONSULTATIONS CARRIED OUT**

5.1 A Site notice has been displayed and neighbouring properties notified.

Site Notice	Consultation period expires: 26/03/2019.
Neighbour Notification	Consultation period expires: 26/03/2019 (original plans) and 25/06/19 (amended plans).

**Public Comments:** Two letters of objection have been received in response to the original plans. One is from an adjacent neighbour, the other from a resident of Portland Drive to the rear (east) of the site. The former letter outlines the following objections:

- Proposed side window into existing wall of house would lead to overlooking into kitchen window at adjacent property
- The extension would lead to the loss of light to the kitchen window
- The scale of the extension does not harmonise with the existing dwelling contrary to the Council's Design Guide
- Rendered finish out of keeping with the area
- Overdevelopment would detract from the semi-rural nature of the area

The other letter outlines further objections on the grounds that:

- The extension will not harmonise and be out of character with other nearby properties and other extensions in the area and will be an eyesore when viewed from Portland Drive

At the time of writing the report, no representations have been received in response to the consultation on the amended plans. The deadline for this is 25<sup>th</sup> June 2019. Any further representations received will be reported at the Committee meeting.

**Biddulph Parish Council (in response to the original plans):** Recommend approval. There were concerns raised about the scale of the extension and

overdevelopment and impact on character but seven voted in favour of the proposal with two against.

**SCC Flood Team:** “No comments to make”.

**Severn Trent Water:** No objection.

## **6. OFFICER COMMENT AND PLANNING BALANCE**

### **Policy Context and Principle of Development**

6.1 The Local Planning Authority is required to determine planning applications in accordance with the development plan, unless there are material circumstances which indicate otherwise and in determining these applications, it shall have regard to the provisions of the Development Plan, in so far as material to the application and to any other material considerations.

6.2 Paragraph 11 of the National Planning Policy Framework (February 2019) states that plans and decisions should apply 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 most important for determining the application are out-of-date, granting planning permission unless: (i) the application of policies in this 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 this Framework taken as a whole”. NPPF para 8 identifies the three dimensions to sustainable development as economic, social and environmental. The National Planning Policy Framework is a material consideration in planning decisions.

6.3 Policy SS1 of The Staffordshire Moorlands Core Strategy identifies that development should contribute positively to the social, economic and environmental improvement of the Staffordshire Moorlands. Core Strategy policy SS1a establishes a ‘Presumption in Favour of Development’ in line with National Planning Policy where (1) planning applications that accord with policies within the Core Strategy will be approved without delay and (2) where there are no relevant policies or they are out of date, the Council will grant planning permission unless material considerations indicate otherwise considering:-

- I. Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework (NPPF) taken as a whole, or,
- II. Specific policies in within the Framework indicate that development should be restricted.

6.4 The application is for an extension to an existing dwelling. The site is within the development boundary of Biddulph and house extensions are acceptable in principle in this location subject to their impact on the visual and residential amenities of the area in compliance with Policy DC1 of the Core Strategy, 'Design Considerations'.

### **Design and Visual Impact (Character and Appearance)**

6.5 The rear extension would appear to double the size of the existing dwelling which has not previously been extended. There are no specific size restrictions for house extensions either in the Core Strategy policies or the Council's Design Guidance for sites that are within the development boundaries of towns and villages. The Council must assess house extensions on the basis of whether the character and appearance of the area is harmed and also the impact on the residential amenities of the neighbours. Although the extension is large in relation to the size of the house, the extension would be to the rear of the house. The revised scheme is a similar approach to the two-storey side and rear extension to the neighbouring dwelling at No.16. The only prominent part when viewed from the road would be the two-storey side projection. The roof pitch is consistent with the gable fronted roof of the existing house. It is set back considerably from the front elevation of the main dwelling. It is not considered this would dominate the host dwelling, especially as the existing roof eaves and ridge heights have not been exceeded. The ridge of the side part of the extension would in fact be lower than the main roof ridge. The rear extension also would not exceed the width or depth of the existing house. It is therefore considered to be "subservient" to the main house and therefore does not conflict with the Council's Design Guide.

6.6 The south-west flank wall of the proposed rear extension would also be visible from the road but would not be harmfully prominent. The plans show this wall to be slightly recessed back from the existing side wall and also the proposed roof ridge has been slightly dropped below the existing ridge. This creates a 'visual break' between the existing house and the proposed extension when viewed from the side. It also assists with making the extension appear subservient to the house. The contrasting render finish also helps to differentiate between the extension and the dwelling which has a brick finish.

6.7 The entire rear extension, including the side projection, visible from the road, would have a render finish. The render finish is not typical of the area although the adjacent dwelling at No.16 does have a part-render front wall visible from the road. It is not considered the render finish would harm the character and appearance of the dwelling. The house has a modern 1960's/1970's character and part-render/part-brick finishes are not uncommon on new houses built in that era, even if this is not a feature of Essex Drive. Many of the houses on Essex Drive have two contrasting finishes comprising a typical red brick with a more yellow (in the case of the front of the house on site) or grey type brick. The resultant house with two different finishes (brick main front wall with render set-back front wall of the extension) would not be out of keeping with the area. A condition can be added requiring a cream or

off-white colour as this is typical of render finishes on new development, including the dwelling at No.16 and would not harm the appearance of the area.

6.8 The resultant dwelling would be significantly larger than most other dwellings in Essex Drive but the plot also differs from the other more uniform plots on the road. The road mainly comprises semi-detached dwellings in fairly narrow plots. However, No.18 and the adjacent plot at No.16 comprise detached houses in significantly larger plots which, due to their position next to the bend in the road, widen outwards towards the rear. The proposed extension makes use of the site boundaries tapering outwards allowing an extension both to the side as well as the rear. There would still be a sufficient gap between the extension and both side boundaries to the resultant house would not appear too large for its plot and the degree of spaciousness in the street scene would be protected. The adjacent dwelling at No.16 has a large side and rear extension of similar size so the proposed extension would not be out of keeping with the area. Furthermore, the extension to the side of No.16 is entirely two-storey and with a ridge height equal to that of the main house whereas the proposed extension would have a ridge lower than that of the existing house. The extension at No.16 is also closer to the road than the proposed extension at No.18. It also projects out more from the side wall than the one proposed. Therefore the proposed extension would be less prominent than the one at No.16, when viewed from the road.

6.9 The proposed car-port to the side of the house would have an appropriate size, design and siting and would not harm the visual amenities of the area. The raised terrace/decking area and glass balustrade would also not be visually intrusive and would be difficult to view from the road.

### **Residential Amenity**

6.10 The side projection of the extension would extend towards the rear part of No.20 at a diagonal angle. There is a kitchen window (facing due south) to the side of No.20 facing the application dwelling. However, there is also a single-storey structure extending from the side wall of No.20 next to the kitchen window and the proposed extension would be largely screened by the No.20 extension when viewed from the kitchen window by the presence of the existing structure and also a boundary hedge. Furthermore, there is a second window serving the kitchen at No.20, facing the rear garden to the east. There would be a gap of at least 3.5 metres between the side boundary and the corner of the proposed extension. It is considered that due to the gap between the window and extension, fully-hipped roof form and presence of a structure next to the boundary, within No.20 and close to the kitchen window, there would be no significant loss of light affecting the kitchen at No.20. The extension would also not break any of the 45 degree lines measured from the rear windows at No.20 and therefore complies with the Council's Space About Dwellings Supplementary Planning Guidance, which demonstrates the proposal would not lead to a harmful loss of light to No.20. Similarly, there are no side windows at No.16 other than obscure glazed windows on a single-storey side extension at No.16. There would be no breaches of the 45 degree

lines measured from rear windows at No.16, helped by the slightly diagonal siting between the two dwellings. It is also considered there would be no harmful loss of light affecting No.16.

6.11 With regard to privacy, one of the objectors notes that a window will be inserted into the current side wall of No.18. However, as this is at ground floor level existing boundary treatments would prevent overlooking. There would be a front-facing bedroom window on the side projection which could lead to overlooking down into the kitchen window at No.16 at an obscure angle but obscured glazing would be inserted into this as it is a secondary window. Elsewhere, the other first-floor windows would be at the rear and would directly face the rear garden rather than the dwellings to the side of the site. It would be possible to view into the rear parts of the rear gardens of the neighbouring properties but this would not lead to a harmful loss of privacy. The proposal would lead to first-floor windows 5.0 metres closer to the properties to the rear to the other side of the brook. However, there are distances of at least 60 metres between the proposed rear wall and the dwellings to the rear of the site and this would also not lead to a harmful loss of privacy and complies with the Council's Space About Dwellings SPG. There are also several large trees between the nearest dwellings to the rear and the application site. The new rendered extension would not be harmfully overbearing or visually obtrusive even if it can be viewed through the trees.

## **Conclusion and Planning Balance**

6.12 The two-storey extension, although large in relation to the size of the house, is entirely to the rear of the existing house and has been designed to respect the size and dominance of the host dwelling. It would not be harmfully prominent from the road and overall would not be out of keeping or visually intrusive in the surrounding area comprising a suburban-style housing estate within the built-up part of Biddulph. It would be less prominent than the two-storey side/rear extension at the neighbouring property at No.16. It would also not harm the living conditions of adjacent properties and overall residential amenity would not be affected. The proposal would accord with Council design guidance contained in the Design Guide SPD and Space About Dwellings SPG and in this respect would also comply with the Core Strategy Policy DC1 'Design Considerations' which requires development to not harm the visual and residential amenities of the area. It would also be in line with government planning guidance contained in the NPPF.

## **7 OFFICER RECOMMENDATION**

### **A) Full Planning Permission be granted with following conditions:-**

- 1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission**

**Reason:-**

**To comply with Section 51 of the Planning and Compulsory Purchase Act 2004.**

2. The development shall be carried out in accordance with the approved plans unless otherwise agreed in writing by the Local Planning Authority.

**Location Plan  
18\_52\_02 Revision A**

**Reason:-**

To define the permission and in the interests of proper planning.

3. The extension hereby approved shall have roofing materials which match the existing dwelling in terms of type, colour and texture and facing wall materials comprising an off-white or cream colour render material.

**Reason:-**

In the interests of the character and appearance of the area.

4. The proposed front-facing bedroom window on the first-floor facing north-west as shown on the above drawings hereby approved shall be fitted with obscure glazing to level 5 (minimum) from the Pilkington range or equivalent. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 (or as subsequently may be amended or re-enacted) those windows shall not be re-glazed with any transparent materials and shall not be enlarged or otherwise altered, nor shall any additional window or other opening be formed in that elevation unless a further planning permission has first been granted on application to the Local Planning Authority.

**Reason:-**

To protect the amenity and living conditions of the adjoining residential property from overlooking or perceived overlooking.

**B) In the event of any changes being needed to the wording of the Committee's decision (such as to delete, vary or add conditions/informatives/planning obligations or reasons for approval/refusal) prior to the decision being issued, the Head of Development Services has delegated authority to do so in consultation with the Chairman of the Planning Applications Committee, provided that the changes do not exceed the substantive nature of the Committee's decision.**

