

**STAFFORDSHIRE MOORLANDS DISTRICT COUNCIL
PLANNING APPLICATIONS COMMITTEE**

14 November 2019

Application No:	SMD/2019/0566	
Location	32 Tittesworth Avenue Leek	
Proposal	Proposed replacement garage with additional bedroom and en-suite over.	
Applicants	Mr and Mrs Arrowsmith	
Agent	Mr P. Plant P4Architecture	
Parish/Ward	Leek	Date registered 16/09/2019.
If you have a question about this report please contact: Mrs L. Jackson lisa.jackson@staffsmoorlands.gov.uk		

SUMMARY OF RECOMMENDATION

REFUSE

REFERRAL

The application is brought before Planning Committee to due to the fact that an occupant of a neighbouring dwelling works at Moorlands House Leek.

1. DESCRIPTION OF THE SITE AND ITS SURROUNDINGS

- 1.1 The application site is number 32 Tittesworth Avenue Leek, a semi-detached, hipped roof and previously extended dwelling. The property benefits from external amenity space to the front and rear, there is off-road parking at the front of the house as well as the provision of a flat roof garage. The dwelling sits within a very visually conspicuous corner plot location and within a wedge-shaped plot of land such that the majority of the external amenity space is at the front of the house (wide road frontage). Land to the back of the house tapers to a point where it adjoins the boundaries of a number of other domestic properties. Land levels within the site are generally even and boundaries are marked with fencing. The application site is located within a well-established residential area and there are dwellings on all sides of the property including on the opposite side of the road.
- 1.2 For the purposes of planning policy consideration the application site is located within the Leek Town Development Boundary. The site does not form part of any Conservation Area, there are no Listed Buildings within close proximity and the site is not known to form part of any flood zone.

2. DESCRIPTION OF THE PROPOSAL

- 2.1 This is a full planning application for the erection of a two-storey side extension and would include removal of the existing garage. The extension is proposed to be located as close to the boundary as the garage is at present, it would have the same overall width but the depth of the building would increase by reason of the front of the new building running flush (at ground floor) with the front wall of the existing house. The addition would have a hipped roof and windows would be contained within the front and rear walls only. A small pedestrian door within the side wall would allow for maintenance and access to an otherwise enclosed part of the plot at the pavement edge. The application form states that all new brickwork and tiles would match those of the existing house and that white upvc windows and doors would be used. Internally the new accommodation would provide a garage and at first floor a master bedroom with en-suite. Other internal works would see the bathroom being reduced in size in order to allow the formation of a walkway/hall towards the new bedroom. Currently the property is a two-bed dwelling, the extension would add a third bedroom as no other internal alterations are proposed.
- 2.2 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.staffsmoorlands.gov.uk/portal/servlets/ApplicationSearchServlet?PKID=130898>

3. RELEVANT PLANNING HISTORY

97/00459/OLD	Domestic garage. Approved.
12/00777/FUL	Extension to front of dwelling to form porch, cloakroom, utility and lounge extension. Approved.

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 26th 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
- SS5a Leek Area Strategy
- DC1 Design Considerations
- T1 Development and Sustainable Transport

Emerging Staffordshire Moorlands Local Plan

National Policy Guidance

Paragraph 48 of the newly adopted NPPF states that:

“...decision-takers may also give weight to relevant policies in emerging plans according to:

- the stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given);
- the extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given); and
- the degree of consistency of the relevant policies in the emerging plan to the policies in this Framework (the closer the policies in the emerging plan to the policies in the Framework, the greater the weight that may be given).

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 is ongoing in order to determine whether the Local Plan is sound and legally compliant. Hearing sessions were conducted in October 2018 and the Inspector issued his initial post-hearing advice in January 2019 which set out some actions for the Council and a range of modifications that would be necessary to make the plan sound. The full schedule of modifications was the subject of public consultation between 18th September 2019 and 31st October 2019. The schedule consisted of modifications that the Inspector has so far deemed necessary to make the Local Plan sound. Following the consultation, the Inspector is expected to consider the responses before issuing his final

report. Depending on the recommendations in the report, the Council may then be in a position to adopt the Local Plan.

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 are considered to be relevant to this application:

SS1	Development Principles (Moderate)
SS1a	Presumption in Favour of Sustainable Development (Significant)
SS5	Leek Area Strategy (Limited)
DC1	Design Considerations (Moderate)
T1	Development and Sustainable Transport (Moderate)
Appendix 8	Parking Guidance

National Planning Policy Framework (NPPF February 2019)

The following NPPF sections are relevant;

- 2: Achieving sustainable development.
- 6: Building a strong, competitive economy.
- 9: Promoting sustainable transport.
- 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

5. CONSULTATIONS CARRIED OUT

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

Site Notice	Consultation period expired: 22/10/2019.
Neighbour Notification	Consultation period expired: 07/10/2019.

Public Comments: Two representations received, both objecting to the application. The comments can be summarised as follows;

- Claustrophobic feeling upon the neighbours by reason of an extension at first floor;
- Blocking of light into the hallway/staircase of number 30 Tittesworth Avenue;
- Sunlight on the front and rear gardens would be adversely affected;
- Devaluation of number 30 Tittesworth Avenue;
- May jeopardise any future sale of number 30;
- Size/nature of the extension is incongruent with other properties in the vicinity which all have a common size and appearance;
- Overlooking neighbour's property;

Leek Town Council: Recommend approval. Not unneighbourly.

Staffordshire County Council Highways: Awaited.

Severn Trent Water: The proposal has minimal impact on the public sewerage system therefore no objections to the proposals and no drainage condition is required. Severn Trent Water advises that there may be a public sewer located within the application site.

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

6.4 Core Strategy policy SS5a (Leek Area Strategy) outlines a broad range of developments that can be supported in principle within Leek including meeting housing needs and employment creation. Accordingly the general principle of development is considered to be acceptable, subject to other considerations including design, amenity, highway and parking considerations and drainage.

Design and Visual Impact (Character and Appearance)

6.5 Policy DC1 of the Core Strategy requires that all developments shall be well-designed and reinforce local distinctiveness by positively contributing to, and complementing the character and heritage of, an area. Development should be of a high quality, adding to the value of a local area, be designed to respect the site and its surroundings and promote a positive sense of place and identity through its scale, density, layout, siting, landscape, character and appearance.

6.6 The National Planning Policy Framework places great importance on the design of the built environment, in particular paragraph 130 clarifies that permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of the area.

6.7 In addition the Councils adopted design guidance requires that extensions should be subordinate in size when compared to the existing building so that the original building dominates. The size and shape of the extension should respect the proportions of the existing house. There is concern about the bulk of the proposed addition and it being disproportionately sized in relation to the main house when viewed from the front and rear. The projection from the side wall of the house is not proportionate in size to the width of the existing house. The positioning of the garage door to the side of the extension (rather than a central location) further

emphasises the disproportionate nature of the addition. It is acknowledged that the ridge line of the proposed addition would be slightly lower than that of the existing house and the first floor wall would be slightly recessed, however these are minimal measurements which do not truly assist in addressing the concern over the bulk of the extension and would do very little to ensure that the extension was read as a subservient addition. The lean-to extension at the front of the house is proposed to be continued so that it would span the full frontage of the dwelling (as extended), further subsuming the form and arrangement of the original dwelling. Viewed from the rear elevation the extension would not have any subservient appearance/features, brickwork and the extent of uninterrupted roof slope would simply be continued.

6.8 Dwellings within the area are generously sized and are arranged in two-storey, semi-detached or terraced form. The character of the area is generally that of hipped-roof properties which are constructed from brick and many of which are finished with render (including pebble-dash) at first floor level. Properties follow a readily identifiable streetscene/building line. There are houses (such as the application site) which turn the road corners to ensure active street frontages and avoid extensive areas of blank brickwork facing directly towards the road/street, this arrangement is well established throughout the estate and it is clear that the residential area was planned in this way. The setting back of the houses from the highway and trees planted along walkways give the area a welcome, spacious feel to it.

6.9 This proposal would see a very large and generally blank side wall facing the roadside which is uncharacteristic of the intended layout of the estate. The corner plot location means that the extension would inevitably be visually dominant within the street scene with no opportunity to mitigate its visual and physical impact due to its extremely close proximity to the site boundary. Whilst there is already a building at the side of the house it is single storey only and does not have the dominance that a two-storey structure would have. In addition the proposed extension would project beyond the building line of the Tittesworth Avenue properties to the south, undermining the design and layout of the estate and having an adverse impact upon the openness of the area at this point. Members will see this arrangement during the site visit but the impact of the addition upon the building line can clearly be seen by the proposed Block Plan. (It is noted that the block plan incorrectly identifies number 30 Tittesworth Avenue as number 24). The development would appear as a visually intrusive and incongruous form of development within the street scene. The dwelling (as extended) would undoubtedly be seen out of context and an oddly positioned development when viewed in the context of surrounding dwellings.

Residential Amenity

6.10 The application raises consideration of the impact of the development upon the residential amenity of neighbours. Upper floor windows are shown within the rear elevation of the proposed extension and due to the wedge shape of the application site there are a number of dwellings backing onto the site from which the extension would be seen. The proposed floor plan shows

that the new first floor windows would not serve any principal living space, rather they would allow light into an en-suite and a dressing room area. The principal bedroom window would be located at the front of the house and there is sufficient distance between the proposed window and the houses opposite for overlooking not to be an issue. Although concerns have been raised about the affect on sunlight, the extension is located to the north of number 30 accordingly the extension would not impact on existing sunlight levels.

6.11 The dwelling most likely to be affected by this proposal is number 30 Tittesworth Avenue which is to the south of the site. The positioning of number 30 strictly follows the established building line and as such the two dwellings (application dwelling and number 30) are positioned at a clear angle. A site visit revealed that although there were window openings within the side wall of the neighbours house (number 30) they are not principal windows for the purposes of considering amenity impact upon living spaces. The Councils adopted Space About Dwellings standards does not recognise hallways and staircases as principal living spaces. Whilst the proposed extension would sit very close to the windows, there is no identified planning policy which can be referred to which could be sustained and render the council vulnerable to costs.

6.12 Accordingly it is considered that the extension would not harm the amenities of surrounding neighbours to any significant degree to warrant refusing this application.

Highways / Access

6.13 The NPPF and Core Strategy policies DC1 and T1 require that all development proposals secure safe and suitable access to a site whilst making a contribution towards meeting parking requirements and ensuring that all new development can be satisfactorily accommodated within the highway network. Off-road parking space is provided within the application site to the front and side (garage) of the house. There are no alterations proposed to the site vehicular access or the layout of the space at the front of the house. The development involves the provision of a new garage at ground floor level, its internal dimensions measuring 7.405m x 4.130m. The garage door is not centrally positioned and is 2.4m wide. Comments from the County Highways officer are awaited in respect of whether the garage (including opening) are sufficiently sized to accommodate a vehicle. Members will be updated via the Late Representations procedure.

Drainage

6.14 Severn Trent Water do not raise any objections to the application, stating that the proposal has minimal impact on the public sewerage system and that they do not require any drainage conditions to be applied. Severn Trent do however state that there may be a public sewer located within the application site and that public sewers have statutory protection.

Other Matters

6.15 It is noted that objectors refer to the devaluation and potential problems with the future sale of their property, these is not a material considerations which can be taken into account in the determination of this application.

Conclusion and Planning Balance

6.16 Whilst there are no 'in principle' objections to a domestic extension within the Leek Development Boundary this is subject to all material planning considerations being satisfied including design, visual impact, residential amenity, highways/access and drainage. The proposed extension would be a disproportionate addition to the existing dwelling and the corner plot location results in a development which would be visually incongruous within the street scene to the detriment of the open plan layout of the area and readily identifiable building line.

6.14 County Highways comments are awaited and depending on their nature may/may not result in an additional reason(s) for refusal.

7 OFFICER RECOMMENDATION

A) That Planning Permission is refused for the following reason(s):-

1. The proposed development by reason of its design and scale would result in an enlargement which is disproportionate in size in relation to the original dwelling. The application is therefore contrary to policy DC1 of the Core Strategy Development Plan Document (26th March 2014), Design Principles for Development within the Staffordshire Moorlands (SPG), the Staffordshire Moorlands Design Guide (SPD) and the National Planning Policy Framework including section 12.
2. The corner plot location would result in a very large extension with a mainly blank side wall facing the roadside which is uncharacteristic of the intended layout of the estate. The corner plot location means that the extension would inevitably be visually dominant within the street scene with no opportunity to mitigate its visual and physical impact due to its extremely close proximity to site boundaries. The proposed extension would project beyond the well-established building line and would appear as a visually intrusive and incongruous form of development, out of context and at odds with the planned spacious character of the area and oddly positioned in relation to surrounding dwellings. The application is therefore contrary to policy DC1 of the Core Strategy Development Plan Document (26th March 2014), Design Principles for Development within the Staffordshire Moorlands (SPG), the Staffordshire Moorlands Design Guide (SPD) and the National Planning Policy Framework including section 12.

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.

Site Plan

