



Civic Centre, Riverside, Stafford

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Dear Members

### **Planning Committee**

A meeting of the Planning Committee will be held on **Tuesday 14 November 2023** at **11.15am** in the **Craddock Room, Civic Centre, Riverside, 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 Governance

## PLANNING COMMITTEE - 14 NOVEMBER 2023

**Chairman - Councillor B McKeown**

**Vice-Chairman - Councillor A Nixon**

### 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.

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6 <b>Planning Appeals</b>	-
7 <b>Enforcement Matters</b>	-

### MEMBERSHIP

**Chairman - Councillor B McKeown**

B M Cross	D M McNaughton
F D J James	A Nixon
E G R Jones	M Phillips
P W Jones	J P Read
R Kenney	S N Spencer
B McKeown	

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PLANNING COMMITTEE - 14 NOVEMBER 2023

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**Ward Interest - Nil**

**Planning Applications**

*Report of Head of Economic Development and Planning*

**Purpose of Report**

To consider the following planning applications, the reports for which are set out in the attached **APPENDIX:-**

		<b>Page Nos</b>
<b>23/37948/HOU</b>	<b>Rose Cottage, Cresswell Road, Hilderstone</b>	4 - 13
	The application was called in by Councillor F Beatty	
	<b>Officer Contact</b> - 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.

<b>Application:</b>	23/37948/HOU
<b>Case Officer:</b>	Jake Powell
<b>Date Registered:</b>	4 September 2023
<b>Target Decision Date:</b>	30 October 2023
<b>Extended To:</b>	-
<b>Address:</b>	Rose Cottage, Cresswell Road, Hilderstone, Stone, Staffordshire ST15 8RF
<b>Ward:</b>	Milwich
<b>Parish:</b>	Hilderstone
<b>Proposal:</b>	Two Storey Extension
<b>Applicant:</b>	David and Hannah Heath
<b>Recommendation:</b>	That Committee resolve which conditions to apply to the approval of planning application 23/37948/HOU and the appropriate reasons for those conditions

## REASON FOR REFERRAL TO COMMITTEE

Planning application 23/37948/HOU was considered by Planning Committee at the meeting on 1 November 2023 with a recommendation to refuse for the following reason:-

1. *By virtue of the excessive scale and inappropriate position, the proposed two-storey front extension would appear as a prominent and incongruous addition, which would dominate the front elevation of the property. The extension would, cumulatively, also result in a substantial dwellinghouse which would be unacceptable in the countryside. The proposal would result in the wholesale change of the dwelling's appearance, resulting in undue impact to the architectural character of the application property. The proposal would therefore represent unsustainable development and cause undue harm to the character of the countryside, failing to accord with Section 12 of the National Planning Policy Framework, Policies N1 and C5 of The Plan for Stafford Borough and Section 8 of the Stafford Design SPD.*

However, the Committee resolved that planning application 23/33948/HOU be approved due to it being proportionate to the type and character of the existing dwelling and surrounding area as it is within a spacious plot and away from neighbouring properties, therefore considered acceptable in terms of residential amenity.

Notwithstanding that it is not evident how a large two storey extension onto the front of a traditional cottage with a linear footprint can be proportionate to the type and character of

the existing dwelling, in voting to approve the application the Planning Committee did not specify any planning conditions or reasons.

The Head of Law and Governance has confirmed that there are no delegated powers for officers to impose conditions on a planning application determined by the Planning Committee.

Paragraph 55 of the National Planning Policy Framework makes clear that planning conditions should be kept to a minimum, and only used where they satisfy the following tests:

1. necessary;
2. relevant to planning;
3. relevant to the development to be permitted;
4. enforceable;
5. precise; and
6. reasonable in all other respects.

Clear and precise reasons must be given by the local planning authority for the imposition of every condition.

In meeting the above tests Officers therefore consider that it is necessary to include a time limit condition as set under Section 91 of the Town and Country Planning Act 1990, a condition to define the approved plan drawings as amended plans were submitted, and a condition relating to the materials to be used in the development.

Under section 91 of Town and Country Planning Act 1990 if the local planning authority grants planning permission it is subject to a condition that sets the time limit within which the development must begin.

The relevant time limit for beginning the development is not later than the expiration of:

- 3 years beginning with the date on which the permission is granted, or;
- such other period (whether longer or shorter) as the local planning authority may impose.

It is considered in this application there is no reason to depart from the standard time limit condition for the commencement of development.

The following conditions are considered to meet the 6 tests required by Paragraph 55 of the National Planning Policy Framework:

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:-  
21S50P01 - Planning Proposals Rev B

3. The external materials to be used in the construction of external walls and roof of the extension hereby permitted shall match the existing dwelling in regard to their size, texture and colour.

The following reasons are considered to be clear and precise:

1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.
3. To ensure the satisfactory appearance of the development (Policy N1 g and h of The Plan for Stafford Borough).

#### 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.

#### Policies and Guidance:-

National Planning Policy Framework 2021 (NPPF)  
Section 12 - Achieving well-designed places

Planning Practice Guidance Paragraph: 003 Reference ID: 21a-003-20190723 and  
Paragraph: 023 Reference ID: 21a-023-20140306

The Plan for Stafford Borough 2011-2031 (TPSB)  
N1 (Design), C5 (Residential Proposals outside the Settlement Hierarchy)  
Supplementary Planning Document – Design (SPD)

#### **Recommendation**

That Committee resolve which conditions to apply to the approval of planning application 23/37948/HOU and the appropriate reasons for those conditions.

**Previous committee report  
1 November 2023**

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<b>Application:</b>	23/37948/HOU
<b>Case Officer:</b>	Jake Powell
<b>Date Registered:</b>	4 September 2023
<b>Target Decision Date:</b>	30 October 2023
<b>Extended To:</b>	N/A
<b>Address:</b>	Rose Cottage, Cresswell Road, Hilderstone, Stone, Staffordshire, ST15 8RF
<b>Ward:</b>	Milwich
<b>Parish:</b>	Hilderstone
<b>Proposal:</b>	Two Storey Extension
<b>Applicant:</b>	David and Hannah Heath
<b>Recommendation:</b>	Refuse

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**REASON FOR CALL-IN TO COMMITTEE**

The application has been called in to be decided at planning committee by Councillor F Beatty (Ward Member for Milwich) for the following reason:-

1. The design and appearance of the proposed extension to Rose Cottage in combination with previous extensions and alterations is in keeping with and proportionate to the type and character of the existing dwelling and surrounding area (in the context of the relevant criterion within Policy C5 of the Plan for Stafford Borough)
2. Linked to the above due consideration be given to the Council's approval (in 2018) of a comparable scale extension to a dwelling close by to the north (Woodcutters) of similar character and appearance to Rose Cottage and ultimately ensure consistent decision making and associated application of development plan policy (Policy C5) The approved extension at Woodcutters resulted in a 183 percent increase to the original dwelling compared to the 176 percent increase as proposed at Rose Cottage Woodcutters had just a 4.6m<sup>2</sup> larger original floor area than Rose Cottage and the Council approved a 19.1m<sup>2</sup> larger floor area than is now proposed at Rose Cottage Whilst every application is considered on its merits there is comprehensive similarity here
3. The design of the proposed extension is of a high quality with its proposed form and materials being in keeping with the existing dwelling

4. The proposed extension would not have any material impact on other dwellings in the area
5. The proposal would incorporate the provision for homeworking within the property to cater for the fact that both applicants regularly work from home (with one of the applicants working running their business from home full time)
6. The design concept would serve to attenuate and defend the occupiers from the noticeable road noise along this busy section of Creswell Road hence the proposal would enhance residential amenity in this respect.

## **1.0 CONTEXT**

### **The Application Site**

The site comprises a detached two-storey cottage, set within a well-sized plot. The dwellinghouse is sited directly on the highway and is not separated by pavement, with the gable end of the dwellinghouse against the boundary. It should also be noted that Creswell Road does not benefit from highways verge on the section of highway directly parallel with the dwellinghouse.

The dwellinghouse consists of rendered facing walls and a tiled roof, and has previously been extended through the construction of a two-storey side extension.

To the north-east and south-west, the site shares a boundary with other residential properties, whilst to the east and west are open fields. Directly to the west of the site, the site is on the boundary of the North Staffordshire Green Belt.

The application site is located outside of a settlement listed in the Sustainable Settlement Hierarchy under Spatial Principle (SP) 3 of the TPSB and in policy terms is therefore considered as within open countryside.

### **Proposed Development**

The application seeks permission for the construction of a two-storey extension. Given the siting of the principal elevation of the property, this extension would be constructed to the front elevation. The plans indicate that this extension would provide a large home office attached to the existing living room, and a 5<sup>th</sup> bedroom.

The plans indicate that this would be constructed in materials to match the existing dwellinghouse.

### **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).



## OFFICER ASSESSMENT - KEY CONSIDERATIONS

### 2.0 PRINCIPLE OF DEVELOPMENT

The application site is located in the countryside outside of a settlement listed in the Sustainable Settlement Hierarchy under Spatial Principle (SP) 3 of the TPSB with their defined settlement boundaries set out under Policy SB1 and as shown on the associated Inset maps.

SP7 of the TPSB deals with the location of new development and at provision (ii) supports proposals which are consistent with the objectives of Spatial Principle 6 and policies E2 and C5 in supporting rural sustainability.

In particular, Policy C5 requires that in areas outside of the Sustainable Settlement Hierarchy the extension of an existing building should not result in additions of more than 70% to the dwelling as originally built, unless at provision (Cii), the design and appearance of the proposed extension is proportionate to the type and character of the existing dwelling and the surrounding area.

The original floor area of the dwelling measured 82.5m<sup>2</sup>. The dwelling has previously been extended under permission 10/13899/FUL and 11/16353/HOU which resulted in an additional 82.55m<sup>2</sup> over the original floor area of the dwelling.

The proposal seeks to add a further 54.8m<sup>2</sup> resulting in a cumulative increase of 166.48% over the original floor area.

The proposal would be over the 70% threshold provided for under Policy C5(c) and for the reasons set out in Section 3 of this report (Character and appearance) the design and appearance of the proposed extension is not considered to be proportionate to the type and character of the existing dwelling and the surrounding area. The principle of development is therefore considered to be unacceptable.

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), C5 (Residential Proposals outside the Settlement Hierarchy)

Part 2 - SB1 (Settlement Boundaries)

### 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.

The application seeks permission for the construction of a two-storey extension. Due to the layout of the dwellinghouse, this extension would be situated on the principal and front elevation of the property.

With regards to front extensions, the Design SPD states that significant extensions projecting forward of the front elevation will not normally be permitted due to their effect on the streetscene.

The proposed extension would consist of a large gable fronting element of substantial width, sited to the front elevation of the property. The proposed extension would not be set down from the ridge line of the main dwellinghouse, and in conjunction with its width, would fail to appear clearly subservient. This would result in an extension which would dominate the front elevation of the property, appearing as the main architectural feature when viewing the principal elevation of the property. The proposed development would therefore not represent an extension which would appear proportionate and subordinate to the host dwellinghouse. In addition, via its construction, the proposed extension would result in the loss of the attractive existing appearance of the principal elevation of the dwellinghouse.

Furthermore, given the layout of the site, the proposed extension would be situated adjacent to Creswell Road. As outlined above, the proposed extension would fail to appear proportionate and subordinate to the main dwellinghouse, which would dominate the front elevation of the property, and result in an unacceptable impact on the character and appearance of the dwellinghouse. This impact is further compounded due to the siting of the extension in close proximity to the highway, with the proposed extension almost doubling the visual appearance of the north-western elevation appearing as an unduly prominent and incongruous addition within the street scene. The proposal would therefore result in an unacceptable impact to the character and appearance of the dwellinghouse and area.

Overall, the proposal would result in an unacceptable impact on the character and appearance of the dwellinghouse. The LPA does accept that, given that the dwelling is relatively isolated, there is no architectural character to uphold when considering the surrounding area. However, given that the size of the application property, which is located in the countryside in policy terms, would be 166.48% larger than originally built and have the appearance of a substantial dwellinghouse that would be unsympathetic to the character of the original dwellinghouse, and which would not be supported due to the resultant unacceptable impact on the sites visual appearance.

With regards to materials, it is acknowledged that proposed development would be constructed in materials to match the existing dwellinghouse. This is considered an appropriate design choice which would aid in the integration of the extension with the host property.

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), C5 (Residential Proposals outside the Settlement Hierarchy)

Supplementary Planning Document - Design (SPD)

#### **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.

Considering the proposed development would be situated within a spacious plot, and away from neighbouring properties, Officers are satisfied that the proposal would not result in any technical breaches of the Local Planning Authority (LPA)'s amenity guidelines and that the proposal is considered acceptable in terms of residential amenity.

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)

#### **5.0 HIGHWAYS AND PARKING**

Appendix B of the TPSB require 3 car parking spaces to be provided for a 5 bedrooed dwelling.

The plans indicate a designated area for parking, which would exceed the requirements of Appendix B of the TPSB. As such, it is considered that the proposed development would have an acceptable impact on highways and parking.

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

## CONCLUSION AND PLANNING BALANCE

Whilst the proposal would have an acceptable impact on the amenity of neighbouring properties, highways and parking, the proposed development would result in an unacceptable impact on the character and appearance of the site and surrounding area. As such, Officers recommend that the application is refused.

## CONSULTATIONS

### Neighbours:

(5 consulted): 0 representations received.

### Relevant Planning History

10/13899/FUL - Two storey lounge/bedroom extension to cottage with a new roof with dormer windows. A brick front porch and a brick external chimney stack. New timber windows and a detached double garage. Approved 23.09.2010

11/16353/HOU - Two-storey side extension. Approved 17.01.2012

12/17681/HOU - Retention of a pitched roof detached garage. Approved 07.11.2012

### Recommendation

Refusal for the following reason:

1. By virtue of the excessive scale and inappropriate position, the proposed two-storey front extension would appear as a prominent and incongruous addition, which would dominate the front elevation of the property. The extension would, cumulatively, also result in a substantial dwellinghouse which would be unacceptable in the countryside. The proposal would result in the wholesale change of the dwelling's appearance, resulting in undue impact to the architectural character of the application property. The proposal would therefore represent unsustainable development and cause undue harm to the character of the countryside, failing to accord with Section 12 of the National Planning Policy Framework, Policies N1 and C5 of The Plan for Stafford Borough and Section 8 of the Stafford Design SPD.

### Informative

- 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.

**23/37948/HOU  
Rose Cottage  
Cresswell Road  
Hilderstone**

