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**Planning Control Committee**

**8 December 2021**

**Application No:** CH/21/0438

**Received:** 03-Nov-2021

**Location:** 35, Greenwood Park, Pye Green, Cannock, WS12 4DQ

**Parish:** Hednesford CP

**Ward:** Hednesford North

**Description:** Two x two storey side extensions and a single storey rear extension to create (in part) a self contained 1 bedroom annex and other domestic extensions to the host dwelling

**Application Type:** Full Planning Application

**RECOMMENDATION:**

Approve Subject to Conditions

**Reason(s) for Recommendation:**

In accordance with paragraph 38 of the National Planning Policy Framework the Local Planning Authority has worked with the applicant in a positive and proactive manner to approve the proposed development, which accords with the Local Plan and the National Planning Policy Framework.

**Conditions (and Reasons for Conditions):**

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

AN-PP-003 Proposed Elevations  
AN-PP-004 Proposed Floor Plans  
Block Plan  
Planning Statement

Reason

For the avoidance of doubt and in the interests of proper planning.

2. 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.

Reason

To comply with the requirements of Section 91 of the Town & Country Planning Act 1990.

3. A minimum of 3 car parking spaces shall be available at all times within the curtilage of the four bedroom dwelling.

Reason

In the interests of highway safety and to ensure compliance with The Staffordshire County Council Residential Design Guide, the Parking Standards, Travel Plans and Developer contributions for sustainable transport SPD and the NPPF.

4. The materials to be used for the external surfaces of the development shall be of the same type, colour and texture as those used on the existing building.

Reason

In the interests of visual amenity and to ensure compliance with Local Plan Policies CP3, CP15, CP16, RTC3 (where applicable) and the NPPF.

5. The annex hereby approved shall only be used by the occupants of 35 Greenwood Park, and members of their immediate family, therefore restricting the occupancy of the annex to ancillary accommodation to the main house. The annex shall not be used at any time for commercial or residential lettings or be separated from the wider planning unit.

Reason

The application has been determined on the basis that the annex will be used as ancillary accommodation to the host property and its use as an independant dwelling house has not been fully assessed.

**Notes to Developer:**

Coal Authority

The proposed development lies within a coal mining area which may contain unrecorded coal mining related hazards. If any coal mining feature is encountered during development, this should be reported immediately to the Coal Authority on

0345 762 6848. Further information is also available on the Coal Authority website at:  
[www.gov.uk/government/organisations/the-coal-authority](http://www.gov.uk/government/organisations/the-coal-authority)

## **Consultations and Publicity**

### **Internal Consultations**

None undertaken

### **External Consultations**

Hednesford Town Council

No response to date

### **Response to Publicity**

The application has been advertised by site notice and neighbour letter. No letters of representation have been received.

### **Relevant Planning History**

None relevant

## **1 Site and Surroundings**

- 1.1 The application site is comprised of a detached dwelling fronting Greenwood Park in Hednesford.
- 1.2 The application site comprises a two storey dwelling finished in facing brickwork under a tiled roof. The application site has hardstanding to the front set behind a low boundary fence. The private garden is to the rear of the dwelling. The application site benefits from a conservatory to the rear and a car port to the side.
- 1.3 The street scene comprises a linear strip of detached dwellings fronting the highway set behind modest frontages. Dwellings differ in terms of scale but are generally of a similar design and finish. Several of the adjacent dwellings benefit from extensions similar to those proposed.

- 1.4 The application site located within a Mineral SafeGuarding Area and considered to be in a low risk area by the Coal Authority.

## **2 Proposal**

- 2.1 The application seeks consent for the erection of two x two storey side extensions and a single storey rear extension to create (in part) a self contained 1 bedroom annex and other domestic extensions to the host dwelling.
- 2.2 The two storey extension proposed to the western elevation would comprise a width of 1.7m and a depth of 3.6m. The proposed side extension would be constructed with a height of 6m (5m to the eaves). The proposed side extension would be set back from the front elevation by approx. 4.2m.
- 2.3 The proposed side extension to the eastern elevation would comprise a width of 3.2m and a depth of 9m. This would result in a projection to the front of the dwelling by approx. 1.2m. The proposed side extension would be designed with a projecting front gable constructed to a height of 6m (5m to the eaves).
- 2.4 The single storey extension proposed to the rear would extend across the full width of the dwelling, including to the rear of the proposed side extensions with a depth of 4.4m and a height of 3m to the top of the flat roof.
- 2.5 The proposed extensions, in part, would create an annex to the host dwelling comprising of a bedroom, bathroom, kitchen, downstairs cloakroom and living room. The annexe is specifically required as accommodation for an elderly relative (over 65 years of age). The floor plan has been designed so that it can easily to be incorporated back into the main dwelling house with very little alteration once it is no longer required as an annexe. It will not have its own utility supplies and cannot function as a separate dwelling house. The annexe will share the rear garden, parking and access with the main dwelling house.
- 2.6 The proposed extensions would be finished in render and tile to match the host dwelling.
- 2.7 The proposed car port and conservatory would be demolished to facilitate the proposed extensions.

## **3 Planning Policy**

- 3.1 Section 38 of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined in accordance with the provisions of the Development Plan unless material considerations indicate otherwise.

3.2 The Development Plan currently comprises the Cannock Chase Local Plan (2014), Hednesford Neighbourhood Plan (2017-2028) and the Minerals Local Plan for Staffordshire (2015 – 2030). Relevant policies within the Local Plan include: -

CP1 - Strategy – the Strategic Approach

CP3 - Chase Shaping – Design

3.3 Relevant policies within the Minerals Local Plan are:-

Policy 3.2 Minerals Safeguarding

3.4 There are no relevant policies within the Hednesford Neighbourhood Plan.

3.5 National Planning Policy Framework

3.6 The NPPF (2021) sets out the Government's position on the role of the planning system in both plan-making and decision-taking. It states that the purpose of the planning system is to contribute to the achievement of sustainable development, in economic, social and environmental terms, and it states that there should be "presumption in favour of sustainable development" and sets out what this means for decision taking.

3.7 The NPPF (2021) confirms the plan-led approach to the planning system and that decisions must be made in accordance with the Development Plan unless material considerations indicate otherwise.

3.8 Relevant paragraphs within the NPPF include paragraphs: -

8:	Three dimensions of Sustainable Development
11-14:	The Presumption in favour of Sustainable Development
47-50:	Determining Applications
126, 128, 130 & 134:	Achieving Well-Designed Places
218, 219	Implementation

3.9 Other relevant documents include: -

Design Supplementary Planning Document, April 2016.

## **4 Determining Issues**

4.1 The determining issues for the proposed development include:-

- i) Principle of development
- ii) Design and impact on the character and form of the area
- iii) Impact on residential amenity.
- iv) Impact on highway safety.

## v) Mineral safeguarding

4.2 Principle of the Development

4.2.1 The proposal is for the extension of an existing residential property that is located within an urban location. As such, the proposal for various extensions to an existing dwelling would meet the thrust of Local Plan Policy CP1 and would be acceptable in principle.

4.2.2 However, proposals that are acceptable in principle are still subject to all other policy tests. The next sections of this report will consider the proposal in the light of those policy tests and determine what harms or benefits arise from the proposal.

4.3 Design and the Impact on the Character and Form of the Area

4.3.1 In respect to issues in relation to design Policy CP3 of the Local Plan requires that, amongst other things, developments should: -

- (i) be well-related to existing buildings and their surroundings in terms of layout, density, access, scale appearance, landscaping and materials:

4.3.2 Paragraph 130(f) of the NPPF, in so much as it relates to impacts on the character of an area goes on to state: -

Planning policies and decisions should ensure that developments:

- a) will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;
- b) are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;
- c) are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);
- d) establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;

4.3.3 Finally, Paragraph 134 states planning permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way it functions, taking into account any local design standards or style guides in plans or supplementary planning documents. Conversely, where the design of a

development accords with clear expectations in plan policies, design should not be used by the decision taker as a valid reason to object to development.

- 4.3.4 In this instance the host dwelling is a detached building set behind modest frontage with an urban location. The proposed extension is considered to reflect the character of this location wherein dwellings have been substantially extended including projecting front gables.
- 4.3.5 Therefore, having had regard to Policy CP3 of the Local Plan and the above mentioned paragraphs of the NPPF it is considered that the proposal would be well-related to existing buildings and their surroundings, successfully integrate with existing features of amenity value, maintain a strong sense of place and visually attractive such that it would be acceptable in respect to its impact on the character and form of the area.

#### 4.4 Impact on Residential Amenity

- 4.4.1 Policy CP3 of the Local Plan states that the following key requirements of high quality design will need to be addressed in development proposals and goes onto include [amongst other things] the protection of the "amenity enjoyed by existing properties". This is supported by the guidance as outlined in Appendix B of the Design SPD which sets out guidance in respect to space about dwellings and garden sizes.
- 4.4.2 Paragraph 130(f) of the NPPF states that planning policies and decisions should ensure that developments [amongst other things] create places with a high standard of amenity for existing and future users.
- 4.4.3 In terms of the neighbouring properties the proposed extensions are located to both sides and the rear of the host dwelling and therefore adjacent the sides of Nos. 34 & 36 Greenwood Drive. To the rear of the site is No.47 Greenwood which has a side elevation facing the application site.
- 4.4.4 It is noted that the proposed side extensions would, for the majority, be constructed adjacent to the shared boundary with No.36 but in line with the front and rear elevations of this adjoining dwelling. The rear extension would remain approx. 2m from the shared boundary which comprises of closeboard fencing. It is noted that No. 36 is sited on slightly lower ground than that of the application site however the proposed extensions would not impede the Daylight / Outlook to the occupiers of this adjacent dwelling.
- 4.4.5 To the west of the host dwelling is No. 34 Greenwood. This dwelling benefits from a single storey rear extension that runs along the shared boundary of the application site. The two storey extension would be constructed adjacent the two storey dwelling with the single storey extension being constructed in line

with the rear elevation of the adjacent extension. As such, there would be no significant detrimental impact to the occupiers of this adjacent dwelling as a consequence of the proposed extensions.

4.4.6 The property to the rear has a side elevation facing the application site. This dwelling would remain 9m from the proposed single storey rear extension and separated by the boundary treatment. As such the proposal would not result in a significant adverse impact to the occupiers of this adjacent dwelling.

4.4.7 As such, the proposed extensions are considered to accord with the requirements of Policy CP3 of the Cannock Chase Local Plan and they meet the requirements of the Council's Design SPD.

#### 4.5 Impact on Highway Safety

4.5.1 Paragraph 111 of NPPF states that development should only be prevented or refused on highway grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

4.5.2 The proposal would result in an increase in bedrooms at the host dwelling from 2 to 3 (plus a study that could be used as a bedroom). As such, there would be an increase in the parking provision from two spaces to three. It is noted however there is sufficient room on the existing frontage for the parking of three vehicles as required by the Parking SPD for a four bedroom dwelling.

4.5.3 As such, the proposed development accords with the provisions of the parking SPD and the proposal would not result in an unacceptable impact on highway safety in accordance with paragraph 111 of the NPPF.

#### 4.6 Drainage and Flood Risk

4.6.1 The site is located in Flood Zone 1 on the Environment Agency's Flood Zone Maps which is at least threat from flooding. In this instance, the proposed extensions would be constructed on an area of hardstanding or in place of existing structures and as such would have no further impact on flood risk in this location.

4.6.2 As such, the proposal subject to conditions, would accord with the requirements of paragraph 155 of the NPPF which seeks to steer new development away from areas of flooding.

#### 4.7 Mineral Safeguarding



4.7.1 The site falls within a Mineral Safeguarding Area (MSAs). Paragraph 209, of the National Planning Policy Framework (NPPF) and Policy 3 of the Minerals Local Plan for Staffordshire (2015 – 2030), both aim to protect mineral resources from sterilisation by other forms of development.

4.7.2 The application site is located within a Mineral Safeguarding Area. Notwithstanding this, the advice from Staffordshire County Council as the Mineral Planning Authority does not require consultation on the application as the site falls within the development boundary of an urban area and is not classified as a major application.

4.7.3 As such, the proposal would not prejudice the aims of the Minerals Local Plan.

#### 4.8 Ground Conditions and Contamination

4.8.1 The site is located in a general area in which Coal Authority consider to be a development low risk area. As such, the Coal Authority does not require consultation on the application and it is advised that any risk can be managed by the attachment of an advisory note to any permission granted.

## 5 **Human Rights Act 1998 and Equality Act 2010**

### **Human Rights Act 1998**

5.1 The proposals set out in this report are considered to be compatible with the Human Rights Act 1998. The recommendation to approve the application accords with the adopted policies in the Development Plan which aims to secure the proper planning of the area in the public interest.

### **Equality Act 2010**

5.2 It is acknowledged that age, disability, gender reassignment, pregnancy and maternity, religion or belief, sex and sexual orientation are protected characteristics under the Equality Act 2010.

By virtue of Section 149 of that Act in exercising its planning functions the Council must have due regard to the need to:

Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited;

Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

It is therefore acknowledged that the Council needs to have due regard to the effect of its decision on persons with protected characteristics mentioned.

Such consideration has been balanced along with other material planning considerations and it is considered that the proposal is acceptable in respect to the requirements of the Act. Having had regard to the particulars of this case officers consider that the proposal would not conflict with the aim of the Equality Act.

**6 Conclusion**

- 6.1 In respect to all matters of acknowledged interest and policy tests it is considered that the proposal, subject to the attached conditions, would not result in any significant harm to acknowledged interests and is therefore considered to be in accordance with the Development Plan.
- 6.2 It is therefore recommended that the application be approved subject to the attached conditions.