Dear Members

Planning Committee

A meeting of the Planning Committee will be held in the Craddock Room, Civic Suite, Civic Centre, Riverside, Stafford on Wednesday, 20 June 2018 at 6.30pm to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

Members are reminded that contact officers are shown in each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.

A. R. Bell

Head of Law and Administration
PLANNING COMMITTEE - 20 JUNE 2018

Chairman Councillor R M Sutherland
Vice-Chairman Councillor A S Harp

A G E N D A

1 Minutes
2 Apologies
3 Declaration of Member's Interests/Lobbying
4 Delegated Applications

Details of Delegated applications will be set out in Section 6 of Digest No. 244 due to be published on 6 July 2018

Page Nos

5 Planning Applications 3 - 27
6 Planning Appeals 28 - 33

MEMBERSHIP

Chairman Councillor R M Sutherland

C A Baron  W J Kemp
G R Collier  D B Price
B M Cross  J K Price
I E Davies  G O Rowlands
M G Dodson  R M Sutherland
A S Harp  C V Trowbridge
E G R Jones

(Substitutes - F Beatty, R J Draper, A P Edgeller, J Hood, S Learoyd)
PLANNING COMMITTEE - 20 JUNE 2018

Ward Interest - Nil

Planning Applications

Report of Head of Development

Purpose of Report

To consider the following planning applications, the reports for which are set out in the attached APPENDICES:-

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Location</th>
<th>Page Nos</th>
</tr>
</thead>
<tbody>
<tr>
<td>18/28373/HOU</td>
<td>Syracuse, 24 Mount Pleasant, Derrington, Stafford ST18 9NB</td>
<td>5 - 10</td>
</tr>
<tr>
<td></td>
<td>This application was called in by Councillor R M Sutherland</td>
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<tr>
<td></td>
<td>Officer Contact - Sarah Poxon, Development Lead (Small Scale) - Telephone 01785 619507</td>
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<tr>
<td>18/28431/HOU &amp; 18/28436/LBC</td>
<td>Park View, Park Lane, Chebsey, Staffordshire ST21 6JU</td>
<td>11 - 18</td>
</tr>
<tr>
<td></td>
<td>The application was called in by Councillor J M Pert</td>
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<td>Officer Contact - Sarah Poxon, Development Lead (Small Scale) - Telephone 01785 619507</td>
<td></td>
</tr>
<tr>
<td>18/28463/HOU</td>
<td>12 Manor Square, Rising Brook, Stafford</td>
<td>19 - 27</td>
</tr>
<tr>
<td></td>
<td>The application was called in by Councillors A M Loughran and G O Rowlands</td>
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<td></td>
<td>Officer Contact - Sarah Poxon, Development Lead (Small Scale) - Telephone 01785 619507</td>
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Previous Consideration

Nil
**Background Papers**

Planning application files are available for Members to inspect, by prior arrangement, in the Development Management Section. The applications including the background papers, information and correspondence received during the consideration of the application, consultation replies, neighbour representations are scanned and are available to view on the Council website.
REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor R M Sutherland (Ward Member for Seighford & Church Eaton) for the following reasons:-

‘To allow the Committee to consider the potential impact on the neighbour at 22 Mount Pleasant, and debate if the extension is out of keeping and over dominant in the street scene.’

Context

Syracuse is a four bed detached dwelling located in the village of Derrington. The proposal is for a first floor extension over the existing integral garage in order to create an additional bedroom, wet room, and disabled person’s lift. This proposal will extend the first floor of the dwelling in line with the existing side elevation, which also forms the boundary wall. The proposal is set back from the front elevation by approximately 1.5m, and set down from the main ridge line by 0.5m.

Officer Assessment – Key Considerations

1. Principle of Development

Derrington is situated outside of the Sustainable Settlement Hierarchy as defined by Spatial Principle 3 (SP3) of The Plan for Stafford Borough (2011-2031). Policy C5 deals with residential proposals outside the Sustainable Settlement Hierarchy and requires at provision (c) that extensions to properties outside the settlement hierarchy do not total more than 70% of the original dwelling unless the design and appearance of the proposed extension is proportionate to the type and character of the existing dwelling and the surrounding area.
In the case of this application, the property’s floor area is as original, confirmed by a site visit and assessment of the approved plans under which the property was built in 1975. The proposal would have an approximate floor area of 32.38m, representing an increase of 13.26% over the original dwelling, therefore in accordance with Policy C5.

Polices and Guidance:-
National Planning Policy Framework – paragraphs 9, 14, 17
The Plan for Stafford Borough – Policies SP3 Sustainable Settlement Hierarchy, C5 Residential Proposal outside the Settlement Hierarchy

2. Character & Appearance

The original proposal showed the proposed extension to be set back from the front elevation by 0.7m and set down from the main ridgeline by 0.25m.

The revised proposal is designed in a complementary and subservient manner. It follows the architectural form of the existing dwelling, and is set down from the main ridge line by 0.5m and set back from the front elevation by 1.5m, meaning the proposed element reads as an extension. Additionally the massing is softened through the construction of a pitched roof over the integral garage and canopy over the front door. The matching materials chosen for the scheme aid the proposal’s integration into the host dwelling and surrounding area also.

Concerns were raised about this proposal in respect of potential terracing. Given the orientation of the properties involved, terracing already appears present on the streetscene when viewed on Mount Pleasant to the north. From this view Syracuse obstructs the view of number 22 in its entirety, with this effect lessening the further south one travels. In addition it is noted that there is a 5m gap between this dwelling and number 26 to the north as a result of the access drive to Willow Bank. Number 26 is set forward and has a large flat roofed single storey garage on this side, this is a substantial gap will be retained in the street scene on this side. To the south, number 22 is set back with the main dwelling being some 5m behind the main dwelling at number 24, and has a 2m wide pedestrian access.

That said, the proposal would increase the sense of terracing between the two dwellings. This increased terracing was addressed with revisions to the plans; setting the ridgeline of the proposal down by approximately 0.5m and setting back the front elevation by approximately 1.5m from the front elevation of the original dwelling. These revised measures reduce the impact of the terracing caused by the proposal by adding a visual break in the massing between numbers 24 and 22. Considering the set back and set down of the proposed development, and the relationship between the two dwellings, the perceived terracing effect is not considered significant enough to warrant refusal.

Overall the proposal integrates with the character and appearance of the host dwelling. It is acknowledged that the scheme will introduce additional harm to the character and appearance of the surrounding area however. On balance, considering that terracing is already present between numbers 20-24, and that the design now involves appropriate measures to mitigate against further terracing, any additional harm is found to be of an acceptable level.
3. Amenity

In terms of amenity the main points for concern with this proposal are the potential impact on number 22’s principal windows located closest to the applicant property, namely the bedroom window on the first floor, and dining room window on the ground floor. It was observed on site however that this dining room is now used as a lounge, due to the construction of a rear conservatory providing a space for dining. In any case, both windows are to be assessed as principal.

In order to assess the impact of the proposal on the visual amenity of number 22 the 45 Degree Rule as per Appendix 2 of the SPD Design is applied to both of the potentially impacted principal windows. After visiting the site and assessing the original plans for the construction of both Syracuse and 22 Mount Pleasant, it is established that there is now no technical breach of the 45 Degree Rule of the SPD Design due to the additional set back of the proposed extension from the front elevation of Syracuse.

In considering the impact that the proposal may have on the ground floor dining room (now lounge) window the extension is unlikely to create any additional harm over and above that already caused by the existing garage, when considering the approximate 1m distance between the properties.

In the case of both potentially impacted windows the orientation of the properties mitigates against any overshadowing concerns. The proposed extension is situated to the north of the affected property and any restriction of light into either of these principle windows is only likely to be present in the height of summer, for a small amount of time in the evenings.

Given the absence of any technical breach of the SPD Design and the unlikelihood of significant overshadowing considering the properties’ orientation, it is felt that the impact on neighbour amenity is negligible, and does not cause harm significant enough to warrant refusal.

4. Parking

The proposal would increase the number of bedrooms from four to five but in line with Appendix B – Car Parking Standards is not required to provide any additional parking. The garage remains usable as car parking and therefore the parking provision is not reduced. The Highways Authority raises no objection to the proposal. Consequently the proposal is acceptable in terms of parking.
Policies and Guidance:-
National Planning Policy Framework – paragraph 39
The Plan for Stafford Borough – Policies T1 Transport, T2 Parking and Manoeuvring Facilities, Appendix B – Car Parking Standards

5. Other

Comments have been received in relation to the eaves overhang between Syracuse and number 22. This was addressed at an early stage through submission of the correct land ownership certificate and this issue remains a civil matter. There may be implications in relation to the party wall act and an informative can be attached to any grant of permission.

Policies and Guidance:-
National Planning Policy Framework – Section 11
The Plan for Stafford Borough – Policy N4 The Natural Environment and Green Infrastructure

6. Conclusion

Overall this proposal is not felt to significantly harm the character and appearance of the host dwelling through its subservient design and materials schedule. Harm to the surrounding area is acknowledged, but appropriately mitigated against and subsequently not severe enough to warrant refusal. The proposal is also designed and located so as to avoid any technical breach of SPD Design, with the orientation of the properties playing a large part in mitigating against overshadowing concerns. Parking provision remains acceptable.

Considering the above, it is recommended that planning permission be granted, subject to conditions.

Consultations

Highway Authority:
Surgery (14.05.2018): No objection

Parish Council:
Consultation period expired 07.05.2018 – No response received.

Neighbours (12 consulted):
6 representations received from 4 households – 2 in support, 1 no objection, 3 (from 1 household) objecting: Material planning considerations summarised below:
- Eaves overhang and subsequent land ownership issues/trespass.
- Potential overshadowing of principal windows and pedestrian side access to number 22’s rear garden.
- Potential terracing effect.
- Harmful impact on neighbour amenity.
- Overdominance on neighbouring properties.
- Massing detrimental to the streetscene.
Neighbours (12 reconsulted on the revised plans):
2 representations received from 1 household:
- Revisions do not fully address previous reasons for objection and as such all reasons still stand.

Site Notice:
Expiry date: 17.05.2018

Relevant Planning History
None

Recommendation

Approve subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

2. This permission relates to the originally submitted details and specification and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:

   Location Plan at scale 1:1250 produced 28.03.2018
   Drawing No. 00590.01
   Drawing No. 00590.02
   Drawing No. 00590.03 Revised
   Drawing No. 00590.04 Revised
   Drawing No. 00590.05 Revised
   Drawing No. 00590.06 Revised

3. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

The reasons for the Council’s decision to approve the development subject to the above conditions are:

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

2. To define the permission.

3. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).
Application 18/28431/HOU & 18/28436/LBC
Case Officer Samantha Borgars
Date Registered 25 April 2018
Target Decision Date 20 June 2018
Extended To 22 June 2018
Address Park View
Park Lane
Chebsey
Staffordshire
ST21 6JU
Ward Eccleshall
Parish Chebsey
Proposal Retention of demolition works already carried out for timber lean to extensions and incidental outbuildings and proposed two storey side and rear extension, new brick wall and demolition of existing former pigsty.
Applicant Mr R Gray
Recommendation Approve, subject to conditions

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor J M Pert (Ward Member for Eccleshall) for the following reasons:-

For committee to discuss the heritage impact of the proposed development on the listed building and Conservation Area

Context

Park View is a traditional, semi-detached Grade II Listed dwelling which falls within open countryside; it is also within the Chebsey Conservation Area.

The current proposal is for a two-storey side and rear extension with pitched roof and double rear-facing gable ends. The proposal also includes demolition of some later timber lean to extensions, a brick built pantry extension, and outbuildings within the curtilage of the building. It was established on a site visit dated 3rd May 2018 that the timber lean to extensions, garage and all outbuildings, with the exception of the curtilage listed former pigsty, have already been demolished.

This application is a re-submission of a previously approved scheme for a two storey side extension under permission references 17/26199/HOU and 17/26251/LBC (as some demolition has already occurred in line with these consents it is considered that a material commencement on site has taken place). Amendments to the previously approved consents include the following:
- Extension to now wrap around the existing rear elevation of the dwelling to disguise the later 20th century extension to the rear (which is in a completely mismatched brick);
- New wall to be erected within curtilage of Park View projecting off of the south-west facing rear elevation of the proposed extension;
- Part of the curtilage listed former pigsty outbuilding within the ownership of the applicant to be demolished – part in ownership of neighbouring property the Old Post Office to be retained (notice 1 served on occupiers of the Old Post Office on 27.04.2018, Ownership Certificate B has been completed).

The validity of the notice served has been questioned by the occupiers of Old Post Office stating that notice has not been served on their mortgage lender. Notice is only required to be served on the registered freeholder or a leaseholder with 7 years left to run on their lease. A mortgage lender does not constitute as a freeholder. Therefore the notice served is considered to be valid as it has been served on the registered freeholders of the Old Post Office.

**Officer Assessment – Key Considerations**

1. **Principle of Development**

   Spatial Principle 3 (SP3) of the Plan for Stafford Borough sets out where the majority of future development will be delivered within the Borough in terms of a Sustainable Settlement Hierarchy which consists of Stafford, Stone and 11 Key Service Villages (KSV’s).

   The property is located in the open countryside and Policy C5 requires that in areas outside the settlements identified in SP3, the extension of an existing building should not result in additions of more than 70% to the dwelling as originally built, unless at provision (Cii), the design and appearance of the proposed extension is proportionate to the type and character of the existing dwelling and the surrounding area.

   The original floor area of the property measured 86.6m²

   The property has been previously extended with a two storey rear extension for which there is no planning history. However on checking records held by the council there is no firm evidence to suggest that the extension was constructed post 1948 and as such it has been treated as original. The property has also had a pantry extension and two timber lean-to extensions to the east elevation for which no planning permission or listed building consent could be found. The proposal involves the demolition of the pantry and both timber lean to extensions.

   The proposal seeks to add an additional 74.64m² resulting in a cumulative increase of 93.3% over the original floor area. The proposal would therefore be over the 70% threshold provided for under Policy C5(c). However, it is considered that as the proposed extensions are proportionate to the type and character of the existing dwelling and the surrounding area in terms of its scale and design.

   **Polices and Guidance:-**
   National Planning Policy Framework – paragraphs 9, 14, 17
The Plan for Stafford Borough – Policies SP3 Sustainable Settlement Hierarchy, SP7 Supporting the Location of New Development, C5 Residential Developments outside the Settlement Hierarchy

2. Character & Appearance

Park View is a Grade II Listed traditional semi-detached cottage situated in the Chebsey Conservation Area. It is situated on an end plot of land and forms part of a historic and traditional street frontage which has been listed mainly for group value. The Historic England Listing describes the property as, ‘Probably late C18, Later alterations. Red brick; 2 storeys; 2 casement windows and 2 plain doorways, all with cambered heads; ledged door to Post Office; plain eaves; tiles. Included for group value.’

The proposed two storey extension would be located to the east facing side elevation and the south-west facing rear elevation of the existing dwelling and would be stepped back from the front elevation of the property by approximately 0.6m breaking up the massing. The extension would also be stepped down from the highest part of the original roof by approximately 0.3m, it would therefore be subservient to the host dwelling. The existing timber lean-to extensions that have already been demolished (as approved under permissions 17/26199/HOU and 17/26251/LBC) and the brick built pantry extension are of no historical or architectural significance. The proposed extension has been designed with a dual pitched roof and would form a double south facing gable end. The cottage is probably 18th Century in construction with a later 20th century element to the rear. The proposed extension would disguise the later, unsightly addition to the property which is in a very poor state of repair and is unlikely to have much structural integrity. As part of the works for the new extension the structural issues with the existing rear extension would be remedied.

Internal alterations would include removal of the existing, steep staircase; this would be replaced and relocated to comply with modern building regulatory standards. Due to the removal of the internal staircase Historic England has been consulted on the application and had no further comments to make other than to refer to the advice of the Local Planning Authority Conservation Advisor. In addition, some internal walls would be removed to facilitate an open plan living space and extend some of the existing rooms which are currently very small, however a flush brick detail will be shown internally on the floor to indicate the original walls and fireplace; a reflection of the original plan form of the cottage.

Following some minor amendments to the proposed extension – including the reduction in the size of the proposed west facing ground floor living room window and the addition of a rainwater downpipe between the two rear facing gable ends, the Conservation Officer now has no objection to the development or the partial demolition of the former pigsty outbuilding, and feels that the design preserves the local character of the Conservation Area and that of the Grade II Listed Building.

The nature of Park View currently makes the use of the building as a family home unviable - it requires substantial alterations and refurbishment in order to bring it in line with current building regulatory standards. The proposed development and refurbishment will enable this and will allow the dwelling to be functional as a modern family home – it is therefore considered that any harm or loss occurring is outweighed by the benefit of bringing the
site back into use (paragraph 133 of the NPPF) and preventing the loss of a historic building altogether.

Policies and Guidance:-
National Planning Policy Framework – paragraphs 56, 57, 58, 59, 60, 61, 64, 131, 132, 133 and 134
The Plan for Stafford Borough – Policies N1 Design, N8 Landscape Character and N9 Historic Environment
Supplementary Planning Document (SPD) – Design

3. Amenity

There would be no technical breach of the Councils Design Supplementary Planning Document in terms of extensions and alterations to existing dwellings.

Concerns were raised by the occupiers of neighbouring property the Old Post Office that the proposed extension would overlook and overshadow their rear garden, however as the proposed extension is set back from the rear elevation of the Old Post Office by 1.5m it is not considered that there would be any overlooking or overshadowing of the adjoining property. Occupiers of the Old Post Office have also raised concerns in terms of ‘structural risk’ and trespass on their property these are not material planning considerations and are addressed by separate legislation.

Policies and Guidance:-
National Planning Policy Framework – paragraph 17
The Plan for Stafford Borough – Policy N1 Design
Supplementary Planning Document (SPD) - Design

4. Parking

The existing garage outbuilding has already been demolished as approved under permission references 17/26199/HOU and 17/26251/LBC, the proposal seeks to replace the garage with a driveway space. The driveway space in front of the existing garage would also be retained therefore providing the required 2 on site car parking spaces for a three bedroom property. The Highway Authority has no objection to the proposals.

When this application was originally submitted a new parking area at the rear of the garden of Park View, Park Cottages and Minnie’s Cottage was proposed by means of an existing field access track which runs to the rear of the properties. However it was considered that a change of use of the existing field access would be required to facilitate this and as such the parking and access to rear has been omitted from this application.

Policies and Guidance:-
National Planning Policy Framework – paragraph 39
The Plan for Stafford Borough – Policies T1 Transport, T2 Parking and Manoeuvring Facilities, Appendix B – Car Parking Standards
5. Public Right of Way

The Chebsey 18 Footpath runs past the north-eastern boundary of the site, it is not considered that the proposal would obstruct or impact on this. The Right of Way Officer has been consulted and does not consider that the public footpath would be affected by the proposed development and therefore raises no objection to the application.

6. Conclusion

The proposal is considered to be acceptable in terms of its design, scale and massing and is not considered to have an adverse impact on the character or appearance of the listed dwelling or the surrounding Conservation Area. There would be no technical breach of the councils Design Supplementary Planning Document and the parking and access arrangements meet the car parking standards for a three bedroom property.

Consultations

Conservation Advisor:
The amended drawings have satisfactorily addressed my concerns. No historic building objection to this application.

Historic England:
On the basis of the information available to date, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.
It is not necessary for us to be consulted on these applications again, unless there are material changes to the proposals.

Highway Authority:
No objection.

Right of Way Officer:
Public Footpath No. 18 Chebsey Parish runs to the north-east of the application site. It does not appear from the application documents that this right of way will be affected by the proposals. The County Council has not received any application under Section 53 of the Wildlife and Countryside Act 1981 to add or modify the Definitive Map of Public Rights of Way, which affects the land in question. It should be noted, however, that this does not preclude the possibility of the existence of a right of way at common law, or by virtue of a presumed dedication under Section 31 of the Highways Act 1980. It may, therefore, be necessary to make further local enquiries and seek legal advice in respect of any physically evident route affecting the land, or the apparent exercise of a right of way by members of the public.

Parish Council:
Councillors had no further comments to add to their previous concerns over disproportionate extensions which should be unacceptable in the Chebsey Conservation Area.

Neighbours (3 consulted):
3 responses received (2 from 1 household): Material planning considerations summarised below:
- Impact to Grade II Listed Building and Conservation Area
- Impact to character and appearance
- Disproportionate additions
- Loss of neighbour amenity
- Impacts of car parking

Site Notice: Listed Building in Conservation Area and Right of Way
Expiry date: 24.05.2018

Newsletter Advert: Listed Building in Conservation Area and Right of Way
Expiry date: 30.05.2018

**Relevant Planning History**

17/26199/HOU and 18/26251/LBC - Proposed living dining kitchen bedroom and bathroom extension and demolition of pantry porch and corrugated lean to building and detached garage and garden sheds in garden – Permitted
17/27043/HOU and 17/27065/LBC - Alterations to living room/bedrooms and dining kitchen, refurbishment of existing outbuilding and two storey side extension (Resubmission of 17/26199/HOU and 17/26251/LBC) – Withdrawn

**Recommendation**

Approve, subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

2. This permission relates to the originally submitted details and specification and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-

   - Location Plan with red edge encompassing Park View's curtilage only
   - Drawing No. 1961/1 Rev A Proposed Ground Floor Plan and Site Plan
   - Drawing No. 1961/2 Wall Elevations
   - Drawing No. 1961/3 Rev A Proposed First Floor Plan and Elevations
   - Drawing No. 1961/4 Window and Door Section.

3. Notwithstanding the details and specifications submitted in the application documents, no development shall take place until details and/or samples of the materials to be used in the construction of the external surfaces of the extension hereby permitted have been submitted to and approved in writing by the local planning authority. Development shall then be carried out in accordance with the approved details.

4. Notwithstanding the details and specifications submitted in the application documents, no development shall commence until full joinery details have been submitted and approved in writing by the local planning authority for all new
doors/windows, to include elevations at a scale of 1:10 or 1:20, and sections at a scale of 1:1 or 1:2 to include profiles of glazing bars, recess within openings, and any sills. The doors/windows shall thereafter be constructed and installed in accordance with the approved plans.

The reasons for the Council’s decision to approve the development subject to the above conditions are:

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

2. To define the permission.

3. In order to safeguard the architectural and historic character of this Grade II Listed building which forms an important part of the Chebsey Conservation Area. (Policy N9 of The Plan for Stafford Borough).

4. In order to safeguard the architectural and historic character of this Grade II Listed building which forms an important part of the Chebsey Conservation Area. (Policy N9 of The Plan for Stafford Borough).

Informative(s)

1. The Local Planning Authority considers the proposal to form a sustainable form of development and that it complies with the provisions of the National Planning Policy Framework.

2. This permission does not grant or imply consent for the parking area shown on the site plan at the south-west boundary of the rear garden of Park View and Park Cottages by virtue that in order to access the proposed parking areas a planning application for change of use of the land would be required.
**Application** 18/28463/HOU

**Date Registered** 02 May 2018

**Address** 12 Manor Square
Rising Brook
Stafford
Staffordshire
ST17 9QL

**Proposal** Proposed two storey extension to side and rear with external and internal alterations

**Applicant** Mr And Mrs Clayton

**Recommendation** Approve, subject to conditions

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**REASON FOR REFERRAL TO COMMITTEE**

This application has been called in by Councillor A M Loughran and Councillor G O Rowlands (Ward Members for Manor) for the following reasons:-

‘Development detrimental to the character and appearance within the conservation area.’

**Context**

This proposal relates to a semi-detached dwelling within the Burton Manor Conservation Area.

This proposal is for a two storey rear extension which would also project from the side elevation of the existing dwelling. The proposal includes alterations to the existing single storey flat roof rear extension to form a pitched roof with rooflights, the removal of the porch to the principle elevation of the dwelling and new fenestration and front door.

The proposed extension would measure a maximum of 10.7m (width) x 5.5m (depth) x 7.7m (height). The proposal includes materials to match the existing facing brickwork, render and roof tiles.

**Officer Assessment – Key Considerations**

1. **Character & Appearance/ Heritage Conservation**

This proposal relates to a semi-detached dwelling within the Burton Manor Conservation area. The dwelling is covered by an Article 4 direction which has removed permitted development rights.
This proposal is similar to that which was previously considered and approved under application 05/04125/FUL; however this proposal differs from that which was previously considered acceptable, due to a reduction in the depth of the extension which has removed the connection to the detached outbuilding and has a simpler roof design. This approval was prior to the establishment of the Conservation Area and therefore there are now additional material considerations to those considered for the 2005 permission. Little weight is given to this permission as it has not been established whether this was lawfully commenced or whether it has lapsed.

Paragraph 132 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset great weight should be given to the asset’s conservation. The more important an asset the, the greater the weight should be. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires that special attention shall be paid to the desirability of preserving and enhancing the character and appearance of the Conservation Area.

Policy N8 states that development should demonstrate that proposals with landscape and visual implications should protect, conserve and where appropriate enhance the setting and views of or from heritage assets including Conservation Areas.

Policy N9 of the Local Plan states that all potential loss of or harm to the significance of a heritage asset, including its setting will require clear justification, taking into account for example the orientation of buildings and the scale, form and massing of buildings.

The Conservation Officer has stated that this semi-detached property is typical of the estate housing erected to common designs in the 1920s in the model village by the British Reinforced Concrete company to house its workers. Although this dwelling has been unsympathetically altered in recent times by the addition of a modern porch, large flat roofed rear extension, and substitution of stained timber windows for the original steel fitments, the dwelling retains its basic form with red brick lower storey, rendered upper storey and hipped tiled roof, and contributes to the significance of the conservation area.

The Conservation Officer has raised no objections to the proposal which would remove the modern insensitive alterations and reinstate the original character of the building.

The two storey element to the rear is considered to be sympathetic and well designed in relation to the existing dwelling and Conservation Area, and the replacement of the flat roof with a pitched roof is considered as a sympathetic improvement to the dwelling. The use of the hipped roof design and matching detailing to the extension and windows is considered to be an enhancement of the dwelling and a benefit to the Conservation Area.

An area of concern raised within this proposal is the 2.1m projection beyond the side elevation of the dwellinghouse. However this is set at the rear of the dwelling projecting from the side of the existing rear extension except for a small 0.5m element which would be forward of the original rear elevation, meaning that some historic detailing and form would be lost at the rear corner of the dwellinghouse. However as the proposal is substantially set back from the principle elevation and is primarily from the rear extension, this is considered to cause less than substantial harm. In any event the side extension is considered to be well designed and sympathetic both in form and materials to the character of the original dwelling.
Within the Conservation Area appraisal the porch and windows to this dwelling are noted as causing harm to the conservation area. However this proposal would address these issues by the removal of the porch and replacement of the windows. The Conservation Officer has raised no objections as the proposal would reinstate either an original or original pattern timber front door and replace modern timber windows with new fenestration and concrete cills, headers and mullions on all windows. The design and type of windows can be conditioned as per the Conservation Officers comments to match the original estate style Crittal steel windows to all elevations with the glazing bars as per the original detailing throughout the estate.

The conservation area appraisal states that the reinstatement of lost features will be supported and the removal of later porches which are out of character with the area will be supported (paragraphs 8.10, 8.14 and 8.19). Therefore substantial weight can be given in support of the reinstatement of these features.

The Conservation Officer has requested conditions in relation to cast metal rainwater goods, windows and doors, which are considered reasonable and necessary to secure the details of these elements to enhance the Conservation Area.

Paragraph 134 states that where a development proposal will lead to less than substantial harm to the significance of the designated heritage asset, this harm should be weighed against the public benefits of the proposal.

Appropriate weight should be given to the harm and benefits within a proposal and the effect upon the significance of a heritage asset. Paragraph 137 states that proposals that preserve those elements of the setting, which make a positive contribution to or better reveal the significance of the asset should be treated favourably.

Therefore taking the above into consideration and weighing up the harm and benefits of the proposal, it is considered that on balance any harm to the Conservation Area is outweighed by the potential public benefits of this proposal.

Comments have been received asking for the work to the front of the dwelling to be carried prior to any other work to the remainder of the dwelling. Paragraph 206 of the National Planning Policy Framework states that any condition imposed should be, amongst others things, reasonable and necessary. However, in relation to this proposal, such a condition restricting how the development is implemented is not considered reasonable or necessary.

Policies and Guidance:-
National Planning Policy Framework – Paragraphs 56, 57, 58, 59, 60, 61, 64, 131, 132, 133, 134, 135, 137 and 206
Planning (Listed Building and Conservation Areas) Act 1990 – paragraph 72
The Plan for Stafford Borough – Policies N1 Design, N8 Landscape Character, N9 Historic Environment
Supplementary Planning Document (SPD) – Design
Burton Manor Conservation Area Character Appraisal
2. Amenity

The design guidance states that a principle window is defined as a main window of more than 1m in width to a habitable room. This proposal would form three rear facing principle windows within the extension, one at ground floor to the kitchen and two at first floor to two bedrooms.

There are three non principle side facing windows at first floor, one to a landing which overlooks the adjoining dwelling to the north and two to a bedroom and an en-suite which overlooks the dwelling to the south. Given that these three first floor windows are non-principle windows it is not considered that they would result in a material loss of privacy to the occupiers of the neighbouring dwellings.

Guideline 6 of the Design Guidance states that there should be a minimum distance of 12m from a principal window when it faces the wall of another dwelling with more than one storey with no principal windows. The proposed extension would reduce the distance between the side facing ground floor principle dining room window to number 13 and the side elevation of the proposal at number 12 to a distance of 8.8m at the closest point which is a reduction of 2m from the existing breach. Given that number 12 is sited directly to the north of this window and there is an existing breach, this reduction in distance is not considered to cause demonstrable harm to the amenities of the occupiers of this dwelling.

Comments have been received in relation to a loss of sunlight and daylight to the neighbouring dwellings. However, given that number 13 is sited to the south of the proposal, it is not considered that this would result in a loss of sunlight or daylight to this dwelling. It is acknowledge that the adjoining dwelling number 11 is sited to the north of the proposal. However given that there is a canopy above the ground floor rear facing principle windows of number 11, which does not breach Appendix 2 of the design guidance (the 45 degree rule) this is not considered to cause sufficient harm to warrant a refusal on these grounds.

Comments have also been received in relation to a degree of overlooking from the adjoining neighbours rear facing first floor principle windows into the rooflights of the proposal. However it is considered that given the oblique angle between the rooflights and the neighbour’s window, and the fact that the roof slopes away from the neighbours windows, it is not considered that overlooking would be possible, thus causing no demonstrable harm to the amenities of the occupiers of number 12.

Therefore on balance the proposal is not considered to cause demonstrable harm to the amenities of the occupiers of the dwelling or to the occupiers of the neighbouring dwellings sufficient to warrant a refusal on these grounds.

Policies and Guidance:-
National Planning Policy Framework – Paragraph 17
The Plan for Stafford Borough – Policy N1 Design
Supplementary Planning Document (SPD) – Design
3. Parking

The existing dwelling has three bedrooms; this proposal would increase the number of bedrooms to four. Local parking standards for a dwelling with 4 or more bedrooms require the provision of three parking spaces within the curtilage of the dwelling. There are no changes proposed to the existing highway accesses to the dwelling.

The existing driveway would have sufficient space to provide three on-site parking spaces which has been demonstrated on the proposed block plan submitted within the application. As such the proposal is consider to meet the requirements of the Local Plan parking standards and is therefore considered acceptable.

Policies and Guidance:-
National Planning Policy Framework – Paragraph 39
The Plan for Stafford Borough – Policies T1 Transport, T2 Parking and Manoeuvring Facilities, Appendix B – Car Parking Standards

4. Conclusion

The proposal does raise concerns in relation to the scale of the proposed extension and side projection which is considered to cause less than substantial harm. In addition to this the breach of SPD guidance in relation to the loss of amenity is considered to cause nominal harm over and above the existing situation.

Substantial weight is given to benefits of the proposal of the reinstatement of the original features to the windows, replacement of the unsympathetic windows, removal of the porch and flat roofed rear extensions which are considered out of character with the dwelling and conservation area. Weight is also given in support of the proposal in relation to the appropriate design and materials as a public rather than private benefit.

Given that the proposal would reinstate original features to the dwelling that have been lost prior to the establishment of the conservation area and article 4 direction, it is considered that on balance the proposal would not be considered to cause demonstrable harm to the heritage asset or to cause material harm to the amenities of the occupiers of the neighbouring dwellings and it is considered acceptable subject to appropriate conditions.

Consultations

Conservation Officer:
12 Manor Square lies within Burton Manor conservation area. The semi-detached property is typical of the estate housing erected to common designs in the 1920s in the model village by the British Reinforced Concrete company to house its workers. Although unsympathetically altered in recent times by the addition of a modern porch, large flat roofed rear extension, and substitution of stained timber windows for the original steel fitments the basic form of the dwelling with red brick lower storey, rendered upper storey and hipped tiled roof remains unimpaired and contributes to the significance of the conservation area.
In principle the current application is to be welcomed for its proposals to remove the modern insensitive alterations and reinstate the original character of the building. There is
no conservation objection in principle to removing the front porch and reinstating either an original or original pattern timber front door; to demolishing the rear extension and erecting a new two storey rear addition in materials to match the original; and replacing modern timber windows. All new fenestration should match the original estate style Crittal steel windows, either powder coated steel (Crittal W20 section or similar) or powder coated aluminium to match. UPVC substitutes would not be acceptable in either form or authenticity. Although the applicant is keen to have plain glazed windows on the rear elevation to optimise outward views it would be preferable for the rear windows to have glazing bars as per the original detailing throughout the estate. Rainwater goods should be in cast metal: the proposed use of cast metal look-alikes in uPVC would not be acceptable.

Conditions should be imposed covering details of walling and roofing materials; windows and doors; and rainwater goods.

Neighbours (3 consulted):
13 representations received, 9 in support (1 address incomplete), 3 in objection (1 address incomplete) and 1 neither in support or objection. Material planning considerations have been summarised below:
- Windows to the rear element of the extension that would overlook, causing a loss of privacy
- Rear extension contains rooflights which would be able to see into from upstairs windows
- Loss of sunlight
- Different to the plans passed in 2005
- Not in accordance with the Burton Manor Village Conservation Area Guidelines September 2013- work would erode the special architectural and historic character and appearance of the conservation area, affect the sense of spaciousness with back gardens and the formal layout of the estate, extensions to the front and side would not normally be permitted as this will disrupt the strict symmetry of the historic building, the extension would obscure the basic form of the original building
- The side extension would affect the appearance of the front elevation
- The work to the front should be completed prior to any other building work done to the remainder of the house
- Neighbours have had applications refused for alterations to side and principle elevations in Manor Square and Manor Green
- Side extension would have close proximity to boundary with three overlooking windows and create a loss of sunlight and daylight
- Side extension would change the front elevation and is not in keeping with the ethos of open spaces
- Parking would be significantly reduced
- In opposition to the Conservation Act and section 8 of the Burton Manor Conservation Area Appraisal
- Proposal should be revised in line with numbers 5 and 26 Manor Square where the extension is sympathetic to the maintaining the profile of the house by extending to the rear
- Three windows overlooking the adjoining properties which should be avoided
- Existing windows and porch harm the conservation area. Is this to be rectified?

Site Notice:
Expiry date: 05.06.2018
Newsletter Advert:
Expiry date: 06.06.2018

Relevant Planning History

17/27622/HOU – Alterations to approved application 05/04125/FUL. Acceptable in principle Subject to Amendments 06.12.2017
05/04125/FUL – Side/rear extension and conversion of flat garage roof into pitched roof forming games room in garage and additional bedroom and enlarged kitchen pitched roof over existing flat roof extension. Permitted 18.004.2005
04/02539/FUL – Side and rear extensions to form enlarged bedroom/en-suite enlarged kitchen utility adaptation of existing double garage forming games room, store/dayroom over by providing pitched roof over existing flat roof. Refused 08.10.2004
78/07231/FUL – Extension To Domestic Dwelling (Sun lounge Study And Porch), New Double Garage. Permitted 06.12.1978

Recommendation

Approve, subject to the following conditions:

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted.

2. This permission relates to the originally submitted details and specification and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-

   Drawing JPK/17/3881/1 Revision H scaled at 1:50 & 1:100
   Location and Block Plan scaled at 1:1250 & 1:50

3. The rainwater goods shall be painted black cast metal, and shall be retained as such throughout the life of the development.

4. The facing brick, roof tile and render to be used in the construction of the extension(s) shall match that of the existing dwelling.

5. Prior to the commencement of the development full details of the proposed windows, which shall not be UPVC, shall be submitted to and approved in writing by the Local Planning Authority. The development shall be completed in accordance with the agreed details and retained as such thereafter.

The reasons for the Council’s decision to approve the development subject to the above conditions are:

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.

3. In order to safeguard the character of this part of the Burton Manor Conservation Area of which this building forms an important constituent part. (Policy N9 of The Plan for Stafford Borough).

4. In order to safeguard the character of this part of the Burton Manor Conservation Area of which this building forms an important constituent part. (Policy N9 of The Plan for Stafford Borough).

5. In order to safeguard the character of this part of the Burton Manor Conservation Area of which this building forms an important constituent part. (Policy N9 of The Plan for Stafford Borough).

Informative(s)

1. The Local Planning Authority consider the proposal to be a sustainable form of development and therefore complies with the provisions of the National Planning Policy Framework.
Ward Interest - Nil

Planning Appeals

Report of Head of Development

Purpose of Report

Notification of new appeals and consideration of appeal decisions. Copies of any decision letters are attached as an **APPENDIX**.

Notified Appeals

<table>
<thead>
<tr>
<th>Application Reference</th>
<th>Location</th>
<th>Proposal</th>
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Decided Appeals

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<tr>
<th>Application Reference</th>
<th>Location</th>
<th>Proposal</th>
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<tbody>
<tr>
<td>17/26258/FUL Appeal Allowed</td>
<td>School House Newport Road Haughton</td>
<td>Proposed two storey side extension and single storey garage extension to existing dwelling and retention of change of use of land at rear as residential garden.</td>
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</tbody>
</table>

Previous Consideration

Nil

Background Papers

File available in the Development Management Section

Officer Contact

Mr John Holmes, Development Manager Tel 01785 619302
Appeal Decision
Site visit made on 20 March 2018
by Kevin Savage BA MPlan MRTP
an Inspector appointed by the Secretary of State
Decision date: 21 May 2018

Appeal Ref: APP/Y3425/W/18/3193052
School House, Newport Road, Haughton, Stafford, Staffs ST18 9HB

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
- The appeal is made by Mr and Mrs Richard Keen against the decision of Stafford Borough Council.
- The application Ref 17/26258/FUL, dated 2 May 2017, was refused by notice dated 11 July 2017.
- The development proposed is described as a two storey side extension and single storey garage extension to existing dwelling and retention of change of use of land at rear as residential garden.

Decision

1. The appeal is allowed and planning permission is granted for a two storey side extension and single storey garage extension to the existing dwelling and change of use of land at rear as residential garden at School House, Newport Road, Haughton, Stafford, Staffs ST18 9HB, in accordance with the terms of the application Ref 17/26258/FUL, dated 2 May 2017, and the plans submitted with it, subject to the conditions set out in the attached Schedule.

Preliminary Matter

2. In the description of the development in the formal decision above, I have omitted the words ‘retention of’ from the original description as ‘retention’ does not describe an act of development.

Main Issue

3. The main issue is the effect of the proposed side extension on the character and appearance of the area, including the effect on School House as a non-designated heritage asset.

Reasons

4. The appeal site is a detached, red brick house located on Newport Road, the main route through the village of Haughton. The immediate surroundings are primarily residential in character, but with variety to the built form. To one side is a row of detached dormer bungalows, and to the other side is a residential development, Haughton Grange, with a large, two storey detached property adjacent to the appeal site. Across from the appeal site is Haughton Old Hall, a grade II* listed building with a Tudor-style black and white façade, set within mature, leafy grounds. Next to this is Haughton Village Hall, a single storey red
brick building with a large car park in front. The variety of building types, densities, scales and materials within the area gives an impression of a village which has developed gradually and organically over the years.

5. The proposed two storey extension would be located to the side of the building facing Haughton Grange. The dwelling has already been added to on the opposite side with a large double garage extension with dormer accommodation above within a large pitched roof. However, the deep setback and contrasting form of this existing addition allows the original part of the building to still stand out as the most prominent element in the street scene, preserving its scale, proportions and appearance.

6. The side extension would be seen in the same views as the original part of building when looking from the Haughton Grange side. Although it would present a broad frontage to the road, it would be lower in height than the existing building and would have a considerable setback from the main front elevation, thereby appearing subservient in scale and form. As a result, the side extension would not compete with the main front elevation, which would continue to stand as the focal point in views from the street. Whilst the extension would alter the scale of the building, its deep setback and difference in height would mean it would not unbalance the original symmetrical front façade, nor prevent the original scale and proportions of the building from still being appreciated. Furthermore, the use of matching materials would complement the original building’s appearance, allowing the extension to blend into the street scene. The proposal would not therefore detract from the intrinsic qualities which contribute to the building’s significance as a non-designated heritage asset.

7. I have had regard to the degree to which the property has already been extended, and considered the cumulative effect arising from the combined developments. However, the Council acknowledges in its delegated report that the proposal is not subject to the limitations on the amount of extensions set out under Policy C5(c) Plan for Stafford Borough (June 2014) (PfSB), and further extensions to the property are therefore unacceptable in principle, but fall to be judged on their own merits.

8. For the reasons set out above, the proposed side extension would not harm the character or appearance of the area. As such, it would accord with the design aims of Policy N1 of the PfSB, specifically criteria (g) and (h). The proposal would also accord with Policy N8 of the PfSB, which requires development proposals protect, conserve and where appropriate, enhance heritage assets that contribute to the local distinctiveness of the area, and the setting and views of, or from, heritage assets.

9. The proposal would also comply with relevant paragraphs of the National Planning Policy Framework (the Framework), including paragraph 56, which states that good design is a key aspect of sustainable development and indivisible from good planning; and paragraph 135 which requires that the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application.

Other matters

10. The Council considered the proposed rear extension of the garage to be acceptable. From Newport Road, the roof of the extension would be visible
above the flat roof of the garage of the neighbouring property, Orchard Cottage, but it would not appear dominant within the street scene given its lower height and recessed position relative to adjacent buildings. I therefore concur with the Council’s conclusions in respect of its effect on the character and appearance of the area.

11. With respect to the change of use, the Council noted the inclusion of the land in question within the settlement boundary of Haughton and that the principle of residential use of the land was therefore acceptable. I see no reason to conclude differently to the Council in respect of this element of the proposal. Reference is made by an interested party to a restrictive covenant on this land and to a precedent being set. A covenant is a separate legal matter and not relevant to my decision. In respect of precedent, I have considered the specific merits of this proposal, in particular the designation of the land within the settlement boundary. I do not consider the conclusions reached would set any harmful precedent for other proposals, which would fall to be considered on their own merits.

12. Interested parties have raised concern in respect of the garage extension and its effect on the outlook from windows of the neighbouring property, Orchard House. The Council states that there would be a slight infringement of the 45 degree test set out in its Space about Dwellings and Extensions to Dwellings Supplementary Planning Guidance. On site, I observed that the appeal site is at a marginally lower ground level than the neighbouring site. I saw that the nearest window was angled slightly towards the appeal site, but that there were a number of tall bushes and a shed adjacent to the boundary in addition to a relatively tall fence. The roof of the extension would be visible above the fence but the ridge would be positioned well in from the boundary which would reduce its immediacy when viewed from the neighbouring property. Neighbouring occupants would still have unencumbered views over the rear garden and open land beyond from this and other rear facing windows. Therefore, whilst the roof of the garage would be visible from the neighbouring property, it would not create an overbearing impact nor impede outlook such that it would harm the living conditions of neighbouring occupants.

13. The Grade II* listed Haughton Old Hall is experienced within the same context of varied linear development along the main road as the appeal site. Its black and white façade draws the eye on approach. However, it stands between mature hedges and trees and its outbuildings which effectively frame it and distinguish it from the more open layouts and contrasting built form within its wider setting. The proposed side extension would be seen within this wider setting in the same views as the listed building. Given its recessed position and complementary appearance, however, the side extension would not harm the setting of the listed building.

14. In respect of concerns over the noise arising from use of the garage for maintaining motor vehicles, I have nothing before me to suggest that the garage would be used other than incidental to the residential use of the property.

15. Reference is also made to damage to a mains sewer to be built over. I have not been provided with evidence of a specific risk or that this matter could not be adequately dealt with during the construction process.
Conditions

16. I have noted the list of conditions suggested by the main parties, and have had regard to the advice set out in both the government’s Planning Practice Guidance and in the Framework in terms of the need for individual conditions and appropriate wording.

17. I consider that it is necessary in the interests of clarity to specify the plans that are approved and that the development shall be undertaken in accordance with these. There is a difference between the lists of drawings provided by the main parties. The Council has omitted drawings 200-03-001 and 200-03-019 which I note show a superseded version of the proposed garage extension; drawing 200-03-004 which shows a pre-existing layout plan not reflective of the present layout; and 4 photomontages which are for indicative purposes. For clarity and consistency, I have not included these among the approved plans.

18. A condition in respect of the details of external materials is reasonable and necessary to ensure a satisfactory appearance given the prominence and local significance of the building. It is necessary for the condition to require the submission of details to be first agreed with the local planning authority as different materials are proposed for each extension.

19. A condition has been requested by the highways officer to restrict the garage parking to residential use only. I have not been provided with evidence that the garage extension would be used for a purpose other than incidental to the use of the dwelling, and such a condition is not therefore necessary.

20. The Council has requested a condition requiring the retention of a boundary fence between the appeal site and Orchard Cottage for the lifetime of the development. The plans do not indicate any removal or alteration of the existing fence, and given that the garage extension would be visible over the requested 1.8m fence, I am not persuaded that such a condition is necessary to protect either the character or appearance of the area or the living conditions of neighbouring occupants.

Conclusion

21. For the reasons given, I conclude that the appeal should be allowed.

Kevin Savage

INSPECTOR
Schedule – Conditions

1) The development hereby permitted shall begin not later than 3 years from the date of this decision.

2) The development hereby permitted shall be carried out in accordance with the following approved plans: Site Location Plan Scale 1:1250; 200-03-002 Rev A; 200-03-003 Rev A; 200-03-005 Rev A; 200-03-008 Rev A; 200-03-0010 Rev A; 200-03-018 Rev A; 200-03-020 Rev D; 200-03-021 Rev E; 200-03-022 Rev D; 200-03-023 Rev D.

3) Notwithstanding the details shown on the approved plans, development shall not commence until details of the materials to be used in the construction of the external surfaces of the extensions hereby permitted have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.