

Chair - Councillor E G R Jones

Present (for all or part of the meeting):-

Councillors:

A G Cooper

A P Edgeller

A T A Godfrey

J Hood

P W Jones

B Mckeown

A Nixon

C V Trowbridge

Also present:- Councillors P M M Farrington. R M Smith and  
M J Winnington

Officers in attendance:-

Mr S Manley	-	Interim Development Management Manager
Ms J Allsop	-	Planning Officer
Ms L Pogson	-	Development Lead
Ms L Collingridge	-	Solicitor
Mr A Bailey	-	Scrutiny Officer

#### **PC71 Apologies**

Apologies for absence were received from Councillors F Beatty and G P K Pardesi (Substitute A T A Godfrey).

#### **PC72 Declarations of Interest/Lobbying**

Councillor J Hood declared that she would be speaking as the Local Ward Member in respect of Application Number 22/36420/HOU and would not be participating in the discussion and voting thereon.

Councillor J Hood declared that she had been lobbied in respect of Application Number 22/36420/HOU.

#### **PC73 Application No 21/33760/FUL - Proposed change of use of land from agricultural to equestrian including construction of all-weather menage (25m x 40m) and stabling - Land North of Humesford Brook, Radmore Lane, Gnosall, Stafford**

(Recommendation Approve, subject to conditions).

Considered the report of the Head of Development regarding this matter.

Public speaking on the matter was as follows:-

Ms M Jasper raised the following points during her objection to the proposal:-

- Represented local residents
- There had been 41 objections to this proposal
- The lane was very narrow
- There were 26 dwellings in the area and it could not be said that the housing was sporadic
- It was misleading to report that the proposal was just under 1 hectare
- The area was a known flooding hot spot and yet no Flood Risk Assessment had been undertaken
- This proposal would exacerbate flooding in the area
- A nearby brook was already flooding
- The proposal was contrary to Policy N2 of the Plan for Stafford Borough as well as the National Planning Policy Framework
- There were strict regulations controlling the fibres from the surface of the menage and this proposal would contravene them
- A protected hedge would need to be removed to facilitate access to and from the site, for which there had been no consultation
- The applicants lived in Stone
- The site had already been advertised as commercial use
- Requested that the proposal be rejected

Ms E Randle raised the following points during her support for the proposal:-

- Clarified was not using waste carpet fibre for the surface of the menage
- The applicants had engaged consultants for the preparation of the proposal
- There had previously been objections by the Highways Authority
- A Highways consultant engineer had undertaken speed surveys
- The proposal would be used privately by the applicants family
- There were no objections raised by Staffordshire County Council
- There were no objections from Natural England
- There had been a full Habitat Risk Assessment undertaken
- This proposal did not require a Flood Risk Assessment
- The Lead Local Flooding Authority had been consulted and had raised no objections to this proposal
- There had been no objections from the Parish Council
- The horses were able to graze in the field and there would be no change of use through this proposal
- The proposal was appropriate in terms of its visual impact
- There was no impact on wildlife by this proposal

At the invitation of the Chairman, Councillor R M Smith, Gnosall and Woodseaves Ward Member, addressed the Committee and raised the following issues:-

- Clarification that the stable building was 21.3m in total and not 17.08m as stated in the report
- A basic principle was that the development must be sustainable, but this could not be achieved as the applicant live 14 miles away
- There would be a caravan on site, toilet facilities and hay storage
- This proposal was for a new farmstead and would inevitably lead to further applications
- There should be 1 ha per horse and with 4 horses there should be a Flood Risk assessment undertaken
- There was an existing gate in the northern corner of the site that was not listed as part of the proposal
- Policy E2 (viii) of The Plan for Stafford Borough could not be supported unless all other provisions of the Policy (a-f) had been satisfied
- The fact that there was no existing farmstead on the site would mean that this was contrary to Policy E2 (viii) of The Plan for Stafford Borough
- The proposal had originally been called in on highway grounds, but speeds would inevitably be above 30 MPH and the visibility splay was inadequate
- It was unprecedented for the Highways Authority to find a solution for the applicant
- There were two telegraph poles obscuring the proposed junction
- The surface on the proposed menage was not compliant
- Requested the Committee to refuse the proposal on the following grounds:-
  1. The proposal was not sustainable
  2. The proposal was contrary to Policy E2 (viii) of The Plan for Stafford Borough
  3. The visibility splay for the proposal was insufficient
  4. The proposal was not compliant with the Environment Agency Regulations
  5. The proposal represented a change of use
  6. The proposal presented a flood risk

At the invitation of the Chairman, Councillor P M M Farrington, Gnosall and Woodseaves Ward Member, addressed the Committee and raised the following issues:-

- All of the salient issues had been summarised succinctly
- Curious as to why a Staffordshire County Council Highways Officer was assisting the applicant
- Clarification that Forton Parish Council had objected to the proposal

The Committee discussed the application and raised a number of issues, including:-

- Clarification that an existing farmstead was not in place
- The applicant lived separately from the site and therefore it was not sustainable
- The proposal did not therefore fully comply with Policy E2 (viii) of The Plan for Stafford Borough
- Confirmation that the Policy E2 (viii) of The Plan for Stafford Borough stated "Should comply where appropriately feasible"
- Confirmation that the stable was for private use and not commercial
- Concern that the area was subject to frequent flooding
- Clarification that the proposal would be difficult to reject on highway grounds as an Independent Highways Assessment had been undertaken
- Concern that if the gate did form part of the application site, it would be in excess of 1 ha and therefore would require a Flood Risk Assessment
- Clarification that the proposal needed to be considered as presented and the report did not currently include the gate at the northern part of the site
- Confirmation that the proposal could be deferred to clarify whether the gate should be included and to request a Flood Risk assessment

It was then subsequently moved by Councillor C V Trowbridge and seconded by Councillor A P Edgeller that Planning Application Number No 21/33760/FUL be refused on the grounds that the proposal was contrary to Policy E2 (viii) of The Plan for Stafford Borough as it was not sustainable due to the fact that there was not an existing farmstead and that a Flood Risk Assessment was required due to the size of the site.

On being put to the vote the proposal was declared to be carried.

RESOLVED:- that Planning Application Number No 21/33760/FUL be refused on the grounds that the proposal was contrary to Policy E2 (viii) of The Plan for Stafford Borough as it was not sustainable due to the fact that there was not an existing farmstead and that a Flood Risk Assessment was required due to the size of the site.

*Councillor J Hood left her place at the table at this point and took her seat in the public gallery.*

**PC74 Application No 22/36420/HOU - Proposed erection of a single storey side extension with pitched roof in place of an existing attached garage/enclosed car port structure, 3 Highlands, Stone, ST15 0LA**

(Recommendation Approve, subject to conditions).

Considered the report of the Head of Development regarding this matter.

Public speaking on the matter was as follows:-

Mr A Ward raised the following points during his objection to the proposal:-

- Had very strong objections to the proposal on the grounds of visual amenity
- The proposal would make No 3 Highlands stand out from the other properties
- Stone Town Council had objected to the proposal on 19 January 2023
- Access to the neighbouring property would be denied by this proposal
- There was a legal right of access to the whole property
- The proposed extension would leave a gap between the two properties
- The gap created would cause damp to the property
- The proposed extension would lead to the demolition of the existing garage
- The proposals would create a semi-detached property and would cause a devaluation
- The potential for damp would affect the house insurance
- Requested the Committee to refuse the application

The Scrutiny Officer read out the following statement from Mr J Houlding, who was unable to attend the meeting, in support for the proposal:-

- The reason that this was called into the Committee was that "the development would impact heavily on the visual amenity of the Highlands in a detrimental manner", which was not true
- The only visual change was a pitched roof instead of flat on the existing structure
- In comparison to the other houses in Highlands particularly no 1, 4 and 6 that had numerous extensions, the plan was very respectful
- The only current change to the property from its origin was the carport and now a garage confirmed by definition
- All other properties in Highlands have had numerous extensions, conversions, porches and Conservatories added
- All other objections were either factually incorrect or not planning issues
- Access to the roof for maintenance would still be available
- It was a garage and not a carport
- Potential damp issues were not a fact
- The roof flashing would not touch the neighbouring property as per the plans
- The proposal would not give a terracing effect as it would be detached from the neighbouring property
- Other objections included comments not allowed by the planning process such as financial or legal concerns
- In the wider Pirehill Estate area there were also numerous garage conversions and pitched roof extensions

- Therefore the plans met all building and planning regulations as the planning officers report and recommendations showed

At the invitation of the Chairman, Councillor J Hood, Walton Ward Member, addressed the Committee and raised the following issues:-

- Highlands was a quiet cul-de-sac
- The proposal would have a detrimental effect on the visual appearance of the cul-de-sac
- The proposal was contrary to Policy N1 of The Plan for Stafford Borough
- The proposal was not of a new high-quality development
- The proposal was contrary of the Stone Neighbourhood Plan in terms of wellbeing
- The proposal would make it impossible for the neighbour to maintain his property, with only a 4inch gap between the two buildings
- Damp in the neighbouring property would be inevitable
- Explained the reasons for Stone Town Council's objections to the proposals on 19 January 2023
- Quoted Policy 32 of the Preferred Options Report from the New Plan for Stafford Borough that related to the unacceptable suffering of neighbouring properties
- Both neighbours had always had entitlement to the site
- The applicant had put the property on the market as a detached property

The Committee discussed the application and raised a number of issues, including:-

- Clarification that certain elements of the objections to the proposal were outside of the planning process
- Confirmation that access to the party wall and maintenance of the property were a civil matter
- Clarification that the Committee should only consider the application on material planning considerations
- Confirmation that a new wall was being built
- Clarification that any reasons for refusal needed to be sustainable at an appeal
- Confirmation that Space About Dwellings Guidance had now been replaced by Spatial Principal Development Principles
- Clarification that the proposal had been reduced in height and could be allowed under Permitted Development Regulations, but the Committee were obliged to determine this application
- If refused, the proposal would likely to be granted on appeal
- The proposal would create a cavity wall with potential for reduced noise
- The pitched tile roof would visually look better

It was then subsequently moved by Councillor B McKeown and seconded by Councillor C V Trowbridge that Planning Application Number No 22/36420/HOU be approved, subject to the conditions as set out in the report of the Head of Development.

On being put to the vote and following the Chairman's casting vote, the proposal was declared to be carried.

RESOLVED:- that Planning Application Number No 22/36420/HOU be approved, subject to the conditions as set out in the report of the Head of Development.

*Councillor J Hood re-took her place at the table at this point.*

## **PC75 Planning Appeals**

Considered the report of the Head of Development.

Notification of the following appeals had been received:-

<b>Application Reference</b>	<b>Location</b>	<b>Proposal</b>
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 & 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.

The Interim Development Management Manager reported that Application No 22/36913/FUL, Development of children's play area, MUGA, wheeled sports facility and associated access, paths and seating at Westbridge Park, Stafford Street, Stone, ST15 8QW, that the Committee had approved on 15 March 2023, had not been called in by the Secretary of State and the decision had now been issued.

CHAIR