

Application Number	22/00411/HP
Site Address	20 Staplow Road, Worcester, WR5 2LZ
Description of Development	Two storey side and single storey front and rear extensions.
Expiry Date	26 August 2022
Applicant	Mr Mohammad Nadeem
Agent	Harry Hampton
Case Officer	Miss Ruth Lambert
	ruth.lambert@worcester.gov.uk
Ward	Nunnery Ward
Reason for Referral to Committee	Ward Member referral
Key Issues	The principle of development and whether the proposal would be sustainable form of development having regard to the 3 dimensions of sustainable development in terms of its economic role, social role and environmental role.
Web link to application	https://plan.worcester.gov.uk/Planning/Display/22/00411/HP
Recommendation	The Corporate Director - Planning and Governance recommends that the Planning Committee grants planning permission subject to conditions as set out in Section 9 of this report.

1. **Background**

- 1.1 The application was registered on 12 May 2022 and was due for a decision on 7 July 2022. An extension of time for the determination of the application has been agreed until 26th August to allow determination by the Planning Committee.
- 1.2 The application has been referred to the Planning Committee at the request of Councillor Pat Agar.

2. **The site and surrounding area**

2.1 This application relates to a semi-detached property located on the south east side of Staplow Road within an established residential area of the Nunnery Ward and opposite the entrance to Worcester Sixth Form College. The location plan is shown below.



Figure 1 – Site Location Plan

2.2 The application site is not listed or in a Conservation Area and is located in Flood Zone 1 (at the lowest risk of flooding)

3. **The proposals**

3.1 Following public consultation on the application, amended plans have been submitted following concerns raised by local residents and Officers. The proposals now include:

- A single storey rear extension to create a dining area and part of the new kitchen which would be 3.4m in projection x 3.4m maximum height with a mono-pitched roof reducing to 2.4m to the eaves. This would be adjacent to the existing detached single garage which would be converted to an additional bedroom. The corner closest to the boundary with number 22 would be angled so that the extension would not breach the 45-degree code.
- A two-storey side extension which would be 3.4m maximum width reducing to 1.7m to the rear as it follows the side boundary x 12.8m depth at ground floor and 2.4m maximum width reducing to 1m x 8m depth at first floor as this would be set off 1 metre from the side boundary with number 18. This extension would provide a kitchen and bathroom on the ground floor with bedroom three extension, ensuite and extended family bathroom above. The roof would be 7.3m maximum height with a ridged roof set down from the main roof height.

- A front extension which would be 1.3m in projection x 3.4m maximum height with a mono-pitched roof reducing to 2.4m to the eaves to enable the ground floor bathroom, lounge extension and porch.
- The provision of three off-street parking spaces on the frontage.

3.2 The application is accompanied by a full set of plans together with a suite of supporting documents that include:

- Water management statement
- Block plan scaled 1:500
- Location plan scaled 1:1250
- Existing and proposed plans and elevations scaled 1:100 as received on 18/7/22.

3.3 In accordance with Article 15 (7) of The Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended), full details of the application have been published on the Council's website. As such, Members will have had the opportunity to review the submitted plans and documents in order to familiarise themselves with the proposals prior to consideration and determination of the application accordingly.

4. **Planning Policy**

4.1 The Town and Country Planning Act 1990 ('the Act') establishes the legislative framework for consideration of this application. Section 70(2) of the Act requires the decision-maker in determining planning applications/appeals to have regard to the Development Plan, insofar as it is material to the application/appeal, and to any other material consideration. Where the Development Plan is material to the development proposal it must therefore be taken into account. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires the application/appeal to be determined in accordance with the Plan, unless material considerations indicate otherwise.

4.2 The Development Plan for Worcester now comprises:

- The South Worcestershire Development Plan (SWDP) which was adopted February 2016, and;
- The Worcestershire Waste Core Strategy, which was adopted on December 2012.
- The Worcestershire Minerals Local Plan which was adopted in July 2022.

South Worcestershire Development Plan

4.3 The following policies of the SWDP are considered to be relevant to the proposal:

SWDP 21 Design
 SWDP 4 Moving Around South Worcestershire
 SWDP 29 Sustainable Drainage Systems

The Waste Core Strategy for Worcestershire - Adopted Waste Local Plan 2012-2027

4.4 The Waste Local Plan was adopted by Worcestershire County Council on 15 November 2012 and is a plan outlining how to manage all the waste produced in Worcestershire up to 2027. The following policies are relevant to this application:

WCS1 (Presumption in favour of sustainable development)
 WCS3 (Re-use and recycle)

Material Considerations

1. National Planning Policy Framework

2. National Planning Practice Guidance

3. Supplementary Planning Documents

4.5 The following Supplementary Planning Documents (SPD) are relevant to the application proposals:-

- South Worcestershire Design SPD

4. Other material considerations are;

4.6 The following documents are relevant to the application proposals. Due to their status as evidence or guidance they cannot be given full weight.

- Worcestershire's Local Transport Plan (LTP4) 2018 – 2030
- Worcestershire County Council Streetscape Design Guide (2020)

5. Relevant Planning History

5.1 There have been no planning applications on the site that is relevant to the determination of the application.

6. Consultations

6.1 Formal consultation, including display of site notices, has been undertaken in respect of the application. The following comments from statutory and non-statutory consultees and interested third parties have been received in relation to the original and amended proposals and are summarised as follows:

Neighbours and other third party comments No objections have been received with reference to the amended plans.

Worcestershire County Council (Highway Authority):

The proposed development will result in a 5no. bedroom dwelling which requires 3 spaces minimum and whilst parking to the side of the dwelling will be removed, the submitted Site Plan indicates that there is sufficient frontage for 3 spaces (2.4m x 4.8m per space) with the proposed front extension in situ. On this basis there is no objection.

The first 5 metres of the area thus formed must be surfaced in a bound material and works in the highway to extend the existing dropped kerb must be carried out by WCC contractors Ringway as per the note below. Due to the loss of the garage, cycle parking is required.

Additional comments following re-consultation regarding amended plans:
Further to the re-consultation on the amended plans, from a highway point of view there is no change. Therefore there is No Objection subject to conditions.

Worcester City Council Ecology consultant: Comments

No objections, the roof void remains undisturbed and there is minimal tile disturbance. The use of most of the front garden for parking is a little excessive and out of character.

- 6.2 Members have been given the opportunity to read all representations that have been received in full. At the time of writing this report no other consultation responses have been received. Any additional responses received will be reported to members verbally or in the form of a late paper, subject to the date of receipt.

7. Planning Assessment

- 7.1 Policy SWDP1 of the South Worcestershire Development Plan sets out overarching sustainable development principles and these are consistent with the Framework. The various impacts of the development have to be assessed and the benefit and adverse impacts considered, to establish whether what is proposed is sustainable development.

The Principle of Development

- 7.2 The application site is located within the urban area and is an established residential property which sits in its own grounds. The extensions would be closely related to the existing residential property and would not impact on the wider area.

Design and Character of the Area

- 7.3 Policy SWDP 21 of the Development Plan states that the siting and layout of a development should reflect the given characteristics of the site in terms of its appearance and function. Further the policy advises that development proposals must complement the character of the area. In particular, development should respond to surrounding buildings and the distinctive features or qualities that contribute to the visual and heritage interest of the townscape, frontages, streets and landscape quality of the local area. On scale, height and massing, Policy SWDP 21 states that the scale, height and massing of development must be appropriate to the setting of the site and the surrounding landscape character and townscape, including existing urban grain and density. The Council's Design Guide SPD has also been given careful consideration, in particular Section 8 which supports Policy SWDP 21 in providing guidance for house extensions.
- 7.4 The extensions have been designed to meet the expectations set out in the SPD in regards to the first floor of the side extension being set off the boundary with number 18 by 1 metre, set down from the main roof ridge and set back to ensure it would appear subservient.



Figure 2 – Proposed Front Elevation

- 7.5 In assessing the proposals and consideration of the application on its own merits, it is appropriate to assess the application based on the above criteria set out in policy. It would be inappropriate, contrary to the requirements of policy and misleading to present percentage figures or use this as a basis for determination or consideration of the application.
- 7.6 Having considered the merits of the application it is considered that the proposals are in keeping with the character of the existing property and would not impact on the wider character of the area to its detriment. The extensions individually and cumulatively would not result in overdevelopment or change the urban grain and density of the site.
- 7.7 Overall the proposals are considered to be in accordance with Policy SWDP 21 of the Development Plan.

Impact on neighbouring amenity

- 7.8 Policy SWDP 21 sets out that the proposals should not impact on the amenities of neighbours.
- 7.9 The proposed rear extension would not breach the 45-degree code when taken from the centre point of the closest habitable room window in number 22 and the first floor of the two-storey side extension would be set off the boundary and would not impact on neighbouring residential amenity. It is noted that there would be two additional first floor windows in the proposed side elevation which serve the en-suite and bathroom.
- 7.10 Obscure glass is not noted on the plans to side facing windows and therefore this should be added as a condition to prevent any issues of overlooking. The proposals would be in accordance with Policy SWDP 21.

Access and Highway Safety

- 7.11 Policy SWDP 4 (in particular Part A and B) support a reduction in the level of parking provision. This is in keeping with national policy and the aims of Government and also managing traffic, climate change and other matters such as air quality and pollution.
- 7.12 Caselaw requires decisions should be made in accordance with the Development Plan unless material circumstances indicate otherwise. The NPPF and on site observations are a material consideration.
- 7.13 For completeness Paras 107 and 108 of the NPPF state:

107. If setting local parking standards for residential and non-residential development, policies should take into account:

- a) the accessibility of the development;
- b) the type, mix and use of development;
- c) the availability of and opportunities for public transport;
- d) local car ownership levels; and
- e) the need to ensure an adequate provision of spaces for charging plug-in and other ultra-low emission vehicles.

108. Maximum parking standards for residential and non-residential development should only be set where there is a clear and compelling justification that they are necessary for managing the local road network, or for optimising the density of development in city and town centres and other locations that are well served by public transport (in accordance with chapter 11 of the Framework).

- 7.14 The application of the Streetscape Design Guide 2020 as an other material consideration carries moderate weight as amendments since its original adoption have not been through formal consultation and it does not therefore carry the same weight as an SPD. It is important to consider flexibility and have regard to individual site circumstances when applying Policy SWDP 4 of the Development Plan and related guidance.
- 7.15 In accordance with Para 111 of the NPPF states Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

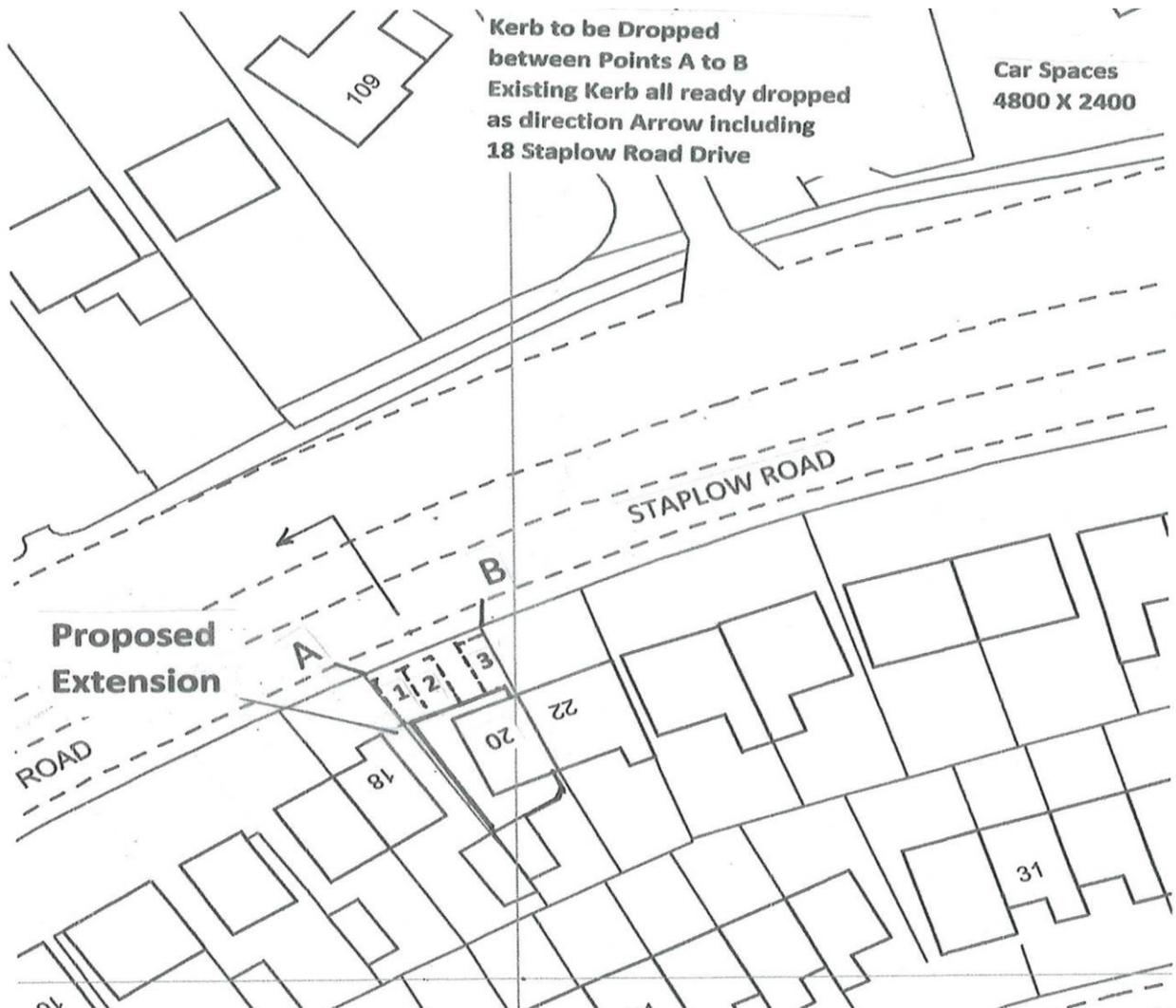


Figure 3 – Proposed Block Plan

7.16 The proposals would not increase the number of bedrooms and it is noted that the Highway Authority raise no objection subject to conditions. There is sufficient space on site for appropriate car parking.

7.17 Overall the proposals are considered to be in accordance with Policy SWDP 4 of the Development Plan.

8. Conclusion and planning balance

8.1 The NPPF identifies a series of the components that are considered critical to achieving sustainable development. In my opinion, the above assessment of the planning application proposals against the planning policy framework demonstrates that the application responds to, and is in accordance with, the requirements of the adopted planning policy within the development plan and material considerations relevant to the determination of the application.

8.2 Where a development is found to be sustainable development, a presumption in favour applies. In accordance with Policy SWDP1 the decision taker should grant planning permission for such developments, unless material considerations indicate otherwise or, where specific policies in the Development Plan or material considerations indicate development should be restricted.

8.3 The proposed development would result in some economic benefits; employment during construction. For this role of sustainable development, the balance would clearly be in

favour of granting planning permission.

- 8.4 With regard to the social role, the improvements to the existing housing stock also weighs in favour of the application.
- 8.5 Environmentally the application is considered to be well designed and would not have a significant or material impact on the character of the area or the amenities of neighbours.
- 8.6 There are no significant concerns to which weight could be given in the determination of this application. There are no objections to the amended proposals and the development is in accordance with the guidance set down at national and local level.
- 8.7 On balance, the submitted scheme is considered well designed and appropriate to the character of the area. Considering all material planning issues and having regard to the totality of the policies in the Framework, the proposed development is sustainable when looking at its social, economic and environmental credentials that accords with the Framework and the Development Plan as a whole.

9. Recommended Conditions

9.1 In the event that Members are minded to grant planning permission the following planning conditions are recommended:

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

Reason: To conform with the requirements of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out and completed in accordance with the following approved plans and the specifications and recommendations contained therein, except where otherwise stipulated by conditions attached to this permission

Location plan

Block plan

Existing and proposed floor plans and elevations received 18/7/22

Reason: To ensure compliance with the approved scheme

3. Before the first occupation of the extensions hereby permitted, the windows at first floor in the southwest facing elevation shall be fitted with Pilkington Level 4 obscured glazing or equivalent and shall be permanently retained in that condition thereafter.

Reason: To protect the amenities of adjoining property from unacceptable overlooking/loss of privacy in accordance with policy SWDP21 of the South Worcestershire Development Plan.

4. The Development hereby permitted shall not be brought into use until sheltered, secure and accessible cycle parking has been provided in accordance with details to be submitted to and approved in writing by the Local Planning Authority. Thereafter the provision shall be retained for the purposes of cycle parking only at all times.

Reason: To comply with the County Council's parking standards