Dear Members

Planning Committee - Site Visit

A meeting of the Planning Committee will be held in the Craddock Room, Civic Suite, Civic Centre, Riverside, Stafford on Monday 16 July 2018 to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

The Committee will meet at the rear of the Civic Centre and depart at 9.30am to visit the sites as set out in the agenda and re-convene at the Civic Centre at approximately 11.45am to determine the applications.

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. Well

Head of Law and Administration
AGENDA

1  Apologies

2  Declaration of Member's Interests/Lobbying

Page Nos

3  Planning Application(s)  3 - 29

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)
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>Ref</th>
<th>Address</th>
<th>Officers</th>
</tr>
</thead>
<tbody>
<tr>
<td>18/28509/HOU</td>
<td>78 Cannock Road, Stafford ST17 0QQ</td>
<td>Officer Contact - Sarah Poxon, Development Lead (Small Scale) - Telephone 01785 619507</td>
</tr>
<tr>
<td>18/27927/FUL</td>
<td>Land at Alexandra Street, Stone, Staffordshire</td>
<td>Officer Contact - Richard Wood - Development Lead (Large Scale) - Telephone 01785 619324</td>
</tr>
<tr>
<td>18/28273/HOU</td>
<td>16 Westover Drive, Stone, Staffordshire ST15 8TT</td>
<td>Officer Contact - Sarah Poxon, Development Lead (Small Scale) - Telephone 01785 619507</td>
</tr>
</tbody>
</table>

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.
Application 18/28509/HOU  Case Officer Teresa Brown
Date Registered 15 May 2018  Target Decision Date 10 July 2018
Address 78 Cannock Road  Ward Weeping Cross
          Stafford  And Wildwood
          ST17 0QQ
Parish Stafford MB
Proposal Single-storey side and rear extension
Applicant Mr & Mrs Lavender
Recommendation Approve, subject to conditions

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor J A Barron (Ward Member for Weeping Cross & Wildwood) for the following reasons:-

1. Overbearing impact on the neighbouring properties.
2. Not in keeping with the character and appearance of the area.
4. Extensive alterations already carried out without planning permission.
5. Very little improvement to the last refused Planning application.

Context

The property is a detached house situated in Stafford.

The application is a revised scheme to a previous application that was refused on amenity grounds. It was considered that the previous proposal would, by means of an unacceptable increase in massing on the southern side boundary and to the rear of the northern side boundary as a result of the proposed two-storey side and rear extension elements, lead to an unacceptable level of loss of light and outlook to the side facing ground floor principal windows contained within the side elevations of the adjacent neighbours to both sides.

This revised scheme proposes a single story side extension and a single storey rear extension to provide a dining room, kitchen, utility room and study.

The first floor elements to the side and rear have been removed from the scheme, with the proposed single storey extension being built around the existing 2 storey flat roofed rear extension.
**Officer Assessment – Key Considerations**

1. **Character and Appearance**

   The siting, design and massing of the proposal are considered acceptable.

   The proposed rear elements would not be readily seen from public vantage points. The proposed single storey side extension would not be overly prominent when viewed from the highway and other public vantage points.

   The proposal would be constructed of matching materials.

   The proposal would reduce the gap between the applicant property and no.80 Cannock Road to approximately 5m. The existing gap between the applicant property and no.76 Cannock Road would remain at approximately 3.4m. Given the single storey nature of the proposal and the remaining separation distance to the side, it is not considered that the proposal would result in visual ‘terracing’.

   A stand-alone single storey extension to this side of similar dimensions could be built under permitted development rights.

   **Policies and Guidance:-**
   
   National Planning Policy Framework – Paragraphs 56, 57, 58, 59, 60, 61 & 64
   
   The Plan for Stafford Borough – Policy N1 Design
   
   Supplementary Planning Document (SPD) – Design

2. **Amenity**

   The proposal has been assessed against the Council’s Design Supplementary Planning Document (SPD) 2018 in context of residential amenity.

   The proposal would not result in any unacceptable breaches of the Council’s Design Supplementary Planning Document (SPD) 2018 in context of residential amenity.

   The proposal would not result in any breaches of SPD guidance (25 degree rule) to the south eastern side, where the side elevation of this neighbour contains a ground floor principal dining room window. In context of distances to windows, the proposal would not meet the recommended SPD distance of 8m. However, the proposal would remove an existing opposition between principal windows at ground floor level, which would result in a betterment to privacy at this level (the proposed ground floor windows to this side are non-principal) and privacy would be further protected by existing boundary treatments. A stand-alone single storey extension to this side of similar dimensions could also be built under permitted development rights.

   Also to this side, internal re-organisations at first floor level would result in the creation of a 4th bedroom with a side facing principal window which is the only source of light and outlook to this room. This room is shown on the existing plans as part of bedroom 2, which has a main principal window to the rear elevation and a non-principal window (high level and under 1m wide) the side elevation. It is this side facing window that would be enlarged
to become the principal window to bedroom 4, and would oppose the side of the adjacent neighbour at a distance of 7.4m (pre-set situation). This would be in a breach of SPD 21m distance between principal windows guidance resulting in a potential for overlooking (into the neighbour’s side facing ground floor principal kitchen window). Consideration has been given to the following:

The opposition would be between ground and first floor levels whereby any views into respective windows would be at a vertical angle, thus minimising the potential for overlooking. It is unlikely that this window would significantly overlook the rear amenity area to the neighbour, given the angle of view and intervening structures.

The SPD does not support new windows close to boundaries, however, it is noted here that this is a pre-set situation where the window would be an enlarged window in the existing side wall.

In summary, given the circumstances and for the avoidance of doubt, it is considered reasonable to condition this window to be fitted with and retained/maintained with obscure glazing to ensure the privacy of respective occupiers is protected.

In terms of light and outlook for the window to bedroom 4, there would be no breaches of the vertical 25 degree line rule. As such, although the outlook to this window would not be ideal, sufficient light to it would be available.

To the north western side, there would be no direct opposition of this neighbour’s side facing ground floor kitchen principal windows as a result of the single story rear extension. There is an existing breach of SDP guidance in respect of these windows (existing separation distance of approximately 3.4m to the side between the respective dwellings) and it is not considered that the proposed rear single storey element would impact on this neighbour’s amenity to such an extent as to warrant a refusal. The rear extension to this side would have a flat roof which would help to minimise any impacts. Again, consideration has been given to the fact that a stand alone single storey extension to the rear of similar dimensions could also be built under permitted development rights. Also to this side, the proposal would include a new first floor ensuite window in the existing side wall. This is shown on the plans to be obscure glazed. This is considered acceptable.

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 house has 3 bedrooms. The house as extended would have 4 bedroom thus requiring 3 on-site parking spaces to satisfy local plan parking standard. The proposed extension would impact on the existing parking provision/access to the garage, however, the proposed parking arrangements show in excess of the required 3 spaces being made available to the site frontage.

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. Other

There is no evidence to suggest that extensive alterations have already been carried out without planning permission. Any previous alterations, which are not considered extensive, would appear to have been carried under a previous permission or permitted development rights.

Neighbour comments have been noted and are addressed in the relevant parts of the report and as below:

The neighbour appears to have misunderstood the application of the 45 degree rule, as exemplified in the diagram under Appendix 2 of the SPD Design.

Side drives/yards are not normally considered to be a main amenity area, unless they are the only amenity area.

The patio area behind the garage is under cover and therefore overlooking would be highly unlikely.

5. Conclusion

The revised proposal is considered to be acceptable in terms of its design and scale and is not considered to have an adverse impact on the character or appearance of the surrounding area, parking and access, or amenity, subject to appropriate conditions.

Consultations

Neighbours (6 consulted):
2 representations received from one address point: Material planning considerations summarised below:

Objections:
- Narrowing of gap would impact on light and outlook to principal dining room window and impact on privacy to rear amenity area.
- Increase in window size to 4th bedroom would have direct view into dining room and rear amenity area. Breach of SPD distances between principal windows.
- Proposed utility window would have a direct view into dining room and courtyard area (amenity area) which is private space. SPD does not support windows close to boundaries.
- No 78. Already in breach of 25 degree rule and any increased in width will have effect on light to the dining room window. A minimum distance cannot be met with any planned extension, new or adjusted existing windows.
- Neighbour believes previous reasons for refusal on grounds of massing and impact on light to the principal window are still an issue.
- No single storey extensions ion the immediate area, therefore proposal not in keeping with the neighbourhood.
- Neighbour has extracted various parts of the SPD/made comments on extracts ANNEX A
- ANNEX B – believes that the proposal breaches the 45 degree rule to both side and rear.
- Diagrams have been submitted in support of comments.
- Photos have been submitted in support of comments.

Site Notice:
None

Relevant Planning History

00/39101/FUL Extension at rear to form extended kitchen. Approved.
18/28061/HOU Ground and first storey side and rear extension. Refused 05.04.2018.

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 no. 18.1843.PL001
   - Drawing no. 18.1843.PL002
   - Drawing no. 18.1843.PL008
   - Drawing no. 18.1843.PL009
   - Drawing no. 18.1843.PL010
   - Drawing no. 18.1843.PL011
   - Drawing no. 18.1843.PL012
   - Drawing no. 18.1843.PL021

3. Notwithstanding any details/description in the application documents, the first floor bedroom window shown to the proposed south eastern side elevation shall be fitted with obscure glazing before the development is brought into use and shall thereafter be retained and maintained as such.

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 protect the privacy of respective occupiers (Policy N1 e 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.
Application: 18/27927/FUL

Case Officer: Ed Handley

Date Registered: 14 February 2018

Target Decision Date: 11 April 2018

Address: Land at Alexandra Street

Ward: St Michaels and Stonefield

Parish: Stone Town

Proposal: Proposed new detached dwelling on vacant site

Applicant: Mr Mark Roberts

Recommendation: Approve, subject to conditions

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor J W Farnham (Ward Member for St Michaels and Stonefield) for the following reasons:-

“The effect on the neighbouring property (2 Meaford Avenue) and the impact on the character of the area”.

Context

The application site comprises part of the rear garden of 51 Alexandra Street which is situated at the head of Meaford Avenue and measures 221sqm in area, inclusive of proposed parking provision for 51 Alexandra Street.

Outline permission was granted for three dwellings on land adjacent to No.51 Alexandra Street, including this site, in 2012 and 2015 under 12/17310/OUT and 15/23122/OUT respectively. Both permissions approved access and layout only.

Alexandra Street comprises terraced houses set on or close to the back of the footpath. Meaford Avenue is similar in character although there is some variation between rows on each side of the street.

The application is for a three bedroom detached dwelling with an integral garage. There would be a first floor element above the garage which would not project the full depth of the dwelling.

Maximum dimensions measure 8.0m (width) x 8.0m (depth) x 8.0m (height). The eaves height would be 5.3m, equal to the adjacent property at 2 Meaford Avenue.
Officer Assessment – Key Considerations

1. Principle of Development

51 Alexandra Street is located within the settlement boundary for Stone as defined in The Plan for Stafford Borough Part 2.

Under the provisions of Spatial Principle 4 the majority of residential development within the Borough is to be focussed within Stafford (70%) and Stone (10%).

Furthermore, there is an extant outline permission for three dwellings on land adjacent to No.51, which includes the site which is the subject of this application.

Therefore, the principle of development is considered to be acceptable subject to other considerations being satisfied.

Policies and Guidance:–

National Planning Policy Framework:
Paragraphs 9, 14, 17

The Plan for Stafford Borough:
SP3 Sustainable Settlement Hierarchy, SP7 Supporting the Location of New Development

2. Character & Appearance

The surrounding area has a relatively dense built form, generally comprising terraced dwellings.

The proposed dwelling would sit at the end of a row of dwellings on Meaford Avenue and would not be prominent within the street scene of Alexandra Street with being set back into the site. Furthermore, it is anticipated that the potential development of two further dwellings, approved under 15/23122/OUT, would screen the proposal in views from Alexandra Street.

The dwellings on the southwest side of Meaford Avenue are all set back from the highway by approximately 4.0m with some having staggered front elevations. The proposed dwelling would be set back from the highway by 6.0m roughly on the same line as the recessed side element of the adjacent property, 2 Meaford Avenue.

Given the staggered elevations of the adjacent row of dwellings, and that the proposed dwelling would sit at the head of the street it is not considered that this slight set back would result in any undue harm to the character of the area.

The dwellings in the immediate vicinity are varied in style having pitched or hipped roofs together with materials comprising brick or render, or a mix of the two.

The proposed dwelling would have two stories and includes an integral garage. It would have a pitched roof with front and rear gables and a hipped element to the side, above the garage, adjacent to 2 Meaford Avenue. The lower section of the dwelling would comprise
facing brick with a soldier and stretcher course separating this from a rendered upper section. The roof would be tiled.

The dual-style of roof and the use of facing brick and render would result in a dwelling of similar character to the surrounding dwellings whilst finer detailing such as exposed rafter ends, and brick coursing would mimic the adjacent terraced row of four dwellings (2-8 Meaford Avenue).

It is considered that the proposal would result in a dwelling of similar proportions to the adjacent property and that it would not result in any undue harm to the character and appearance of the area.

Given the size of the plot it is considered reasonable to remove permitted development rights in regard to extensions, alterations and outbuildings in order to protect the character of the area and to ensure that no undue harm would result to the amenity of the occupiers of neighbouring properties.

Policies and Guidance:-

National Planning Policy Framework:
Paragraphs 56, 57, 58, 59, 60, 61 & 64

The Plan for Stafford Borough:
Policies N1 Design, N8 Landscape Character

Design Supplementary Planning Document 2018

3. Amenity

Despite concerns raised by the Ward Member and the occupier of the adjacent property, it is not considered that there would be any adverse harm in regard to amenity.

Although the proposed dwelling would project 3.6m beyond the rear of No.2, given the separation distance of 3.2m it is not considered that any significant harm to outlook from No.2 would result. Furthermore, there would be no facing windows as there are no windows to the side of No.2 and there would be no windows to the side of the proposed dwelling.

It is acknowledged that the layout plans submitted during the consideration of 15/23122/OUT showed a garage to the side of this plot, adjacent to the boundary with No.2. However, scale and appearance were not considered at that stage and therefore no weight can be given to the approved scheme with regard to its form and massing.

The two-storey element of the proposed dwelling would be 0.7m from the boundary at its closest point and given its short depth it is not considered that the proposal would result in an undue overbearing impact on the neighbouring property.

Whilst the proposal may block out some sunlight to the garden of No.2 in the mornings it has to be acknowledged that an extant outline consent exists for a two-storey dwelling on this site.
The urban form of the surrounding area is relatively dense, notwithstanding the long rear gardens southeast of Berkeley Street. In this regard it is not unusual for development to be on or in very close proximity to boundaries.

Outlook from the proposed dwelling is considered to be acceptable. Although the front-facing kitchen window would look onto Meaford Avenue at a distance of only 4.8m this is a situation common in this locality given the historic arrangement of terraced properties fronting the highway.

The rear garden would have an area of 63sqm, slightly below that recommended in Guideline 3 in the Council's Design Supplementary Planning Document, however taking into account land to the side of the dwelling which could be incorporated into the garden space this area would be over 65sqm. It is not considered that the refusal of this application could be justified on the basis of the garden area.

The Environmental Health Officer raises no objection, subject to a number of conditions. It is considered appropriate to attach conditions to restrict hours of works and associated deliveries; to prevent noise nuisance during development; and to ensure that no burning of materials is carried out on the site during development. However, it is considered that other concerns are more appropriately controlled under separate legislation.

Policies and Guidance:

The Plan for Stafford Borough:
Policies N1 Design

Design - Supplementary Planning Document 2018

4. Parking

The proposal would provide in a three-bedroom dwelling which would require two spaces to satisfy Local Plan parking standards.

There would be a single integral garage and space in front of this to park an additional vehicle thereby satisfying Local Plan parking standards.

The Highway Authority raise no objection subject to conditions.

There is an existing vehicular access to the site from Meaford Avenue which currently serves 51 Alexandra Street and which under permission 15/23122/OUT continued to serve this purpose.

It is considered appropriate to attach conditions to any approval to secure the provision of the access, the parking areas and the retention of the garage for the parking of vehicles. Furthermore, with regard to permission 15/23122/OUT a condition regarding the access remaining ungated should also be attached.
The scheme also involves the provision of two parking spaces for the benefit of the occupiers of 51 Alexandra Street as this was previously secured by condition on 15/23122/OUT and was linked to the development of this plot.

The owner of 51 Alexandra Street has confirmed that the proposed parking arrangements are acceptable and that there is an obligation on the applicant to provide parking space prior to the erection of any dwelling on this site following the sale of the land.

Policies and Guidance:-

National Planning Policy Framework:
Paragraph 39

The Plan for Stafford Borough:
Policies T1 Transport, T2 Parking and Manoeuvring Facilities, Parking Standards Guidance

5. Other

Since the approval of 15/23122/OUT the site has been cleared. It was previously considered that the tree quality within the site was low and any loss of trees could be mitigated for within a landscaping scheme. There is a Tulip tree of some quality outside of the site, however on the basis of the arboricultural report submitted to support application 15/23122/OUT the root protection area would be wholly outside of the application site. The Tree Officer raises no objection on the basis that the proposal would not result in the loss of any arboricultural asset of significant value.

Policies and Guidance:-

National Planning Policy Framework:
Section 11

The Plan for Stafford Borough:
Policy N4 The Natural Environment and Green Infrastructure

6. Conclusion

The proposal is considered to be acceptable given the location of the site within the settlement boundary of Stone. Furthermore, it is not considered that the proposal would result in any undue harm to the occupiers of adjacent residential properties, to the safety and convenience of users of the highway or to any arboricultural assets of significant value.

Consultations

Highway Authority:
(Comments dated 1 June 2018):
No objection, subject to conditions to secure the following:
- Provision of the access to the site;
- Provision of access and parking areas; and
- Retention of garage for parking of motor vehicles and cycles.

(Comments dated 28 March 2018):
No objection, subject to conditions to secure the following:
- Provision of the access to the site;
- Provision of access and parking areas; and
- Retention of garage for parking of motor vehicles and cycles.

Tree Officer:
No objection.

Environmental Health Officer:
No objection, subject to conditions to secure the following:
- Restriction of hours of works and associated deliveries;
- Only inaudible equipment (at boundary of adjacent residential properties) to be left running outside of allowed working hours;
- Provision of damping down and road sweeping facilities;
- No burning on site during development;

Stone Town Parish Council:
Objection.
- The garage would be overbearing; and
- Contrary to the NPPF.

Neighbours:
(7 consulted): One representation received in objection, raising the following points:
- Additional first floor above to what was previously considered to be acceptable (2012 and 2015 applications);
- Harm to character of area (not on building line);
- Overbearing on boundary of 2 Meaford Avenue.

Relevant Planning History

12/17310/OUT – Proposed residential development consisting of three dwellings - Approved 16 November 2012

15/23122/OUT – Proposed residential development consisting of three dwellings – Approved 4 December 2015

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:-
3. Before the development is commenced details of the finished floor levels of the proposed building(s) including their relationship to the levels of the highway and existing site and adjacent development, shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

4. Notwithstanding any description/details of external materials in the application documents, no development shall be commenced until precise details or samples of the materials to be used in the construction of the external wall(s) and roof(s) of the building(s) have been submitted to and approved in writing by the Local Planning Authority.

5. Details of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority. The approved landscaping scheme shall be implemented within 8 months of the first occupation of the dwelling.

6. Within 2 months of the dwelling first being occupied all walls, retaining walls, fences, and other means of enclosure shall be erected in complete accordance with details to first be submitted to and approved in writing by the Local Planning Authority and shall thereafter be retained as such.

7. The development shall not be brought into use until the access and parking area(s) have been provided in accordance with drawing N1012 01 revision B and shall thereafter be retained as such for the lifetime of the development.

8. The integral garage shall be retained for the parking of motor vehicles and cycles. It shall at no time be converted to living accommodation without the prior express permission of the Local Planning Authority.

9. The vehicular access shall remain ungated.

10. All construction works, including demolition and associated deliveries to the site shall only take place between the hours of 8.00am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays.

11. Any equipment which must be left running outside the allowed working hours shall be inaudible at the boundary of occupied residential dwellings.

12. There shall be no burning on site during development.

13. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended), or any other
subsequent equivalent order, no development within the following classes of
development shall be carried out without the prior approval of the Local Planning
Authority:
- Schedule 2, Part 1, Class A - enlargement, improvement or other alteration
- Schedule 2, Part 1, Class B - additions etc to the roof
- Schedule 2, Part 1, Class D - porches
- Schedule 2, Part 1, Class E - buildings etc incidental to the enjoyment of the
dwellinghouse
- Schedule 2, Part 2, Class A - gates, fences, walls etc

14. Any tree, hedge or shrub planted as part of a landscaping scheme (or replacement
tree/hedge) on the site and which dies or is lost through any cause during a period
of five years from the date of first planting shall be replaced in the next planting
season.

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

2. To define the permission.

3. To safeguard the character and appearance of the area (Policy N1h of The Plan for
Stafford Borough).

4. To ensure the satisfactory appearance of the development (Policies N1 g and h of
The Plan for Stafford Borough).

5. To ensure the satisfactory appearance of the development (Policies N1 g and h of
The Plan for Stafford Borough).

6. To ensure an adequate level of privacy for occupiers of adjacent residential
properties (Policy N1e and Stafford Borough Council Space About Dwellings
Guidance).

7. To ensure the provision of adequate off-street facilities in the interests of the
convenience and safety of users of the highway. (Policy T2d of The Plan for
Stafford Borough).

8. To ensure the provision of adequate off-street facilities in the interests of the
convenience and safety of users of the highway. (Policy T2d of The Plan for
Stafford Borough).

9. In the interests of the safety and convenience of users of the highway. (Policy T1c
of The Plan for Stafford Borough).
10. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1e of The Plan for Stafford Borough).

11. To safeguard the occupiers of nearby residential properties from undue noise. (Policy N1e of The Plan for Stafford Borough).

12. To safeguard occupiers of nearby residential properties from nuisance caused by fumes, smoke and smells (Policy N1e of The Plan for Stafford Borough).

13. In order to ensure adequate amenity space is available to the proposed dwelling and that future development does not result in harm to the residential amenity of the occupiers of either the proposed dwelling or the adjacent properties due to the restricted depth of the rear garden (Policy N1 of The Plan for Stafford Borough).

14. To enable the Local Planning Authority to consider the scheme of development and the landscaping proposals in relation to the existing trees and hedges. (Policy N4 of The Plan for Stafford Borough).

Informative(s)

1 The Local Planning Authority consider the proposal to be a sustainable form of development and that it complies with the provisions of the National Planning Policy Framework.
18/27927/FUL
Land At Alexandra Street
Stone
Application 18/28273/HOU
Case Officer Joseph Barrow
Date Registered 9 April 2018
Target Decision Date Extended To 4 June 2018
Address 16 Westover Drive Stone
ST15 8TT
Ward St. Michael’s & Stonefield
Parish Stone Town
Proposal Single storey extension to entrance hall and single storey orangery extension to living space at rear of property.
Applicant Mr J Birchill
Recommendation Approve, subject to conditions

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor G R Collier (Ward Member for St. Michael’s & Stonefield) for the following reasons:-

‘Gross overbearing and over massing to neighbouring properties.’

Context

16 Westover Drive is a detached property on a housing development granted permission in 2003. The applicant property was extended through planning permission granted in 2007, with a first floor element constructed over the original garage element.

The Westover Drive development is located to the north of houses on Parkhouse Drive. These Parkhouse Drive properties are built on a split level into the hill which slopes down from the Westover Drive development. 16 Westover Drive shares a boundary with numbers 10 and 17 Parkhouse Drive. The difference in ground level between the two properties is approximately 2.5m, consisting of 1.5m from no 10 to its rear boundary and 1.0m from that boundary to the floor level of no 16.

Officer Assessment – Key Considerations

1. Character & Appearance

The existing property is an L-shaped two storey dwelling. It is designed in a uniform manner, with the red brick of the Westover Drive development used throughout, and the existing first floor extension designed in a way so as to be in the same style as the original house and in matching materials. This contributes to an existing scenario with additional massing that is visible to the neighbours on Parkhouse Drive.
This proposal consists of two elements;
- A porch entrance hall with roof lantern, located on the inside corner of the L-shape building, and;
- A wraparound single storey, flat roofed, rear and side extension situated on the outside corner of the L-shape. This element projects approximately 3m from the south (side) elevation of the property, and approximately 5.5m from the east (rear) elevation of the property. The east elevation of the proposal itself will measure approximately 12m, with the south elevation measuring approximately 8.8m.

The new porch element projects approximately 2m from the existing front elevation, and means that the entrance to the dwelling sits forward of the front elevation as opposed to being set back as it is now. The scale of this element is wholly acceptable, with a 1m square flat roof lantern installed. This element is subservient and uses matching materials. Overall the porch element is found to be acceptable in terms of its character and appearance.

The larger element is a wraparound extension, projecting both south and east. The part of the proposal which projects beyond the existing south elevation is stepped down below existing ground level by approximately 0.5m, with the overall height also reflecting that drop.

The plans have been amended to reduce the width of the side study element on its western side by 0.5m, and the rear extension has been reduced in depth by 0.5m, with a drop in height of the southern section of the extension by 0.5m, and the removal of roof lanterns on this section also. In addition a proposal to increase the fence height has been deleted, and it is proposed to retain the existing fence at 1.8m high.

It is not felt that the dimensions of the scheme proposed represent over development of the site. This proposal would be the first increase in footprint to 16 Westover Drive since its construction, and the site is comfortably large enough to accommodate such a proposal. Additionally the proposal is wholly subservient to the host dwelling in its single storey design, and the setting down of part of the proposal introduces a visual break in the massing.

The proposed materials are facing brick to match the existing dwelling with grey aluminium joinery. These materials are found to be acceptable for this scheme.

Concerns were raised about the proposal being overbearing on the neighbours in Parkhouse Drive. A temporary frame was erected showing the extent of a previous iteration of this scheme. With the revised plans now submitted and the information provided as part of the proposal it is felt that only a small portion of the proposal would be visible from numbers 10 and 17 Parkhouse Drive. This is due to the setting down of the rear and side extension, as well as the removal of the roof lanterns on this southernmost section.

Note: Photos were taken as part of this assessment showing the temporary frame. This frame outlines the scope of the scheme before amendments, and therefore the frame’s position is misleading, and should be disregarded when viewing the applicable photos.
Furthermore, the proposal is sited behind an existing 1.8m high close board fence boundary treatment. This fence provides adequate screening of the extension and as such proposals to increase the fence height were deleted to avoid the fence itself being overbearing in its own right.

Aside from this fence, the boundary between 16 Westover Drive and numbers 10 and 17 Parkhouse Drive has a variety of trees and shrubs providing additional screening of the applicant property. This proposal also details the planting of three additional deciduous trees across the extent of the facing elevation, helping to provide visual breaks in the massing of the scheme.

Considering the subservience of the scheme proposed, the existing adequate boundary treatment and positive additions to that by way of further trees, only a small portion of the side and rear extension is likely to be visible from the neighbouring properties on Parkhouse Drive. This section that will be visible is unlikely to significantly increase the harm to the properties on Parkhouse Drive over and above the existing scenario.

On planning balance it is felt that any additional harm to the character and appearance of the surrounding area as a result of the extensions proposed is minimal and therefore not reason enough for refusal.

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

2. Amenity

In terms of visual amenity no element of the proposed scheme creates a self-inflicted breach of the Local Planning Authority’s (LPA) Supplementary Planning Document (SPD) Design.

The primary point for assessment in respect of neighbours’ visual amenity is Guideline 6c of the SPD Design: Distances between Windows requiring a minimum distance of 8 metres from a principal window when the facing wall forms part of a single storey structure.

Guideline 6c is applied to this case with the caveat that the land levels involved make any south projecting extension more impactful on properties on Parkhouse Drive – consequently it would be desirable for the distance to be significantly greater than the 8 metres outlined in Guideline 6c.

A principal window is defined in Appendix 2 of the SPD Design as ‘the main or secondary window of more than 1m in width or two smaller windows of less than 1m but within a metre of each other to the same room, being a:
- Living room
- Dining room
- Kitchen
- Bedrooms’.
The side and rear extension which projects south and east, by this definition, only has principal windows which face east. The south facing elevation contains four windows, one of less than 1m in width and therefore not principal which is recessed in to the structure itself, creating an external alcove, one serves a study and can therefore not be defined as a principal window, and the other two which serve the ‘living area’ are less than 1m in width, and more than 1 metre apart so also are not defined as principal.

In any case, the distance along a direct outlook between the dining room of 10 Parkhouse Drive and the proposed extension is approximately 15.6m. The shortest distance between the proposed extension and a neighbouring principal window is approximately 13.8m at an angle of approximately 13 degrees from a direct outlook out of 17 Parkhouse Drive’s dining room. Both of these distances satisfy the requirement of Guideline 6c. Given the land level changes involved it may be felt that Guideline 6b should be applied as the proposal may be perceived to exceed one storey in height. In this scenario, a minimum distance of 12m is required. This requirement is also satisfied with the assessed minimum distance between the proposal and an impacted principal window being approximately 13.8m.

The existing boundary treatment is 1.8m in height and this is an appropriate height to screen most of the proposed development. If the land was level the top 70cm would be visible over the fence, with the remaining 2.3m concealed. With the land level change being as significant as it is, the portion of the extension screened by the boundary treatment will increase by way of the altered perspective. It is therefore felt that the existing boundary treatment is suitable to mitigate against any privacy and overlooking concerns.

Considering the above, there is no technical breach of the LPA’s amenity guidance and policies due to appropriate distances, the setting down of the proposal, adequate screening, and absence of facing principal windows.

Concerns have been raised in relation to overshadowing. Considering the orientation of the properties with the proposal being to the north east of number 17 Parkhouse Drive, and more due north of number 10 Parkhouse Drive, any loss of light from the proposed extension is only likely in the summer months. Furthermore, with the lower ground level proposed, any additional light lost as a result of the proposed extension is unlikely to significantly increase the harm caused by the dwelling in terms of overshadowing.

The objectors also felt that the introduction of additional trees is a harmful addition to the area. It is acknowledged that these trees would obscure some light, however given the orientation of the properties in relation to the sun this impact is found to be acceptable when balanced against the role the new trees play in disrupting the massing of the extension and the existing dwelling.

Further concerns were also raised in relation to the introduction of the extra glazing and associated additional lighting. This is found to be acceptable due to the existing boundary treatment and the wholly residential nature of the development.

On balance this proposal is not found to significantly harm the visual amenity of any neighbouring dwellings over and above the existing scenario. It is recommended therefore that the scheme is not refused on amenity grounds.
3. Parking

The proposal does not reduce parking provision, nor increase parking requirement, subsequently the current situation remains acceptable.

4. Other

With the presence of a Tree Protection Order (TPO) tree on site the LPA’s Tree Officer was consulted in relation to the protection of the tree during construction. The submitted information is found to be acceptable. This tree is on the north boundary and is not directly affected by the proposal.

Additionally options were explored throughout the assessment to increase the height of the boundary treatment. These options have now been removed from the scheme, thus returning the boundary treatment to a civil matter.

5. Conclusion

Overall the proposal itself is appropriately designed with visual breaks in massing created through varying land and roof levels and the creation of an external alcove. The materials proposed are suitable and help integrate the new elements into the host dwelling. The existing massing of the dwelling is noted, however a scheme of this subservient nature does not create significant additional harm over and above the current scenario. Furthermore the proposal includes a landscaping scheme which plays a role in disrupting this massing, therefore improving the existing scenario slightly visually.

The scheme complies with LPA policy and guidance in relation to visual amenity, and maintains appropriate parking provision. Appropriate measures are also used to mitigate against any harm to the TPO tree on site.

On balance it is recommended that planning permission be granted, subject to conditions.
Consultations

Tree Officer:
03.05.2018: No objection

Parish Council:
01.05.2018: No objection

Neighbours (9 consulted on original plans):
2 responses from 2 households – Material planning considerations summarised below:
- Overdevelopment – design not sympathetic to neighbouring properties or at an appropriate scale,
- Land level differences greatly exaggerating the impact of the proposal,
- Loss of light due to overshadowing and increased massing,
- Close proximity of the proposal,
- Privacy and overlooking concerns,
- Concerns relating to the proposed chimney,
- Impact on natural environment,
- Unacceptable levels of artificial light produced by the development, and,
- The land level sloping away to the east meaning that more of the development is visible from number 10 Parkhouse Drive than may be apparent.

(9 reconsulted on amendments):
2 responses from 2 households – Material planning considerations summarised below:
- Overdevelopment of the applicant dwelling,
- Unacceptable massing of the property,
- Loss of light by way of the new planting scheme,
- Proximity concerns with associated issues arising from this in terms of light and noise,
- Inappropriate fence height,
- Impact of the land sloping away to the east with the proposal’s ground level being levelled off. Exaggerates the height of the proposal, and,
- Increased light pollution.

Site Notice:
Expiry date: 10.05.2018

Relevant Planning History

- 03/01604/FUL – Erection of 20 No. dwellings with garages/parking spaces. Demolition of existing house and construction of associated roads and sewers. – Permitted 26.03.2004
- 07/08256/FUL – First floor extension and internal alterations. – Permitted 13.06.2007

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
Proposed ground floor layout - Revision C
Proposed roof plan at scale 1:50 - Revision C
Proposed west elevation at scale 1:50 - Revision C
Proposed north elevation at scale 1:50 - Revision C
Proposed east elevation at scale 1:50 - Revision C
Proposed south elevation at scale 1:50 - Revision B
Proposed south elevation with landscape proposals overlaid - Revision B
BS5837 Tree Survey & Arboricultural Impact - 07.04.2018
Drawing No. BS5837 Sheets 1 & 2

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.

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.