



Civic Centre, Riverside, Stafford

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Dear Members

Planning Committee

A meeting of the Planning Committee will be held on **Wednesday, 5 April 2023** at **6.30pm** in the **Oak Room, County Buildings, Martin Street, Stafford** 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 handwritten signature in black ink, appearing to read "I. Curran".

Head of Law and Administration

PLANNING COMMITTEE - 5 APRIL 2023

Chairman - Councillor E G R Jones

Vice-Chairman - Councillor P W Jones

AGENDA

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

Details of Delegated applications will be circulated separately to Members.

	Page Nos
5 Planning Applications	3 - 26
6 Planning Appeals	27 - 28

MEMBERSHIP

Chairman - Councillor E G R Jones

F Beatty	P W Jones
A G Cooper	B McKeown
A P Edgeller	A Nixon
A D Hobbs	G P K Pardesi
J Hood	C V Trowbridge
E G R Jones	

PLANNING COMMITTEE - 5 APRIL 2023

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 **APPENDIX**:-

		Page Nos
21/33760/FUL	Land North of Humesford Brook, Radmore, Lane, Gnosall	4 - 16
	The application was called in by Councillor R M Smith	
	Officer Contact - (Leanne Pogson, Interim Team Leader) Telephone 01785 619360	
22/36420/HOU	3 Highlands, Stone	17 - 26
	The application was called in by Councillor J Hood	
	Officer Contact - (Sian Wright, Development Lead) Telephone 01785 619528	

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:	21/33760/FUL
Case Officer:	Della Templeton
Date Registered:	27 January 2021
Target Decision Date:	24 March 2023
Extended To:	None
Address:	Land North Of Humesford Brook, Radmore Lane, Gnosall, Stafford
Ward:	Gnosall And Woodseaves
Parish:	Forton
Proposal:	Change of use of land from agricultural to equestrian including construction of all weather menage (25m x 40m) and stabling
Applicant:	Mr and Mrs M Day
Recommendation:	Approve, subject to conditions

REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor R M Smith (Ward Member for Gnosall and Woodseaves) for the following reason: -

"Highway access, safety and visibility concerns".

Context

The Application Site

The application site forms the eastern part of a larger grazing paddock lying to the north of Humesford Brook and south-west of Radmore Lane. Radmore Lane forms the north and east boundaries, the Brook forms the southern boundary and the remainder of the paddock extends beyond the site's boundary to the west. The applicant owns further land to the south of the Brook. The part of the larger paddock to which the change of use applies amounts to just under 1 hectare in area, and a further strip along the northern boundary of the western part of the paddock would be utilised to provide access from an existing gateway in the northern corner.

The site is surrounded by open agricultural land much of which is used for grazing and there is evidence of equestrian activity on land in the near vicinity including stables to the east on the opposite side of the lane. There are scattered farmsteads and some sporadic housing along Radmore Lane.

The Proposed Development

The application proposes change of use of land to allow the keeping of horses together with the erection of a stable building and construction of a ménage. The stable building, containing four loose boxes and an open fronted wash area which would be used for washing, grooming, tacking up etc. as well as veterinary and farrier visits as necessary, would measure 17.08m by 3.67m with an 1.2m overhang to the front of the roof. It would be sited along the eastern boundary of the site, to the north of the access. The ménage, measuring 40m by 25m, would be along the south-western edge of the site adjacent to the Brook.

It was originally proposed to access the development via an existing gate in the southern corner of the paddock adjacent to the Brook but the Local Highway Authority highlighted concerns with visibility and manoeuvrability at this access and the scheme was subsequently amended, first to utilise an access in the north-west corner of the applicant's owned land and then to create a new access some 45m north of the existing gate in the southern corner. A section of roadside hedge will need to be removed to create the access and it is proposed to widen the carriageway slightly to allow passage of vehicles towing horse boxes and trailers.

Designations

The site is within SSSI impact risk zones but the development does not fall within any applicable threshold for consultation.

Consultation with National Air Traffic Services is required in respect of wind turbine/windfarm developments in this location.

SCC Flooding hotspot

Officer Assessment - Key Considerations

1. Principle of Development

The use of land in the open countryside for equestrian activities, including creation of ménage or erection of stables constitute recreational uses appropriate to a rural location, which are supported by Policy E2 (viii) of The Plan for Stafford Borough, but subject to other provisions of the policy being satisfied (a-f).

The stable building would provide accommodation for four horses in separate boxes, together with a covered space for handling purposes. Whilst the stable building appears relatively large for domestic/recreational equestrian use, it complies with the DEFRA Code of Practice for the Welfare of Horses, Ponies, Donkeys and their Hybrids) which recommends a minimum size of 3.65m by 4.25m for large horses and also suggests that a safely enclosed area of hard standing should be available for routine/emergency treatment such as farriery, dentistry and veterinary attention. The proposed stables are only slightly larger than the minimum recommended size for the applicant's large horses and are therefore considered to be appropriately sized.

The DEFRA Code of Practice also provides guidance on grazing suggesting 0.5 to 1 hectare per horse if no supplementary feeding is being provided. The applicant's total landholding is in the region of 3.3 hectares which would appear sufficient for four stabled horses where additional food is likely to be provided.

On this basis the principle of development is considered to be acceptable, subject to other material considerations being satisfied.

Policies and Guidance:-

National Planning Policy Framework (2021) - Paragraphs 8 and 11, 92; Sections 12 and 15

The Plan for Stafford Borough 2011-2031 Parts 1 and 2 (TPSB)
 Spatial Principle 1 (Presumption in Favour of Sustainable Development),
 Spatial Principle 3 (Sustainable Settlement Hierarchy),
 Spatial Principle 7 (Supporting the Location of New Development),

2. Character, Appearance and Amenity

The surrounding area is characterised by agricultural grazing land and already features stables and other evidence of equestrian activity including a ménage at Cotton Wood Farm some 130m to the south-east, stables at Radmore Lane Farm 200m to the west and several timber stable buildings some 30m east of the site accessed from Radmore Lane. It is not considered that the proposed development of stables and menage would appear discordant within this context.

The ménage itself would be a ground level feature, visible only as a change in surface colour. No lighting is proposed and the post and rail fencing surrounding it would be of a style typically seen in rural areas, particularly where equestrian uses are evident. It is acknowledged by the applicant that the proposed facility is 5m wider than the standard size for a dressage arena and it is stated that the extra 5m width is to accommodate show jumping more comfortably. The ménage is considered to be acceptable in terms of its scale and appearance.

The stable building, featuring timber cladding on a steel frame with 'onduline' corrugated sheets to its roof would be of typical appearance for stables in rural areas and, although larger than many domestic stable blocks, is not considered to be overly large to provide stabling for 4 large horses. The building would be set close to the roadside boundary hedge which would provide a degree of screening at lower level and it is not considered, overall, that the structure would constitute a prominent or obtrusive feature within the surrounding context.

The closest residential property to the site is Ivy Cottage which lies to the east, on the opposite side of Radmore Lane and this property would be likely to have uninterrupted views of the stables and ménage from some of its windows. However, as set out above, there would be a degree of screening from roadside hedges and the stable building would also be seen against a backdrop of roadside hedges on rising land to the north and is thus unlikely to break the skyline. The development may also be seen by other residents such

as those of Radmore Lane Farm some 225m to the north-west or Radmore Lane Cottage approximately 150m to the south-east but having regard to the distances involved and filtering of views by landscape features, it is not considered to constitute a significant intrusion to visual amenity. It is therefore not considered that the development would be overly prominent or discordant in views to a degree that could sustainably be refused.

As was observed by the Parish Council, it is generally the use of floodlighting around a ménage which has most impact on the surrounding area. No floodlighting is proposed in this instance thus limiting potential light pollution and also restricting use of the facility to daylight hours only so that any nuisance associated with activities on site would be unlikely to continue late into the evening.

In terms of noise and general disturbance, it is noted that 'Streetview' images dating from May and July 2011 show horses grazing and horse jumps on the site and horses were grazing at the time of the case officer's visit. It is therefore surmised that the land upon which the ménage would be constructed is already used for equestrian purposes and, as such, no change of use would occur.

The Council's Environmental Health Officer

Neighbours' fears that this would be a competition yard or commercial use can be addressed by the inclusion of a condition limiting use of the facilities to personal/private use by the applicants for their own horses. It would not be reasonable to seek to prevent the applicants in this case or indeed any other private equestrian site from using their own ménage to train and exercise their own horses for competition entry.

A section of hedge would need to be removed in order to create a new and safer access to the site but it is noted that the hedge along the eastern boundary is quite gappy and sparse in places and the proposal would present the opportunity to create a new hedge, to be realigned within the visibility splays. Additional remedial planting within the existing hedge to fill gaps etc could be secured by condition and it is considered that this new planting would sufficiently compensate for the loss of existing hedgerow.

In view of the above, it is not considered that the proposals would significantly harm the character of the countryside or the amenity of any neighbouring occupants.

Policies and Guidance:-

National Planning Policy Framework 2021 (NPPF)

Paragraph 130

The Plan for Stafford Borough 2011-2031 (TPSB)

N1 (Design)

Supplementary Planning Document – Design (SPD)

3. Highways and Access

The location of the access to this site has previously been a contentious matter due to the narrow and winding nature of surrounding lanes and the need to provide visibility appropriate to the speed of passing traffic. As Radmore Lane is a national speed limit road, traffic could be travelling at 60mph requiring visibility splays of 215m in each

direction. In order for visibility to be reduced, it must be demonstrated through speed surveys that the actual speed of passing traffic is below the speed limit.

The applicant carried out vehicular speed surveys to determine the correct visibility splays and provided updated plans showing a new access to demonstrate that these could be achieved. The Local Highways Authority is now satisfied that suitable visibility can be provided, appropriate to the speed of traffic on the highway and raise no objection.

Notwithstanding the fears of neighbours, it is considered to be unlikely that the provision of 4 stables and a ménage for private/recreational use would give rise to a significant increase in traffic over what may be expected from using the land for grazing or for any other agricultural use for which planning permission would not be required.

Whilst there are signs warning that Radmore Lane is not suitable for heavy goods vehicles, there do not appear to be any weight limits thus vehicles of any size are free to use the lane and use of the land for agriculture, including horse grazing, could give rise to a need for such vehicles to access the site. It is not therefore considered that the proposals would result in materially greater damage to verges etc than is currently the case and the Highways Authority has raised no objection in this regard.

Policies and Guidance:-

National Planning Policy Framework (NPPF) - Section 9. Promoting sustainable transport
The Plan for Stafford Borough (TPSB) 2011-2031 - Policies T1 Transport, T2 Parking and Manoeuvring Facilities, Appendix B - Car Parking Standards

4. Ecology

The proposal site is adjacent to Humesford Brook. From the proposal site the Brook runs south-westerly and through Midland Meres and Mosses Phase 2 RAMSAR (Aqualate Mere SSSI).

Due to abovementioned designation, Natural England were consulted as part of the application process and a holding objection was originally received from this consultee due to lack of information provided to them, specifically relating to the provision of a Habitats Regulations Assessment.

During the course of the application process, the applicant has since provided an HRA to support the scheme which has now been positively assessed by Natural England. The HRA notes that the site comprises grassland which has been historically grazed by horses and therefore is unlikely to have much ecological value nor is it likely to support protected species. Grassland will be the main habitat type directly affected by the proposed development, along with a short section of hedgerow which is to be removed to facilitate site access. Like for like replacement planting will be provided elsewhere within the site to compensate for this loss. The remaining boundary hedgerows and trees will be retained and protected.

The approved HRA also notes that there is no connectivity between the site and Motte Meadows SAC, with intervening barriers including A518 Newport Road. The proposed development is anticipated to be sufficiently small scale that any potential risk pathways are attenuated by distance. The Natural England consultation response did not identify

Mottey Meadows SAC as being at risk from the proposed development and therefore this European site is not considered further within this HRA Stage 1: Screening assessment

The HRA identified the following potential impacts on the European site from the proposed development:

- Air pollution
- Water pollution
- Light pollution
- Visual disturbance
- Noise disturbance
- Loss of associated habitat
- Hydrological changes
- Impacts to qualifying species of the European site, either directly or indirectly where they are considered to be functionally linked to the site
- Recreational disturbance (especially dog walking)
- Synergistic impacts

It is also noted that any impact requires a pathway to exist (direct or indirect) between the proposal and European Site, or functionally linked habitat.

Following the HRA Stage 1: Screening as provided, Natural England now consider that risks from the proposed development (alone or in conjunction with other development) to Midland Meres and Mosses Phase 2 Ramsar can be dismissed, as pathways do not exist which could lead to significant harmful effects on the European site.

Accordingly, an "Appropriate Assessment" is not considered necessary under Regulations 48, 49 and 54 of the Conservation (Natural Habitats and c.) Regulations before the Competent Authority (Stafford Borough Council) decides to undertake, or give any consent, permission or other authorisation for this plan.

Policies and Guidance:-

Policy N5 Sites of European, National and Local Nature Conservation Importance

Policy N4 The Natural Environment

5. Flood Risk Assessment

It is suggested by neighbours that a flood risk assessment should have been carried out because the development would take place on part of a parcel of open land amounting to greater than 1 hectare in area. This is not considered to be the case however as the actual development, comprising a stable block and a manage would only cover some 1,110.4sqm or 0.11ha. In addition, the area of land is less than 1 Ha in area in total, including the access.

The LLFA have commented that it is understood that it is not the duty of the applicant to solve existing issues, but they must not increase risk of flooding. If the majority of the development will be of impermeable area, then increase in flood risk should not be significant.

The LLFA would not usually be consulted on developments with an impermeable footprint of less than 1000m², unless it is residential of 10+ dwellings or minerals/waste development.

The photographs show that the road floods, and the location is in a low spot with a surface water flow route as indicated on the mapping below. The issue which seems to be of main flood risk concern here is the proposed access road. Where this is being constructed, if the fall is towards Radmore Lane, then the applicant will need to provide and maintain a simple drainage system to capture surface water and redirect away from the road

Officers note that this latter point is addressed by the Highways Authority and as such no objections are raised by officers with regard to flood risk at the access point.

The Lead Local Flood Authority have also stated that there is the duty to investigate flooding incidents where 5 or more residential properties have suffered internal flooding, so in this instance the garden flooding would not be investigated as a high priority.

It is also noted by the LLFA that their mapping system shows that there is a watercourse running from Coton Wood Farm across to Ivy Cottage, wherein it is likely that there is a culvert. This may be shown in the deeds of the property. If there is excess surface water flowing across the natural route instead of down the culvert, it could be that the culvert is blocked or just not working efficiently. Maintenance of the watercourse is the responsibility of the riparian Landowner.

Looking at the mapping, the Humesford Brook watercourse runs in a north westerly direction crossing the applicant's land, so they are riparian owners at this location and are responsible for maintaining the free flow in this section of the brook.

Policies and Guidance:-

National Planning Policy Framework - Section(s)/Paragraph(s)...

The Plan for Stafford Borough - Spatial Principle 7 (SP7) - supporting the location of new development

Policy N2 Climate Change

6. Other matters

There is a suggestion by neighbours that the applicant is related to or closely associated with an employee of the Planning Department however the Case Officer is not aware of any such association. Notwithstanding this however, the application is being determined at committee.

7. Conclusion

It is accepted by officers that the site is not within any national, or international, designations for ecological conservation. The site is currently a well-grazed field and the grass on site has been historically grazed. Given these facts officers note that the potential for protected species is considered to be very low. It is also a welcomed point that the hedgerow trees and hedges are to be retained in the proposal and the proposal, to construct the stabling, is several meters off the boundary (to allow hedgerow trimming

and maintenance to continue). The proposal will not, therefore, impact upon the surrounding hedgerows or hedgerow trees. In this regard officers consider that there are no obvious and immediate issues with regard to wildlife or protected species.

With regard to the principle of development, officers note that the proposed change of use, and construction of a ménage and stabling, would be an appropriate rural use which would not conflict with surrounding land uses. The proposal would have an acceptable visual impact and would not harm the landscape character of the area, be detrimental to highway safety or conflict with neighbouring land uses. The proposal would not harm visual or residential amenity or result in any adverse highway safety implications. The proposal therefore complies with the requirements and objectives of the Local Plan and the aims and provisions contained within the NPPF.

Consultations

Highway Authority:

There are no objections on Highway grounds to the proposed development subject to the following conditions being included on any approval:-

The application is for the change of use from agricultural to equestrian including access off the highway.

This application has been refused previously, due to the access location from the highway and poor visibility. The developer has provided an updated plan showing a different access to the original application and has carried out vehicular speed surveys to ensure the correct visibility splays could be achieved and provided.

Conditions

- The development hereby permitted shall not be brought into use until the visibility splays shown on plan ref. no 1048-sk01 have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.
- The development hereby permitted shall not be brought into use until the localised widening on the western side of Radmore Lane, to provide a carriageway width of 3.0m from a point 10m north of the centre line of the access over a 10m section , as indicated on drawing 1048-SK01, has been provided.
- The development hereby permitted shall not be brought into use until the 4m wide access track to the stables as indicated on the approved plan has been provided
- The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been surfaced and thereafter maintained in a bound and porous material for a minimum distance of 12m back from the site boundary in accordance with the approved plans.
- Any gates shall be located a minimum of 12m rear of the carriageway boundary and shall open away from the highway.

Parish Council:

Councillors raised no objections to the proposed change of use from agricultural to equestrian or the proposed ménage. They observed that generally it is the use of floodlighting which has most impact on the surrounding area and this would need to be considered by planners.

The following additional observations were subsequently made following discussion at another meeting:

1. There were concerns over how tight it would be turning into the yard and that it was felt the additional volume of large vehicles would exacerbate the deterioration of an already poor road surface.
2. The proposed stables appear large for the number of horses that can be accommodated on the land

Environmental Health Officer:

1. All works, including any demolition, site works and construction shall only take place between the hours of 8am and 6pm Monday to Friday; 8am to 2pm Saturdays and not at all on Sundays or bank holidays.
2. No burning of rubbish on site during development.
3. It is understood that the ménage is for private use only. Such use should be conditioned.
4. If artificial lighting to the ménage, stables and surrounding area is to be provided, it should be of design and positioned not to cause a light nuisance to any neighbouring properties. Glare from any lighting must be kept to a minimum.

SCC Lead Local Flood Authority

No objections received

Natural England

Initial holding objection received on the basis of a lack of information provided by the applicant. Subsequent to the provision of an update to the application alongside the submission of an HRA by the Local Planning Authority, Natural England raise no objection.

Neighbours (14 consulted):

12 representations received as a result of the original consultation. Material planning considerations summarised below:

- Exacerbation of pre-existing flooding problems - Climate change has already impacted on Radmore Lane. No flood risk assessment provided
- Potential pollution of Humesford Brook
- Dangerous access
- Increased traffic/highway danger
- Poor quality, badly maintained road - additional traffic will exacerbate
- Design, appearance and visual impact not in keeping with the rural landscape
- Nature and scale of development is indicative of a competition yard or commercial use
- Commercial use of the facilities would result in more traffic and noise pollution including commercial traffic/HGV's for which the land is not suitable
- Stables are too large for private recreational use and for the amount of grazing land available and manege is larger than average
- Potential light pollution
- Damage to roadside verges from large vehicles
- No details provided of extent of hardstanding for access and parking - if not provided this will displace parking onto the highway
- Impact on Aqualate Mere Ramsar site
- Removal of hedgerows to facilitate access

- Noise nuisance from traffic and due to use of ménage for riding lessons and instruction or hiring to third parties
- No provision for toilets, changing, office and feed store facilities
- Suggestion that ménage would be used once or twice per day suggests more than the applicant's own horses would be transported to the site to use the facility
- Potential damage to water pipes under access
- Light pollution
- There is a suggestion that the applicant is related to or closely associated with an employee at the Council
- Permitted use of land for grazing only would not give rise to same amount of traffic
- Request sight of Form X
- Amendments are not minor. The site boundary has been altered and is from a different applicant – a new application should be submitted
- Drains have been cleaned by highways but flooding remains a problem this will be exacerbated by new areas of hardstanding
- New track and turning circle are excessive and unsightly, out of character
- Will not remedy the issue of increased traffic in lane
- Visual impact
- No details of visibility splays have been provided - access is unsafe/potentially worse than previous
- Stables would have less impact if relocated to top of field
- Biodiversity impact
- Potential need for more development to store tack, equipment, food, hay, bedding, rugs etc
- Further details needed in respect of areas of hardstanding, electricity supply, lighting, etc
- Welfare of horses as applicants live some distance from the site - no security
- Questions regarding potential commercial use
- Removal of other stables and ménage were conditions of an application to convert stables at Radmore Lane Farm to residential use
- There is a commercial ménage in close proximity - unreasonable to have another so close
- Radmore Lane is totally unsuited to the heavy traffic that would be generated by the proposed use
- Suggestion that stabling has been advertised on this land which is indicative of commercial use
- Widening of road and splays not in keeping with the character of a country lane

Site Notice: 24.02.2021

Expiry date: 17.03.2021

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 submitted details and material 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 -Ref: ST200EG/ER/LD - Block Detail Jan 2022;
 - Hedge Plan - 21/33760/FUL - Hedgerow;
 - ST200EG/ER/LD - Track Details;
 - Location Plan Ref: ST200EG/ER/LD - July 2021 V2;
 - Stables - 3527;
 - Arena - 3527-1;
 - Ref: ST200EG/ER/LD - Drainage Jan 2021;
 - Egg Transport Drawing - 1048-SK01.
3. The development hereby permitted shall not be brought into use until the localised widening on the western side of Radmore Lane, to provide a carriageway width of 3.0m from a point 10m north of the centre line of the access over a 10m section, as indicated on drawing 1048-SK01, has been provided.
4. The development hereby permitted shall not be brought into use until the visibility splays shown on plan ref. no 1048-sk01 have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.
5. The development hereby permitted shall not be brought into use until the 4m wide access track to the stables as indicated on the approved plan has been provided
6. The development hereby permitted shall not be brought into use until the access drive rear of the public highway has been surfaced and thereafter maintained in a bound and porous material for a minimum distance of 12m back from the site boundary in accordance with the approved plans.
7. Any gates shall be located a minimum of 12m rear of the carriageway boundary and shall open away from the highway.
8. The menage hereby approved shall be used solely for the riding, training and instruction of horses for private purposes and not for any commercial/business activities.
Reason: To safeguard the amenities of the surrounding area.

9. Notwithstanding the provisions of Town and County Planning (General Permitted Development) Order 2015 (or any order revoking or re-enacting that order with or without modification) no floodlighting shall be installed at the site without the express planning permission first being obtained from the Local Planning Authority.
10. Prior to the first use of the site, details of the manure storage shall be submitted to and approved in writing by the Local Planning Authority. Such approved details shall be implemented within the first three months of the first use of the site and retained as such thereafter
11. No use hereby permitted shall be occupied or the use commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection, in the course of development. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.

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 consent
3. In the interests of highways safety
4. In the interests of highways safety
5. In the interests of highways safety
6. In the interests of highways safety
7. In the interests of highways safety
8. To ensure that the use of the site does not intensify
9. To safeguard the amenities of the locality.
10. To safeguard the amenities of the locality and to ensure that the scheme complies with the approved Habitats Regulations Assessment supporting this scheme
11. To protect and enhance the character of the site and the area, and to ensure its appearance is satisfactory.

Application:	22/36420/HOU
Case Officer:	James Hughes
Date Registered:	17 August 2022
Target Decision Date:	12 October 2022
Extended To:	None
Address:	3 Highlands, Stone, ST15 0LA
Ward:	Walton
Parish:	Stone Town
Proposal:	Erection of a single storey side extension with pitched roof in place of an existing attached garage/enclosed car port structure.
Applicant:	Mr Houlding
Recommendation:	Approve, subject to conditions

REASON FOR REFERRAL TO COMMITTEE

This application has been called in to be decided at planning committee by Councillor J Hood (Walton Ward) for the following reason/s:

- 'On behalf of residents who are objecting on the ground that the proposed development will impact heavily on the visual amenity of Highlands in a detrimental manner'.

1.0 CONTEXT

The Application Site

The application relates to 3 Highlands, Stone ('the dwelling'). The dwelling is link-detached by way of attached garage/enclosed car port structures linking the dwellings along the northeast side of Highlands together.

The dwelling is primarily brick built, with a front-rear tiled gable roof. There are brown hanging tiles to the front elevation, covering the first floor and gable elevation external walls. The ground floor front elevation has white render applied. The existing garage/enclosed carport structure has a flat roof, with white timber panelling and white garage door to the front elevation. The rear wall of the garage/carport structure is brick.

Highlands is a small cul-de-sac, with the dwelling being part of a row of four dwellings along the east side of Highlands that are relatively uniform in appearance. However, no1. Highlands and no4. Highlands have been extended so the uniformity of the dwellings has

been eroded somewhat. Nos.2, 3 and 4 Highlands have attached garage/enclosed carport structures to their side (south) elevations, meaning the otherwise detached dwellings are linked to each other. For clarity, no.2 Highlands is adjacent to the south of the application dwelling, with no.4 Highlands adjacent to the north.

The area surrounding the application property is suburban residential in character, with a relatively compact street form with dwellings having modest front and rear gardens.

Proposed Development

This application is seeking permission for the erection of a single storey side extension. The extension is to be constructed on the site of the existing garage/enclosed carport structure, which is to be demolished.

The proposed single storey side extension would project 2540mm from the side (south) elevation of the application property and adjoin to the side elevation of neighbouring 2 Highlands. The extension would have a depth of approximately 8.2 metres, the full depth of the application property.

The extension is to be built with a front-rear dual-pitched roof, with an eaves height of 2.5 metres and a maximum ridge height of 3.8 metres. The proposed roof is to be tiled, with the tiles to match with the existing roof tiles to the dwelling's main roof. Front and rear elevation external walls are to be brick, which is to match with the brickwork to the main dwelling. A window is proposed to the front elevation, with a back door and window proposed to the rear elevation. Windows and door are indicated to be white UPVC to match the host dwelling's UPVC windows.

Amended Scheme

The proposed scheme as set out above includes amendments as received by Stafford Borough Council on 18 January 2023. The amendments sought to address some concerns raised regarding total ridge height of the proposed roof. The ridge height of the proposed roof was reduced from 4.4 metres to 3.8 metres.

Planning policy framework

Section 38(6) of the 2004 Planning and Compulsory Purchase Act and section 70 of the Town and Country Planning Act 1990, as amended, require decisions to be made in accordance with the development plan unless material considerations indicate otherwise.

The Development Plan for the purposes of this application comprises The Plan for Stafford Borough 2011-2031 Parts 1 and 2 (TPSB) and the Stone Neighbourhood Plan.

OFFICER ASSESSMENT – KEY CONSIDERATIONS

2.0 PRINCIPLE OF DEVELOPMENT

The application site is located within Stone, which is listed as one of the settlements in the Sustainable Settlement Hierarchy under Spatial Principle 3 of TPSB and its defined

settlement boundary under Policy SB1 and as shown on the associated Inset map for Stone.

The principle of development is therefore considered to be acceptable given that the property is located within a sustainable location in the Stone settlement boundary, but subject to other material considerations being satisfied, including:-

- Impact upon the character and appearance of the host dwelling and the surrounding area;
- Residential amenity;
- Car parking provision.

Policies and Guidance:-

National Planning Policy Framework 2021 (NPPF)

Paragraphs 8 and 11

The Plan for Stafford Borough 2011-2031 (TPSB)

Part 1 - Spatial Principle 1 (Presumption in Favour of Sustainable Development, Spatial Principle 3 (Sustainable Settlement Hierarchy), Spatial Principle 7 (Supporting the Location of New Development)

Part 2 - SB1 (Settlement Boundaries)

Stone Neighbourhood Plan

Appendix G - Plan of Stone Settlement Boundary

3.0 CHARACTER AND APPEARANCE

Policy N1 of the TPSB sets out design criteria including the requirement for design and layout to take account of local context and to have high design standards which preserve and enhance the character of the area. Section 8 of the Supplementary Planning Document on Design (SPD) then provides further detailed guidance on extensions and alterations to dwellings.

In addition to the above, Policy H2 (Housing Design) in the Stone Neighbourhood Plan requires new development in Stone to deliver high quality design. In order to achieve this, new development must take into account various considerations, which are set out under Policy H2. Relevant to this specific application, this includes:

- Ensuring new development is designed for the specific site in question, combining the design of buildings, streets and spaces to create a distinctive sense of place.
- Be of an appropriate scale and massing in relation to the wider town context

The proposed single storey side extension would be subordinate to the main dwelling, as it is a single storey side extension to a two-storey dwelling. The extension would not be larger in floor area than the existing garage/enclosed carport that it is to replace. The proposed extension would differ in appearance and scale as a pitched, tiled roof is proposed in lieu of the existing flat roof. In addition, the front elevation would have an external brick wall with window rather than timber cladding and a garage door. Due to the extension being of a significantly lower height than the host dwelling, it is not considered that an undue terracing effect would occur as a result of the proposed extension's scale, siting or total height.

The proposed extension would better integrate with the host dwelling, as external materials would better align with the host dwelling. The dwelling also has a pitched tiled roof. As such, the pitched tiled roof to the extension would correspond with the host dwelling and the extension would appear more robust and be of a better quality than the low quality, flat roof garage/enclosed carport it replaces.

The proposed external materials (brickwork, roof tiles and UPVC windows) are to match with the external materials to the host dwelling. This is appropriate and is clearly set out on the submitted proposed plans. As such, an additional condition requiring match materials would be unnecessary in this instance.

The proposed extension would not be substantially larger than the extension/enclosed carport it replaces, with the pitched roof being the primary difference. The proposed roof would slope upwards from the front elevation and would thus not be a prominent architectural feature, particularly when viewed from Marlborough Road. It is understood that the pitch of the roof is the minimum possible pitch for the roof tiles proposed. The ridge height of the roof would be well below the eaves height of the application property and adjacent 2 Highlands, which is appropriate. It is considered that the overall character of the street scene would be retained, with no substantial impact on the street scene. The main front elevation of the dwelling is to remain unchanged, and would continue to align with the front elevations of adjacent dwellings in appearance and applied external materials.

In summary, the proposed single storey side extension with pitched roof represents an acceptable and sustainable addition to the application property and street scene. The extension would be consistent with Policy N1 of TPSB, Policy H2 of the Stone Neighbourhood Plan and Section 12/Paragraph 130 of the NPPF.

Policies and Guidance:

National Planning Policy Framework 2021 (NPPF)
 Section 12 - Achieving well-designed places
 The Plan for Stafford Borough 2011-2031 (TPSB)
 N1 (Design)
 Supplementary Planning Document - Design (SPD)
 Stone Neighbourhood Plan
 H2 (Housing Design)

4.0 RESIDENTIAL AMENITY

Criteria (e) of Policy N1 of the TPSB and the SPD require design and layout to take account of adjacent residential areas and existing activities.

The proposed single storey side extension would replace a similar single storey side extension (garage/enclosed carport). The main differences between the proposed extension and existing situation are the pitched roof and window to the front elevation, which would serve a habitable room. In addition, the rear elevation window would serve a habitable room.

The proposed habitable room windows to the front and rear elevations would retain adequate separation distances from habitable room windows to dwellings to the front/rear of the application property. As such, no loss of privacy/overlooking between the application property and nearby dwellings would be expected.

The proposed pitched roof would add bulk and mass to the dwelling, which is adjacent to 2 Highlands. However, there are no windows to the side elevation of 2 Highlands and, as such, there would be no resulting loss of light, outlook or overbearing impact to the occupiers of 2 Highlands.

When considering the scale and siting of the proposed extension, it is not considered that there would be any undue amenity impact upon the occupiers of any other neighbouring or nearby dwellings.

The proposed alteration/addition to the application property is acceptable with regards to residential amenity, consistent with relevant local and national policy considerations as set out below.

Policies and Guidance:-

National Planning Policy Framework 2021 (NPPF)
Paragraph 130
The Plan for Stafford Borough 2011-2031 (TPSB)
N1 (Design)
Supplementary Planning Document – Design (SPD)
Stone Neighbourhood Plan
No relevant policies

5.0 HIGHWAYS AND PARKING

Appendix B of the TPSB requires two car parking spaces to be provided for a three-bedroomed dwelling of this type.

The submitted plans and documents demonstrate that the existing two car parking spaces in the front curtilage of the application property would be retained. For the avoidance of doubt, Staffordshire Highways Authority were approached for comment. However, they confirmed no objection to the proposal with regards to parking provision.

The proposal is acceptable when considering highway safety and parking requirements, in accordance with relevant local and national policies as set out below.

Policies and Guidance:-

National Planning Policy Framework 2021 (NPPF)
Paragraphs 108 and 109
The Plan for Stafford Borough 2011-2031 (TPSB)
Policies T1 (Transport), T2 (Parking and Manoeuvring Facilities), Appendix B - Car Parking Standards
Stone Neighbourhood Plan
No relevant policies

EQUALITY ACT 2010

In considering this application the Local Planning Authority has complied with Section 149 of the Equality Act 2010 which places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. There is no overt reason why the proposed development would prejudice anyone with the protected characteristics as described above.

CONCLUSION AND PLANNING BALANCE

The proposed additions and alterations to the application property represent appropriate and sustainable development. The proposals are consistent with relevant local and national policies, including an up-to-date development plan. As such, the alterations/additions sought under this application should be approved without delay, subject to appropriate conditions

CONSULTATIONS

Highway Authority:

(Surgery) - No objection

Parish Council:

Stone Parish Council objected to this proposal on 19 January 2023. The reasons for their objection:

- The proposed development will have a negative impact on the street scene, changing the link detached and coherent appearance of the properties.

Neighbours:

Initial Neighbour Consultation: 05 January 2022

Sent to:

- 1 Stuart Close, Stone
- 3 Stuart Close, Stone
- 5 Stuart Close, Stone
- 7 Stuart Close, Stone
- 11 Stuart Close, Stone
- 1 Highlands, Stone
- 2 Highlands, Stone
- 4 Highlands Stone,
- 6 Highlands Stone
- 2 Marlborough Road, Stone

As a result of the initial neighbour consultation, 4 responses were received. All responses were objections to the proposal and came from 2 different sources (both objectors objected twice). The objections raised the following points:

Comments that constitute material planning considerations

- The scale of the proposed development is unacceptable

This point has been duly addressed and assessed in Section 3 (Character and Appearance) of this Report.

- The change in character of the dwelling/street scene due to a terracing effect

This point has been duly addressed and assessed in Section 3 (Character and Appearance) of this Report.

- The description of the development is inaccurate

It is a moot point as to whether the existing structure to be demolished is a single storey side addition, garage or enclosed carport. For clarity, the LPA has taken the view that the existing structure is a 'garage/enclosed car port'. The technical definition of the current structure would not be expected to prejudice the outcome of the planning application.

Comments that do not constitute material planning considerations

- The proposed extension may cause issues to neighbouring adjacent dwellings, such as damp, damage to foundations, damage to walls, instability to walls. In addition, property owners would not be able to maintain walls adjacent to the site of the proposed extension.

These concerns are not material planning considerations and have not been addressed in this Report, due to them falling outside the scope of planning. Concerns of this nature would likely fall under other legislative regimes or are civil matters between the owner of the property and their neighbour.

- The property title deeds refer to permission for access for maintenance through existing carport/garages.

Property ownership/access, statements in property title deeds, and concerns related to the Party Wall Act do not form material planning considerations. These concerns have not been addressed in this Report as the concerns raised fall outside the scope of planning. Concerns of this nature are a civil matter between the owner of the property and their neighbour.

- Impact on saleability of private property or private property values changing as a result of the proposed development.

This concern does not represent a material planning consideration as has not been addressed in this Report, as concerns of this nature fall outside the scope of planning.

Additional Neighbour Consultation: 19 January 2022

Due to amendments to the proposed scheme having been received, as set out in Section 1 (Amended Scheme), neighbours were duly re-consulted to allow for further or amended comments to be received.

Sent to:

- 1 Stuart Close, Stone
- 3 Stuart Close, Stone
- 5 Stuart Close, Stone
- 7 Stuart Close, Stone
- 11 Stuart Close, Stone
- 1 Highlands, Stone
- 2 Highlands, Stone
- 4 Highlands Stone,
- 6 Highlands Stone
- 2 Marlborough Road, Stone

As a result of the additional neighbour consultation, 5 responses were received. All responses were objections to the proposal and came from 2 different sources (1 objector objected four times with an identical objection). The objections raised no additional points over the objections already received following initial neighbour consultation on 05 January 2023.

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 or by a condition attached to this consent, in which case the condition shall take precedence:
 - Site Location Plan, Proposed Block Plan ('Block Plan 1:500', 'Location Plan 1:1250', Revision A)
 - Proposed Elevations, Proposed Ground Floor Plan, Proposed Roof Plan, Proposed Section (Drawing JPK/22/4959/1 Revision E dated August 2022)

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.

INFORMATIVES

- 1 In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015, as amended, and the National Planning Policy Framework 2021, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.

22/36420/HOU
3 Highlands
Stone



 PLANNING COMMITTEE - 5 APRIL 2023

Ward Interest - Nil

Planning Appeals*Report of Head of Development***Purpose of Report**

Notification of new appeals and consideration of appeal decisions.

Notified Appeals

Application Reference	Location	Proposal
22/36904/HOU Delegated Refusal	231 Doxey, Stafford	Single storey rear extension.
21/34623/FUL Committee Refusal	Darlaston Inn, Darlaston Roundabout At Junction With A51 North	Demolition of existing Public House and Children's Indoor Play warehouse with redevelopment of the site to provide 24hr petrol filling station accessed from A34 comprising new forecourt with canopy (3 starter gate for car), underground tanks, 4 no car jetwash bays, 1 no car wash, 1 no vac/air bay, parking (15 customer car spaces and 4 cycle), 8no covered EVC bays (with solar PV to roof), landscaping / picnic area and sales building (total 465 GEA sqm / 421 sqm GIA) including store, office, wc and convenience store with ancillary food counter together with ATM.

Decided Appeals

Nil

V1 23/03/23 14:20

Previous Consideration

Nil

Background Papers

File available in the Development Management Section

Officer Contact

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