

4 ROE LANE, NEWCASTLE-UNDER-LYME
MR & MRS HALLIDAY

24/00261/FUL

Full planning permission is sought for a two storey and part single storey extension to the rear and an extension to the garage with a replacement roof together with external and internal alterations at 4 Roe Lane, Newcastle-under-Lyme.

The application site is located within the urban area of the Borough, as identified by the Local Development Proposal Framework Map.

The 8 week period for the determination of this application expires on the 30th May 2024.

RECOMMENDATIONS

PERMIT the application subject to conditions relating to the following matters:-

- 1. Standard time limit for commencement of development**
- 2. Approved plans**
- 3. Materials**

Reason for recommendations

The proposed extensions are considered to be subordinate to the main dwelling and the street scene in line with Policy H18 of the Local Plan and would not have a negative impact on highway safety or neighbouring amenity. In all other respects the development accords with local and national planning policy.

Statement as to how the Local Planning Authority has worked in a positive and proactive manner in dealing with this application

The proposal is considered to be a sustainable form of development and so complies with the provisions of the National Planning Policy Framework.

KEY ISSUES

Full planning permission is sought for a two-storey and part single storey extensions to the rear; extension to the garage with a replacement roof together with external and internal alterations, at 4 Roe Lane, Newcastle-under-Lyme.

The application site is located within the urban area of the Borough, as identified by the Local Development Proposal Framework Map.

The works were permitted previously under application reference number 21/00122/FUL but the permission lapsed as a commencement was not made within the required 3 year time period.

The key issues that need to be considered in the determination of this application are;

1. Whether the design of the proposed development is acceptable
2. Whether the impact upon neighbouring occupiers in terms of amenity is acceptable,
3. Whether the impact on parking and highways is acceptable.

1. Is the design of the proposed development is acceptable?

Paragraph 131 of the National Planning Policy Framework (the Framework) states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

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Paragraph 135 of the framework lists 6 criterion, a) – f) with which planning policies and decisions should accord and details, amongst other things, that developments should be visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change.

Policy CSP1 of the Core Strategy requires that the design of the development is respectful to the character of the area.

Policy H18 refers to the design of residential extensions, where subject to planning control. Whilst not directly relating to design of outbuildings, the principles of good residential design within this policy can be used to assess the design of outbuildings. The policy states:

Proposals to extend dwellings will be favourably considered, subject to other policies in the Plan, so long as the following requirements are satisfied:

- i. The form, size and location of each extension should be subordinate to the design of the original dwellings.
- ii. The materials and design of each extension should fit in with those of the dwelling to be extended.
- iii. The extension should not detract materially from the character of the original dwelling or from the integrity of the original design of the group of dwellings that form the street scene or setting.

The application property is a 3 bedroom detached dwelling in an established residential area.

The applicant is seeking permission for a two-storey and part single storey extension to the rear; an extension to the existing garage with a replacement roof and for other external and internal alterations.

The proposed rear extension would extend across the full width of the dwelling. The two-storey element would project 2.91m from the rear elevation of the property and the single-storey element would extend out approximately a further 2.4m to the rear with a lean-to roof. The proposed extension to the garage would extend the width and length of the existing garage by approximately 1.8m, allowing a connection with the main dwelling at ground floor level. In addition, the existing flat roof above the garage would be replaced with a pitched roof with a maximum height of 4.5m. The proposal would also result in a number of internal changes including an additional bedroom and an open plan sitting and dining room.

Whilst relatively large, the extensions are to the rear of the dwelling and their overall scale is considered to be proportionate to the scale of the existing dwelling. The design of the proposals reflects the character of the existing dwelling, and the replacement roof of the garage is considered to be an improvement on the existing flat roof. The proposed materials are to match the existing dwelling. Overall, it is considered that the design and scale of the proposals are subordinate to the main dwelling in line with Policy H18 of the Local Plan.

The development would therefore accord with Policy H18 of the Local Plan, Policy CSP1 of the CSS, and the aims and objectives of the NPPF.

2. Will the impact upon neighbouring occupiers in terms of amenity, be acceptable?

Paragraph 135 of the NPPF lists a set of core land-use planning principles that should underpin decision-taking, one of which states that planning should always seek to secure high quality design and a high standard of amenity for all existing and future occupants of land and buildings.

SPG (Space Around Dwellings) provides guidance on privacy, daylight standards and environmental considerations.

Given the orientation of the neighbouring dwelling to the north and the location of the garages of both properties, it is not considered that the proposals would have a negative impact in terms of neighbouring amenity. The garage and outrigger element of the property to the south extend beyond the rear building line of the application dwelling and there is approximately 6m distance between the two properties, and there is a 3.5m separation distance between the application property and the shared boundary with the property to the north. Given this, it is not considered that the proposed rear extension or garage

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alterations would have an unacceptable impact on the amenity of the occupiers in terms of overbearing impact, overshadowing or loss of privacy.

The proposed development accords with the guidance set out in the SPG and would not be harmful to neighbouring residential amenity levels. It therefore accords with the SPG and the NPPF.

3. Is the impact on parking and highways acceptable?

Paragraph 114 of the NPPF states it should be ensured that safe and suitable access to the site can be achieved and that significant impacts on the transport network or on highway safety can be mitigated.

Policy T16 of the Local Plan asserts that development which provides significantly less parking than the maximum specified levels will not be permitted if this would create or aggravate a local on street or parking problem.

The proposed extension would increase the number of bedrooms from 3 to 4 and therefore the maximum off road parking spaces required is 3. The submitted block plan demonstrates that the front driveway can accommodate parking for 3 cars and therefore is considered acceptable.

Given the above, the development is considered to accord with Policy T16 of the Local Plan and the aims and objectives of the NPPF.

Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The **public sector equality duty** requires **public authorities** to consider or think about how their policies or decisions affect people who are **protected** under the Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts.

The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions. People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

With regard to this proposal it is considered that it will not have a differential impact on those with protected characteristics

APPENDIX

Policies and Proposals in the approved Development Plan relevant to this decision:-

Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy (CSS) 2006-2026

Policy ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy
Policy CSP1: Design Quality

Newcastle-under-Lyme Local Plan (NLP) 2011

Policy H18: Design of Residential Extensions where subject to planning control
Policy T16: Development – General Parking Requirements

Other material considerations include:

Relevant National Policy Guidance:

National Planning Policy Framework (2023)
Planning Practice Guidance (updated 2019)

Supplementary Planning Guidance:

Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document (2010)

Space around Dwellings (2004)

Relevant Planning History

N8668 – Garage utility and lounge extension. (Permitted).

NNB00646 – The erection of detached house and garage. (Permitted).

21/00122/FUL – Proposed two storey part single storey extensions to rear; extension to garage with replacement roof together with external and internal alterations. (Permitted).

Views of Consultees

None.

Representations

None received.

Applicant/agent's submission

All of the application documents can be viewed on the Council's website using the following link.

<https://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/24/00261/FUL>

Background Papers

Planning File referred to
Development Plan referred to

Date report prepared

30th April 2024