

**Please ask for:** Wendy Rowe  
**Extension No:** 4584  
**E-Mail:** [wendyrowe@cannockchasedc.gov.uk](mailto:wendyrowe@cannockchasedc.gov.uk)

16 April 2024

Dear Councillor,

**Planning Control Committee**  
**3:00pm, Wednesday 24 April 2024**  
**Council Chamber, Civic Centre, Cannock**

You are invited to attend this meeting for consideration of the matters itemised in the following Agenda. The meeting will commence at 3.00pm or at the conclusion of the site visit, whichever is the later. Members should note that the following site visit has been arranged: -

<b>Application Number</b>	<b>Application Location and Description</b>	<b>Start Time</b>
CH/24/034	<b>High Oak Cottage, Penkridge Bank Road, Rugeley, Staffordshire, WS15 2UA:</b> Proposed remodel of existing dwelling including single storey rear extension with balcony above, proposed single storey front porch extension with balcony above, proposed single story side extension, various external changes throughout including refitting new outdoor kitchen area.	2:20pm

Members wishing to attend the site visit are requested to meet at High Oak Cottage, Penkridge Bank Road, WS15 2UA as indicated on the enclosed plan. Please note that, following a risk assessment, Members undertaking site visits must wear full PPE or they will not be permitted on to the site. In this case, the PPE will constitute a hard hat, hi-vis vest, and safety footwear.

Yours sincerely,



**Tim Clegg**  
**Chief Executive**

To Councillors:

Fisher, P.A. (Chair)  
Cartwright, S.M. (Vice-Chair)  
Aston, J.                      Mawle, D.  
Fitzgerald, A.A.          Pearson, A.R.  
Hoare, M.W.A.          Prestwood, F.  
Jones, P.T.                  Sutherland, M.  
Jones, V.                      Thornley, S.J.  
Kenny, B.                      Wilson, L.J.  
Kruskonjic, P.

## **Agenda**

### **Part 1**

**1. Apologies**

**2. Declaration of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members**

To declare any interests in accordance with the Code of Conduct and any possible contraventions under Section 106 of the Local Government Finance Act 1992.

**3. Disclosure of Details of Lobbying of Members**

**4. Minutes**

To approve the Minutes of the meeting held on 27 March 2024 (enclosed).

**5. Members' Requests for Site Visits**

**6. Report of the Planning Services Manager**

Members wishing to obtain information on applications for planning approval prior to the commencement of the meeting are asked to contact the Planning Services Manager.

Details about planning applications can be accessed on the Planning section of the Council's [website](#).

### ***Site Visit Application***

<b>Application Number</b>	<b>Location and Description</b>	<b>Item Number</b>
1. CH/24/034	<b>High Oak Cottage, Penkridge Bank Road, Rugeley, WS12 2UA</b>  Proposed remodel of existing dwelling including single storey rear extension with balcony above, proposed single storey front porch extension with balcony above, proposed single storey side extension, various external changes throughout including refitting new outdoor kitchen area	6.1 - 6.15

### **7. Exclusion of the Public**

The Chair to move:

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraph 1, 2 and 7, Part 1, Schedule 12A of the Local Government Act 1972 (as amended).

## Agenda

### Part 2

#### 8. Enforcement Case - ENF/24/026

Not for Publication Report of the Planning Services Manager (Item 8.1 - 8.7).

The Report is confidential due to the inclusion of information:

- Relating to any individual.
- Which is likely to reveal the identity of an individual.
- Relating to any action taken or to be taken in connection with the prevention, investigation, or prosecution of crime.

#### 9. Enforcement Case - ENF/24/LM

Not for Publication Report of the Planning Services Manager (Item 9.1 - 9.5).

The Report is confidential due to the inclusion of information:

- Relating to any individual.
- Which is likely to reveal the identity of an individual.
- Relating to any action taken or to be taken in connection with the prevention, investigation, or prosecution of crime.

#### 10. Enforcement Case - ENF/23/122

Not for Publication Report of the Planning Services Manager (Item 10.1 - 10.5).

The Report is confidential due to the inclusion of information:

- Relating to any individual.
- Which is likely to reveal the identity of an individual.
- Relating to any action taken or to be taken in connection with the prevention, investigation, or prosecution of crime.

#### 11. Enforcement Case - ENF/21/160

Not for Publication Report of the Planning Services Manager (Item 11.1 - 11.5).

The Report is confidential due to the inclusion of information:

- Relating to any individual.
- Which is likely to reveal the identity of an individual.
- Relating to any action taken or to be taken in connection with the prevention, investigation, or prosecution of crime.

**Cannock Chase Council**  
**Minutes of the Meeting of the**  
**Planning Control Committee**

**Held on Wednesday 27 March 2024 at 3:00pm**  
**In the Council Chamber, Civic Centre, Cannock**

**Part 1**

**Present:**

Councillors

Fisher, P.A. (Chair)  
Cartwright, S.M. (Vice-Chair)  
Aston, J.                      Pearson, A.R.  
Fitzgerald, A.A.          Prestwood, F.  
Jones, V.                      Sutherland, M.  
Kenny, B.                      Thornley, S.J.  
Kruskonjic, P.              Wilson, L.J.  
Mawle, D.

**95. Apologies**

An apology for absence was received from Councillor P.T. Jones.

**96. Declarations of Interests of Members in Contracts and Other Matters and Restriction on Voting by Members**

None.

**97. Disclosure of Details of Lobbying by Members**

None.

**98. Minutes**

**Resolved:**

That the Minutes of the meeting held on 28 February 2024 be approved as a correct record.

**99. Members Requests for Site Visits**

**Resolved:**

That a site visit be undertaken in respect of application CH/24/062, 1 Bennick Trading Estate, Union Street, Bridgtown, Cannock - Retrospective Change of Use to Pole Fitness Establishment - the reason for the site visit was to assess highway implications and potential noise issues.

(This was moved by Councillor A. Pearson and seconded.)

**100. Application CH/23/0231, 243 Hill Street, Hednesford, Cannock, WS12 2DP, Residential development - Demolition of existing dwelling No. 243 Hill Street and the construction of 10 dwellings with associated access, parking and amenity**

Members noted that the report had been withdrawn from the agenda in advance of the meeting.

**101. Application CH/22/0233, Former Sycamore Working Mens Club, 272 Hednesford Road, Norton Canes, WS11 9SA, Proposed development to consist of one apartment block with 6 apartments, 1 two-bedroom bungalow and four houses to an existing development. New application includes parking arrangement to existing and proposed development**

Following a site visit consideration was given to the Report of the Planning Services Manager (Item 6.40 - 6.67) *(presented by the Development Management Team Leader)*.

The Development Management Team Leader provided a presentation to the Committee outlining the application showing photographs and plans of the proposals.

Prior to consideration of the application, representations were made by Maurice Lloyd, objector to the application.

**Resolved:**

(A) That the applicant be requested to enter into an Agreement under Section 106 of the Town and Country Planning Act, 1990, to secure a financial contribution for education provision and a financial contribution for off-site provision of affordable housing.

(B) That on completion of the Agreement, delegated authority be given to the Head of Economic Development and Planning to approve the application subject to the conditions contained in the report for the reasons stated therein.

**102. Application CH/23/0367, 155 Wimblebury Road, Heath Hayes, Cannock, WS12 2EW, Erection of a 2-bed dwelling (resubmission of CH/23/0013)**

Consideration was given to the Report of the Planning Services Manager (Item 6.68 - 6.84) *(presented by the Development Management Team Leader)*.

The Development Management Team Leader provided a presentation to the Committee outlining the application showing photographs and plans of the proposals.

In response to concerns raised by Members regarding the highway, the Principal Solicitor addressed the Committee and explained that Staffordshire County Council Highways was a statutory consultee and no objections on highways grounds had been received. If Members were minded to object, they would be required to provide substantial evidence of harm, as a failure to do so could have cost implications on any appeal upon refusal.

**Resolved:**

That the application be approved subject to the conditions contained in the report for the reasons stated therein.

(Councillors P. Kruskonjic and L.J. Wilson requested that their names be recorded as having voted against the decision).

### **103. Exclusion of Public**

**Resolved:**

That the public be excluded from the remainder of the meeting because of the likely disclosure of exempt information as defined in Paragraphs 1, 2 and 7, Part 1, Schedule 12A of the Local Government Act 1972 (as amended).

**Cannock Chase Council**  
**Minutes of the Meeting of the**  
**Planning Control Committee**

**Held on Wednesday 27 March 2024 at 3:00pm**

**In the Council Chamber, Civic Centre, Cannock**

**Part 2**

**104. Enforcement Case - ENF/23/236**

Consideration was given to the Not for Publication report of the Planning Services Manager (Item 8.1 - 8.10) *(presented by the Development Management Team Leader)*.

The Development Management Team Leader provided a presentation to the Committee outlining the report.

Councillor D. Mawle moved an amendment to the application that the period for compliance with the terms of the notice should be three months, however this was not seconded.

**Resolved:**

That:

- (A) For the reasons and justification outlined in the report, a Breach of Condition Notice be served under s187a of the Town and Country Planning Act 1990 in respect of the breach of condition 6 of a previous planning permission relating to the use of part of the external area for the retail and storage of goods outside the building referred to in the report. The period for compliance with the terms of the notice should be six months.
- (B) Should the terms of the Notice not be complied with by the compliance date stated in the Notice, authorisation be granted to initiate prosecution proceedings, under s179 of the Act.

The meeting closed at 4:16 pm.

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**Chair**

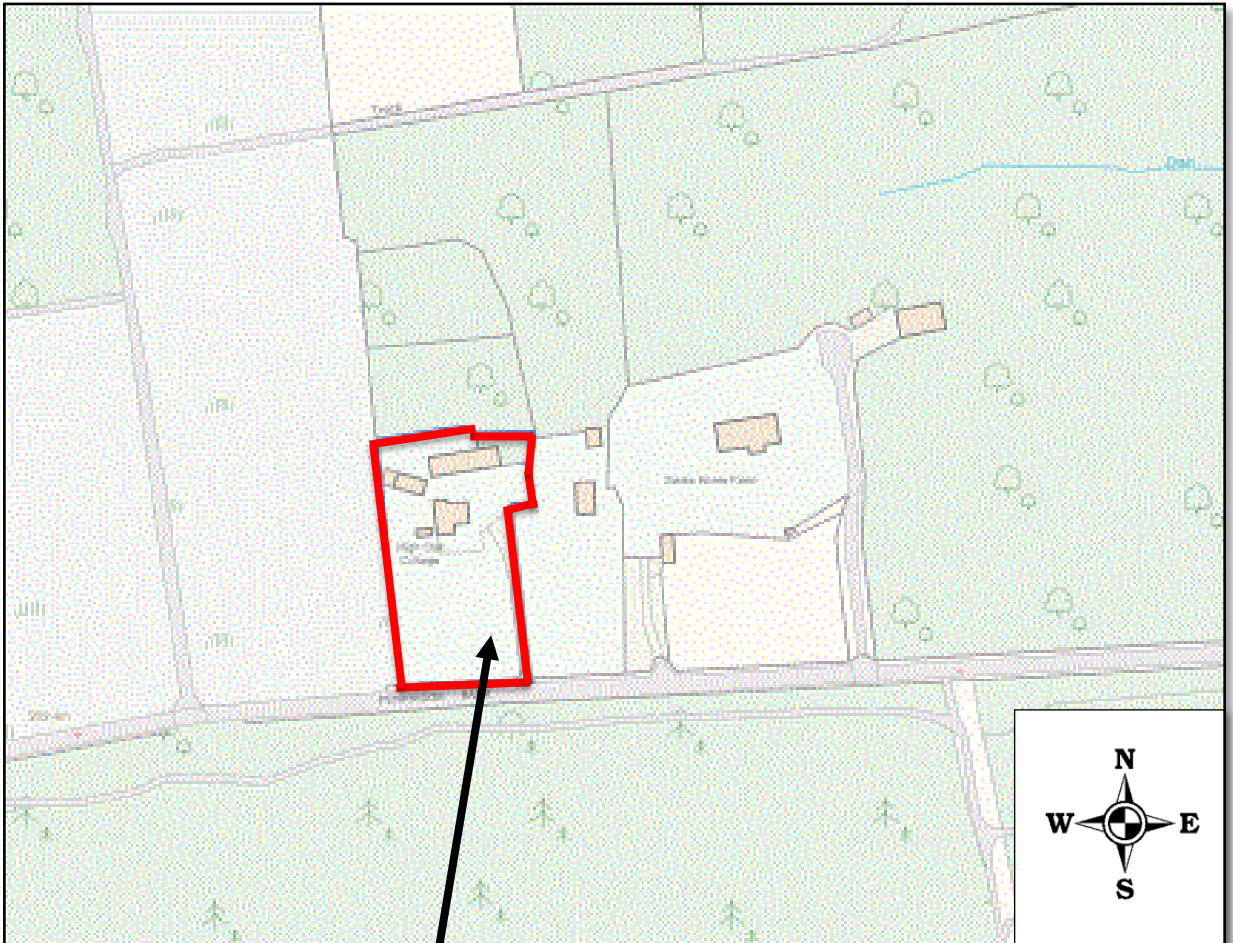




**Application No:** CH/24/034

**Location:** High Oak Cottage, Penkridge Bank Road, Rugeley, Staffordshire, WS15 2UA

**Proposal:** Proposed remodel of existing dwelling including single storey rear extension with balcony above, proposed single storey front porch extension with balcony above, proposed single storey side extension, various external changes throughout including refitting new outdoor kitchen area



**SITE VISIT  
MEETING POINT**



**Application No:** CH/24/034

Item No. 6.1

**Location:** High Oak Cottage, Penkridge Bank Road, Rugeley, Staffordshire, WS15 2UA

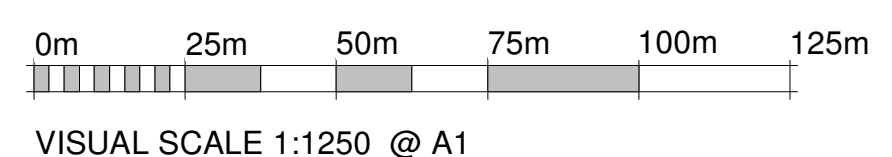
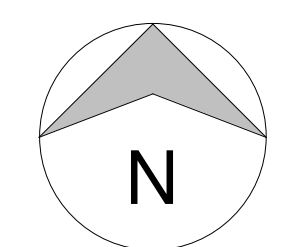
**Proposal:** Proposed remodel of existing dwelling including single storey rear extension with balcony above, proposed single storey front porch extension with balcony above, proposed single story side extension, various external changes throughout including refitting new outdoor kitchen area



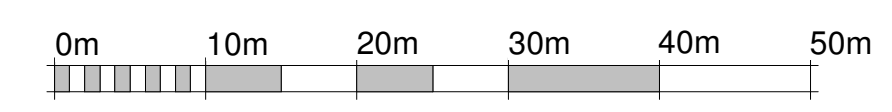
**Site Plan**

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SITE BOUNDARY ———  
ADDITIONAL LAND UNDER APPLICANT'S OWNERSHIP ———



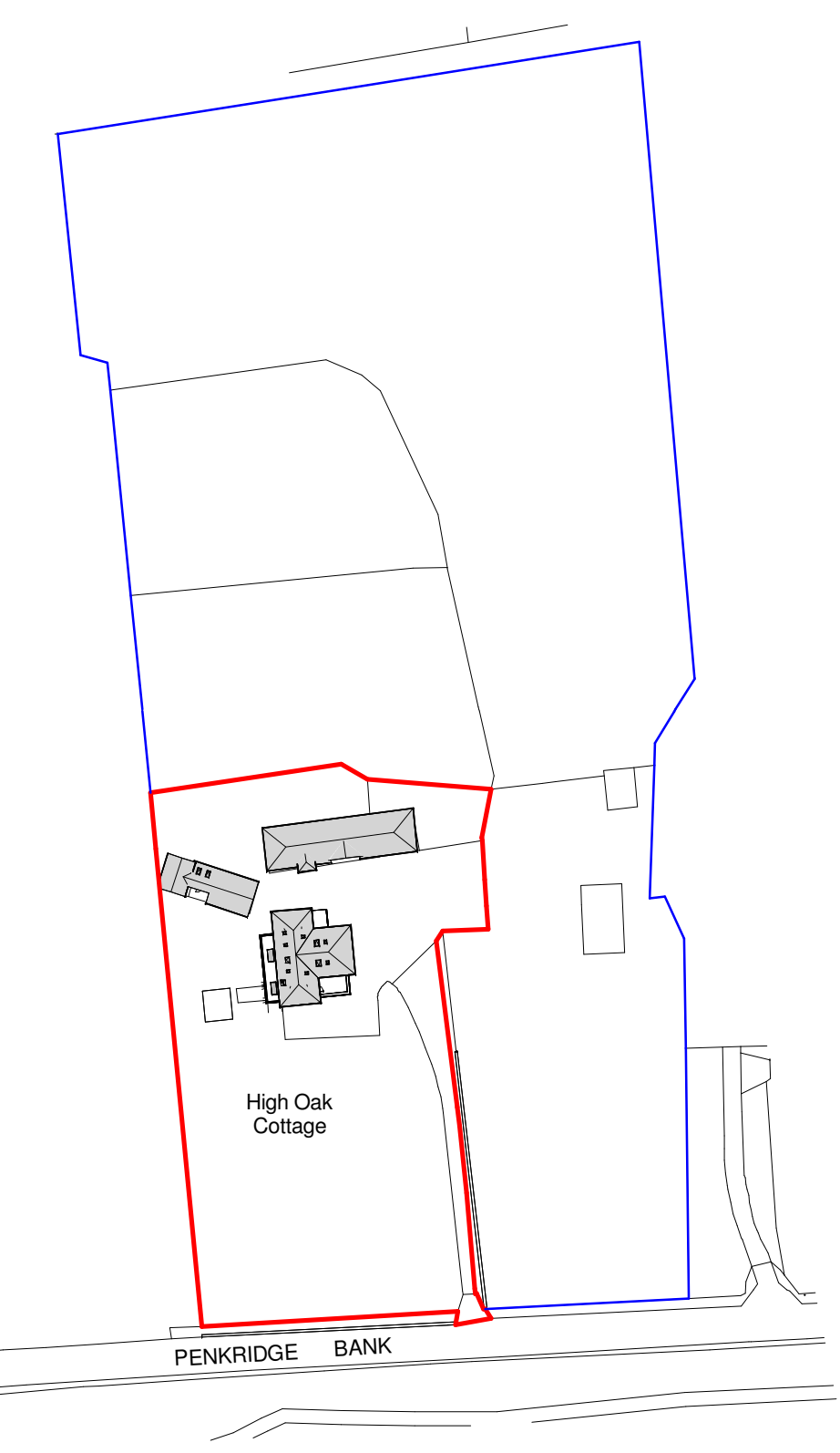
VISUAL SCALE 1:1250 @ A1



VISUAL SCALE 1:500 @ A1



**Proposed Block Plan**  
1 : 500



**Proposed Site Location Plan**  
1 : 1250

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REV	DESCRIPTION	DRAWN	CHKD	DATE

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**PROJECT**  
Extension And Alterations  
For Mr & Mrs Myles  
At High Oak Cottage Penkridge Bank Road  
Rugeley WS15 2UA

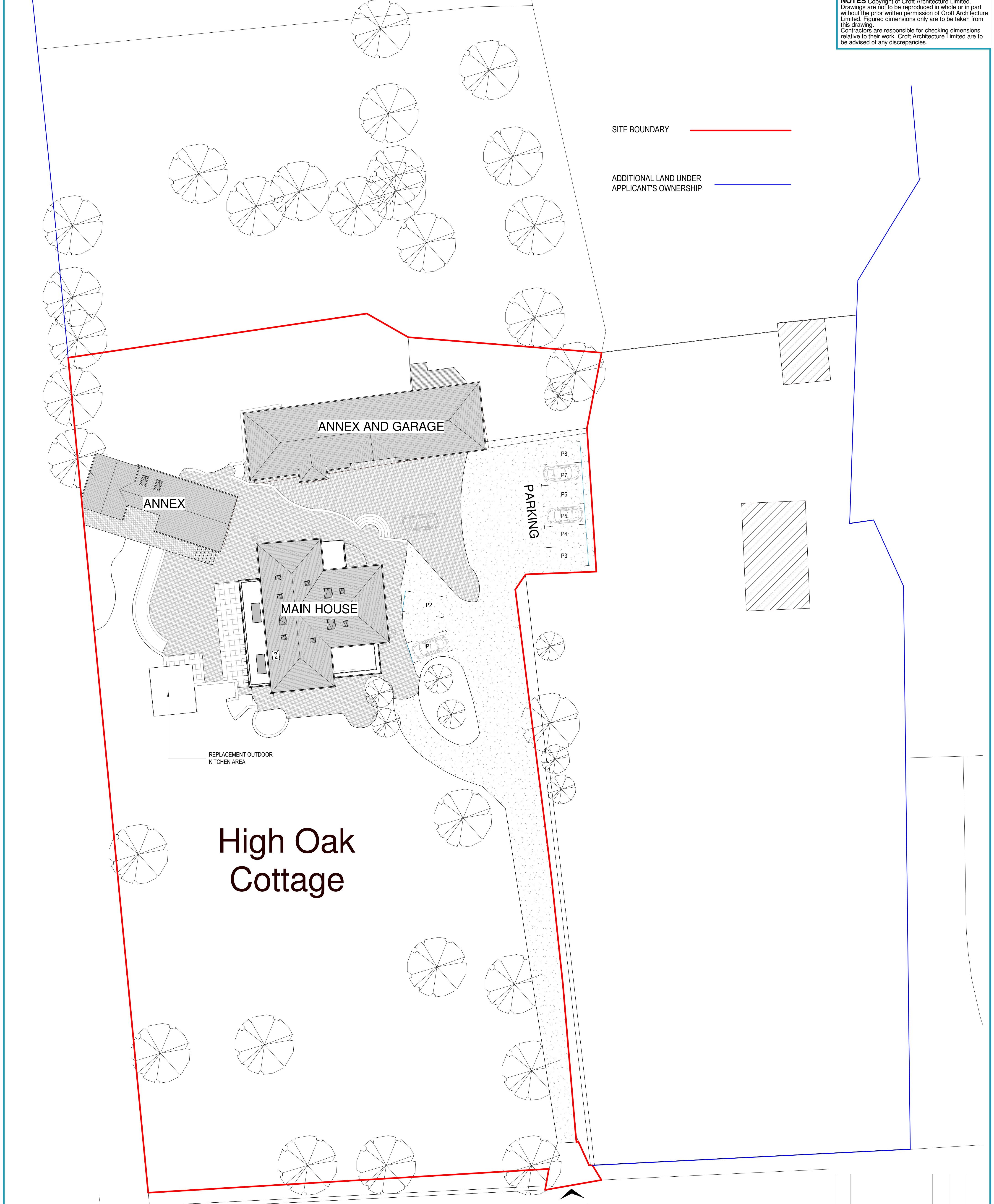
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PLANNING

**DRAWING TITLE:**  
Proposed Site Location and Block Plan

**DRAWING NUMBER:**  
2759 - 300

<b>DRAWN:</b> C.Hartin	<b>CHECKED:</b> S.Abubakar	<b>DATE:</b> 17/01/24	<b>SCALE:</b> As indicated @ A1
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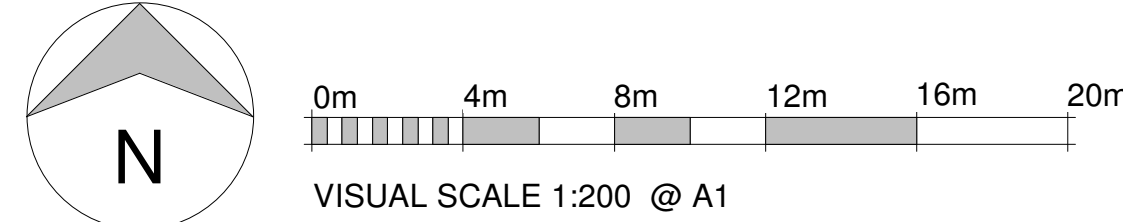
SITE BOUNDARY ————

ADDITIONAL LAND UNDER APPLICANT'S OWNERSHIP ————

# High Oak Cottage

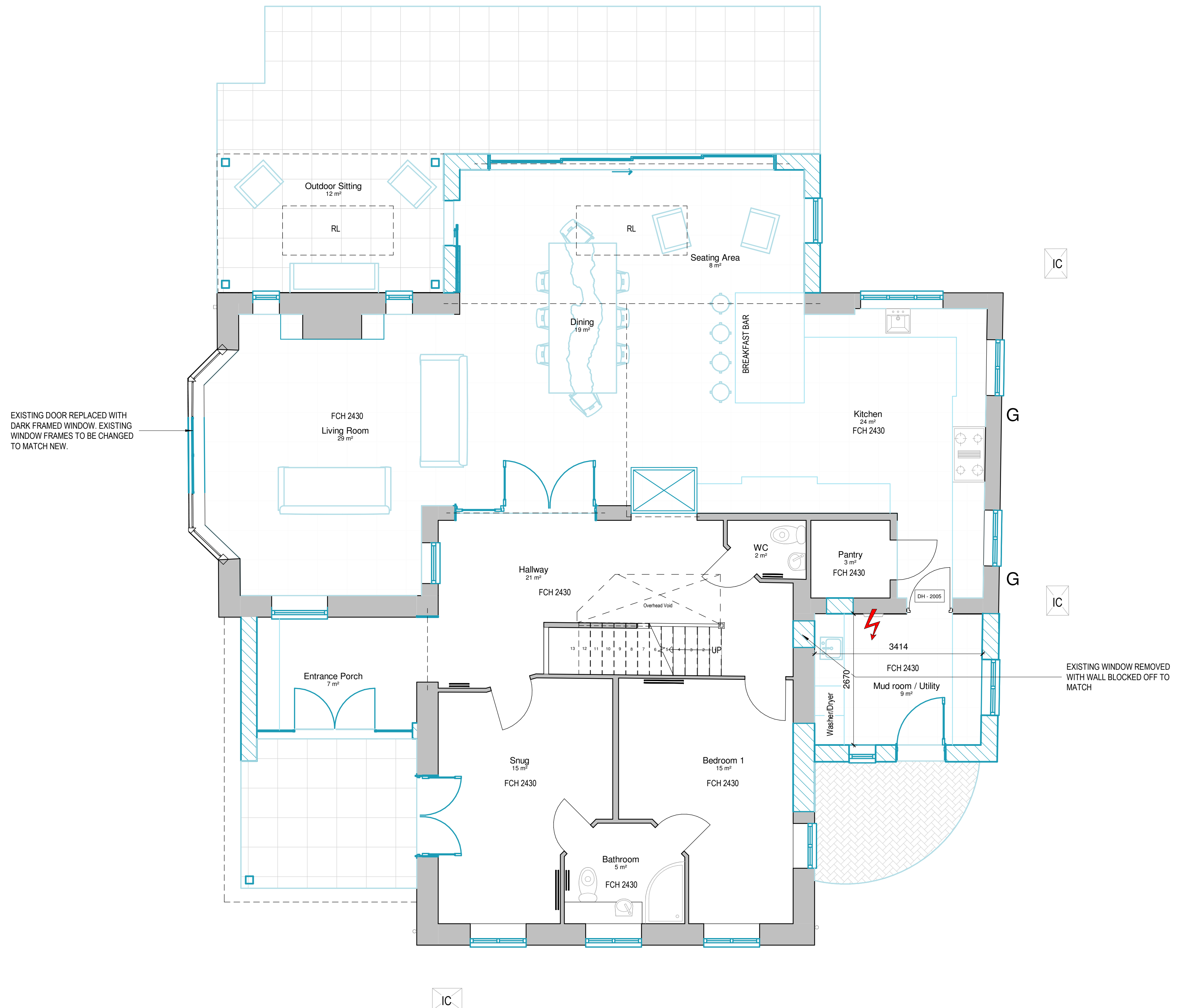
## PENKRIDGE BANK

**Proposed Site Plan**  
 1 : 200



REV.	DESCRIPTION	DRAWN	CHKD.	DATE
<b>CROFT<sup>®</sup></b>				
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<b>PROJECT</b>				
Extension And Alterations For Mr & Mrs Myles At High Oak Cottage Penkridge Bank Road Rugeley WS15 2UA				
<b>DRAWING STATUS:</b>				
<b>PLANNING</b>				
<b>DRAWING TITLE:</b>				
Proposed Site Plan				
<b>DRAWING NUMBER:</b>				
<b>2759 - 306</b>				
<b>DRAWN:</b>	<b>CHECKED:</b>	<b>DATE:</b>	<b>SCALE:</b>	<b>REV:</b>
C.Hartin	S.Abubakar	17/01/24	1 : 200 @ A1	





EXISTING DOOR REPLACED WITH  
 DARK FRAMED WINDOW. EXISTING  
 WINDOW FRAMES TO BE CHANGED  
 TO MATCH NEW.

EXISTING WINDOW REMOVED  
 WITH WALL BLOCKED OFF TO  
 MATCH

**KEY**

New Construction	
Existing	
Structural Overhead	

**Ground Floor**

Existing GIA: Approx. 132sqm  
 Proposed GIA Approx. 165sqm

**First Floor**

Existing GIA: Approx. 137sqm  
 Proposed Area: Approx. 136sqm

**Second Floor**

Existing GIA: Approx. 53sqm  
 Proposed Area: Approx. 53sqm

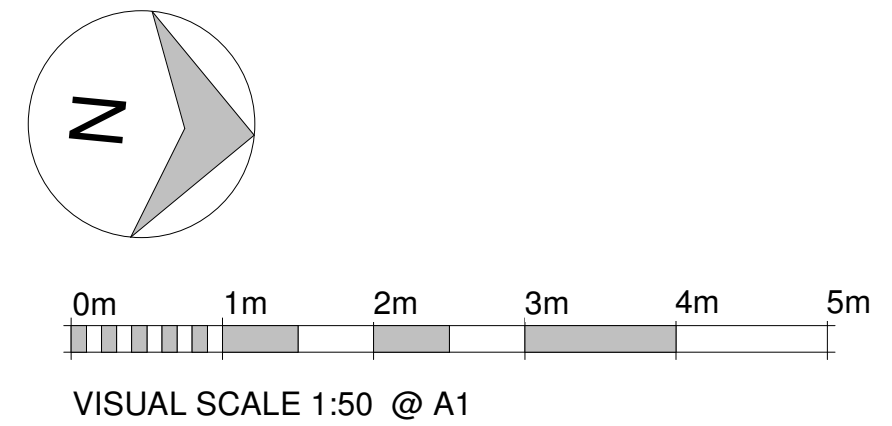
**TOTAL**

Existing GIA: Approx. 322sqm  
 Proposed GIA: Approx. 354sqm

Furniture locations are indicative and  
 are subject to change to suit client

All Existing windows and external door to  
 be replaced with new dark framed uPVC  
 / Aluminium ones

**Proposed Ground Floor Plan**  
 1 : 50



REV	DESCRIPTION	DRAWN	CHKD	DATE

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PROJECT  
 Extension And Alterations  
 For Mr & Mrs Myles  
 At High Oak Cottage Penkridge Bank Road  
 Rugeley WS15 2UA



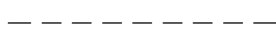
DRAWING STATUS:  
**PLANNING**

DRAWING TITLE:  
 Proposed Ground Floor Plan

DRAWING NUMBER:  
**2759 - 301**

DRAWN: C.Hartin	CHECKED: S.Abubakar	DATE: 17/01/24	SCALE: 1 : 50 @ A1
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**KEY**

New Construction	
Existing	
Structural Overhead	

**Ground Floor**

Existing GIA: Approx. 132sqm  
 Proposed GIA Approx. 165sqm

**First Floor**

Existing GIA: Approx. 137sqm  
 Proposed Area: Approx. 136sqm

**Second Floor**

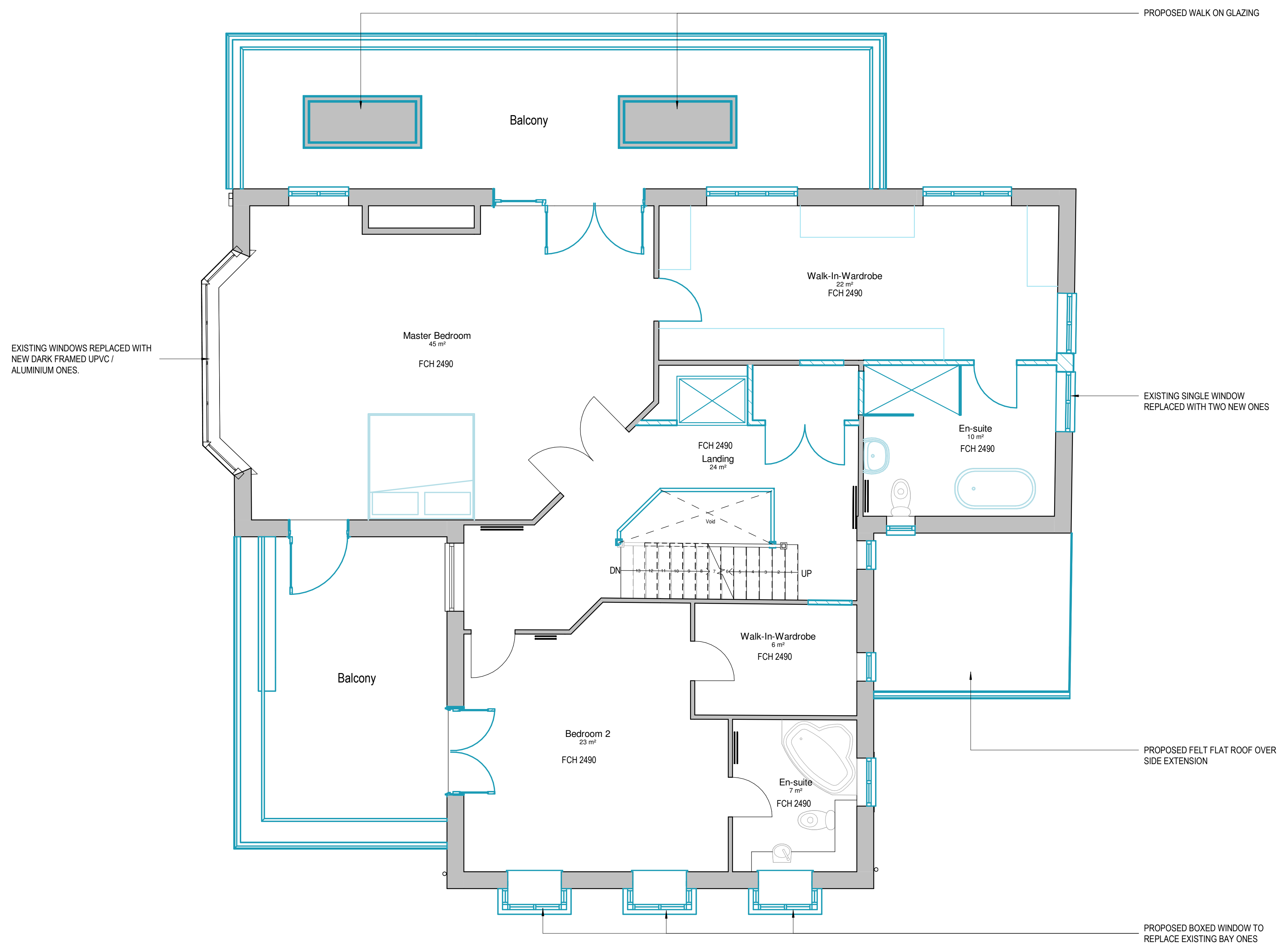
Existing GIA: Approx. 53sqm  
 Proposed Area: Approx. 53sqm

**TOTAL**

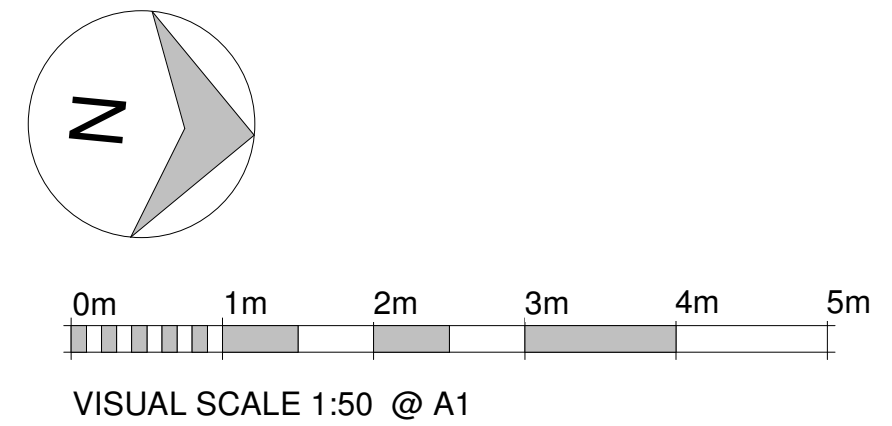
Existing GIA: Approx. 322sqm  
 Proposed GIA: Approx. 354sqm

Furniture locations are indicative and  
 are subject to change to suit client

All Existing windows and external door to  
 be replaced with new dark framed uPVC  
 / Aluminium ones



**Proposed First Floor Plan**  
 1 : 50



REV	DESCRIPTION	DRAWN	CHKD	DATE

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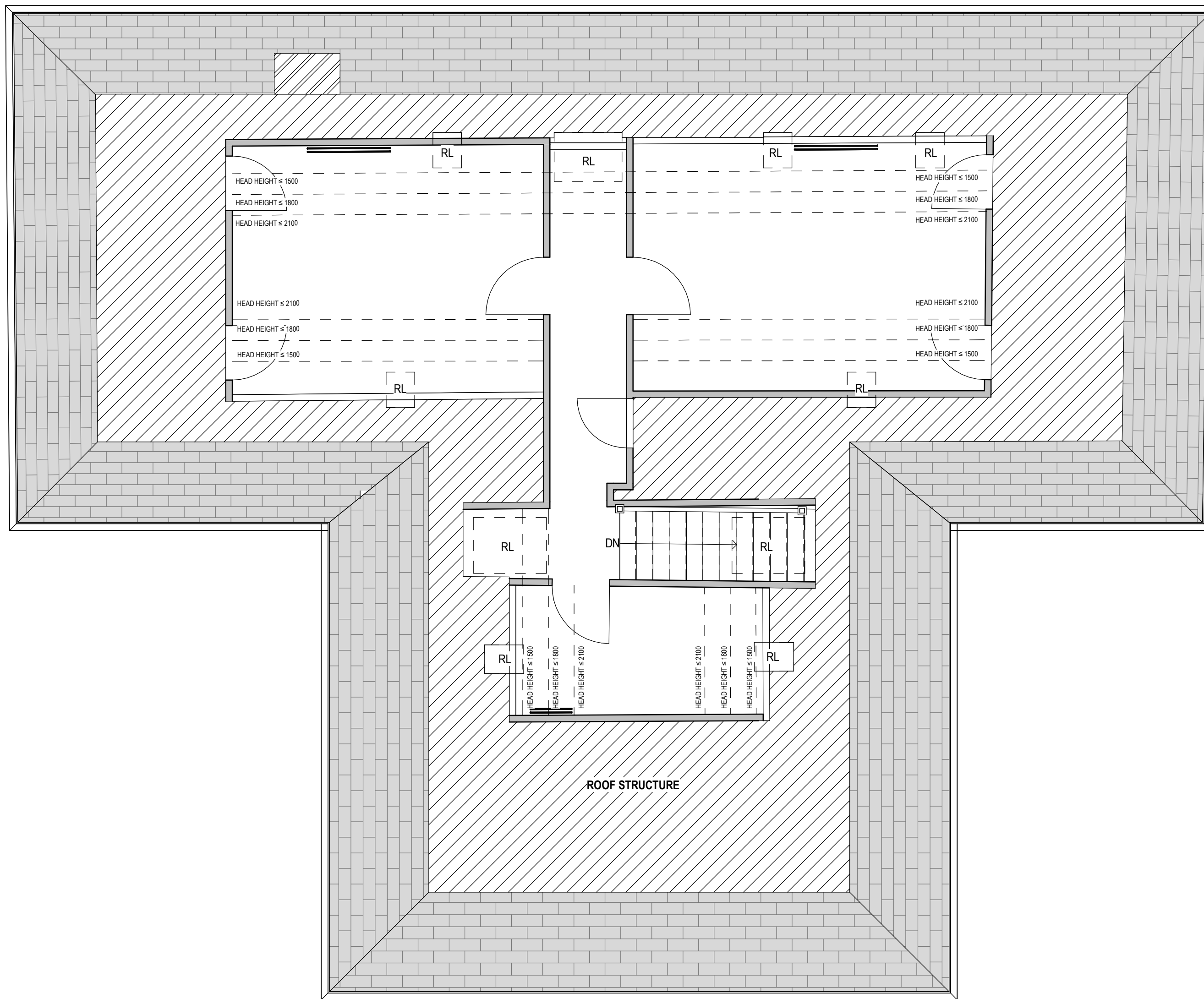
PROJECT  
 Extension And Alterations  
 For Mr & Mrs Myles  
 At High Oak Cottage Penkridge Bank Road  
 Rugeley WS15 2UA

DRAWING STATUS:  
**PLANNING**

DRAWING TITLE:  
 Proposed First Floor Plan

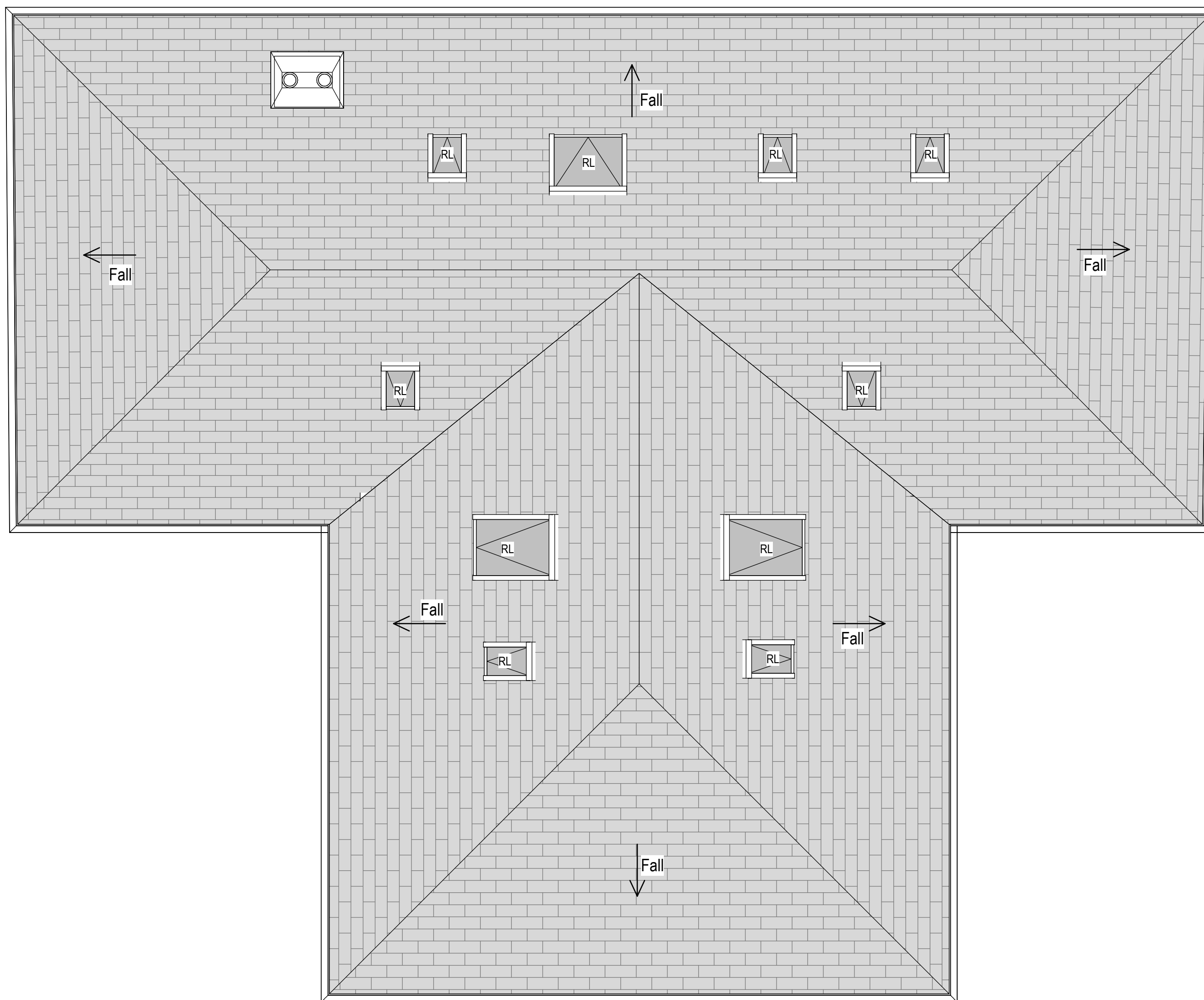
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DRAWN: C.Hartin	CHECKED: S.Abubakar	DATE: 17/01/24	SCALE: 1 : 50 @ A1
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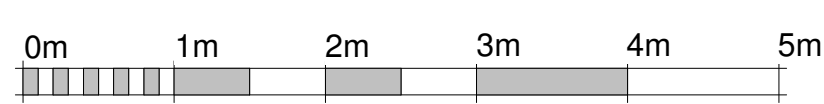
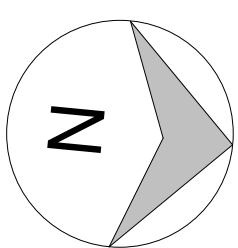
**Proposed Loft Plan (As Existing)**

1 : 50



**Proposed Roof Plan (As Existing)**

1 : 50



VISUAL SCALE 1:50 @ A1

REV.	DESCRIPTION	DRAWN	CHKD.	DATE

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PROJECT  
 Extension And Alterations  
 For Mr & Mrs Myles  
 At High Oak Cottage Penkridge Bank Road  
 Rugeley WS15 2UA

DRAWING STATUS:  
**PLANNING**

DRAWING TITLE:  
 Proposed Loft and Roof Plan

DRAWING NUMBER:  
**2759 - 303**

DRAWN: C.Hartin	CHECKED: S.Abubakar	DATE: 17/01/24	SCALE: 1 : 50 @ A1
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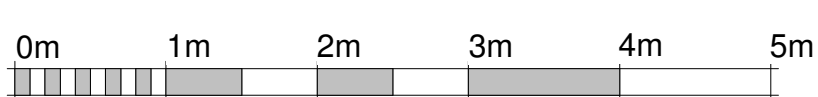




**Proposed Southern Elevation**  
 1 : 50



**Proposed Western Elevation**  
 1 : 50



VISUAL SCALE 1:50 @ A1

REV.	DESCRIPTION	DRAWN	CHKD.	DATE
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**PROJECT**  
 Extension And Alterations  
 For Mr & Mrs Myles  
 At High Oak Cottage Penkridge Bank Road  
 Rugeley WS15 2UA

**DRAWING STATUS:**  
 PLANNING

**DRAWING TITLE:**  
 Proposed Elevations Sheet 1

**DRAWING NUMBER:**  
 2759 - 304

DRAWN	CHECKED	DATE	SCALE
C.Hartin	S.Abubakar	17/01/24	1 : 50 @ A1

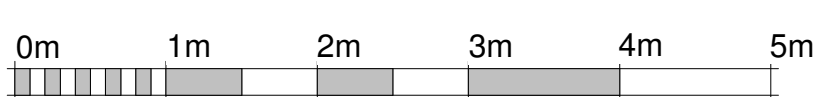




**Proposed Eastern Elevation**  
 1 : 50



**Proposed Northern Elevation**  
 1 : 50



VISUAL SCALE 1:50 @ A1

REV.	DESCRIPTION	DRAWN	CHKD.	DATE
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PROJECT				
Extension And Alterations For Mr & Mrs Myles At High Oak Cottage Penkridge Bank Road Rugeley WS15 2UA				
DRAWING STATUS:				
<b>PLANNING</b>				
DRAWING TITLE:				
Proposed Elevations Sheet 2				
DRAWING NUMBER:				
<b>2759 - 305</b>				REV:
DRAWN:	CHECKED:	DATE:	SCALE:	
C.Hartin	S.Abubakar	17/01/24	1 : 50 @ A1	

<b>Contact Officer:</b>	Helen Sherratt
<b>Telephone No:</b>	01543 464621

<p><b>Planning Control Committee</b></p> <p><b>24 April 2024</b></p>
----------------------------------------------------------------------

<b>Application No:</b>	CH/24/034
<b>Received:</b>	5 <sup>th</sup> February 2024
<b>Location:</b>	High Oak Cottage, Penkridge Bank Road, Rugeley, Staffordshire, WS15 2UA
<b>Parish:</b>	Brindley Heath
<b>Ward:</b>	Etching Hill and The Heath
<b>Description:</b>	Proposed remodel of existing dwelling including single storey rear extension with balcony above, proposed single storey front porch extension with balcony above, proposed single story side extension, various external changes throughout including refitting new outdoor kitchen area.
<b>Application Type:</b>	Full Planning Application

#### **Reason for Committee decision**

**The application is being presented to Members for determination, as it has been called in by Cllr Pearson due to concerns that the proposal would constitute the overdevelopment of the site.**

#### **Recommendation:**

**It is recommended that the planning application is refused, on the following grounds:**

- 1) The site is located within the West Midlands Green Belt wherein there is a presumption against inappropriate development which should only be approved where very special circumstances have been demonstrated to exist. The cumulative impact of existing extensions together with the proposed extensions would result in disproportionate additions over and above the original building. Therefore the proposal would have a materially greater impact on the openness of the Green Belt and as such constitutes inappropriate development in the Green Belt contrary to the National Planning Policy Framework Chapter 13. There are no Very Special Circumstances to demonstrate that the harm caused to the Green Belt by reason of inappropriateness and any other harm is clearly outweighed by other considerations.

## Consultations and Publicity

### External Consultations

Brindley Heath Parish Council:

No objections (comments received 27<sup>th</sup> February 2024)

### Internal Consultations

None.

### Response to Publicity

The application has been advertised by neighbour letter.

1no letter of representation has been received and the respondent sets out their support for the development scheme.

## Relevant Planning History

- CH/01/0405 - Addition of first floor (amendment to planning permission CH/00/0361) and proposed porch 26/06/2001-05/09/2001. Approval with conditions.
- CH/00/0368 – Change of use of existing workshop to domestic garage in connection with High Oak Cottage 20/07/2000 – 04/10/2000 Full – Approval with Conditions.
- CH/00/0361 - Modification to High Oak Cottage involving introduction of first floor and conversion of garage/workshop into ancillary residential (resubmission) 13/07/2000 – 13/09/2000 Full – Approval with Conditions.
- CH/00/0180 - Two storey and single storey domestic extensions to rear of dwelling 03/04/2000 – 31/05/2000 Full - Refusal.
- CH/94/0477 - Workshop/store extension to existing detached garage 02/09/1994 – 01/02/1995 Full – Approval with Conditions.

## 1 Site and Surroundings

- 1.1 The application site comprises of four main building components:
- Main house
  - Annex
  - Large garage
  - Outdoor kitchen area
- 1.2 The main house is a two-storey rustic brick building with a hipped pantile roof. The façade has a protruding and angled brick detail. The windows and doors are dark brown UPVC.
- 1.3 The southern elevation comprises a large bay window with French doors. The roof has 4no rooflights at the western rear elevation with a decorative chimney corbel at the top. There are 2no timber framed balconies at the southern elevation and western rear elevation.

- 1.4 The annex is located further west and is of a similar style to the main dwelling. The pitch of the roofs are shallow with a gable end. There is use of pale coloured render in various infills between the same rustic brick through all elevations. The doors and windows are in the same dark brown UPVC as the main house.
- 1.5 An outdoor kitchen area is located to the west of the main house and south of the annex. It is an open canopy formed of a mixture of brick and timber columns to shelter an outdoor kitchen and wood store. The outbuilding has no windows or doors.
- 1.6 The buildings are set within a spacious plot, with access to the site taken directly from Penkridge Bank Road to the south. Mature trees and vegetation lies along the site boundary.
- 1.7 The site is located within the Cannock Chase Area of Outstanding Natural Beauty and is within the West Midlands Green Belt.
- 1.8 The site is within a Low-Risk Area for previous coal mining activities.

## **2 Proposal**

- 2.1 The applicant is seeking consent for a single storey rear extension, two single storey front extensions to form a porch at the southern elevation and a utility room. As a result of the single storey extensions, the existing timber framed balconies will be removed and will be replaced. The existing outdoor kitchen area will be related further to the west.
- 2.2 In detail, the proposals will comprise the following:
- Existing French doors at the southern elevation are to be replaced with a dark framed window.
  - 2no new single storey extensions at the eastern elevation to create an entrance porch and mud room/utility room, with a balcony above the entrance porch.
  - A single storey rear extension to create a larger seating/dining area.
- 2.3 No alterations are proposed to the existing access or parking arrangements.

## **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 Part 1 (2014) and the Minerals Local Plan for Staffordshire (2015 – 2030).
- 3.3 **Cannock Chase Local Plan Part 1**
- CP1: - Strategy – the Strategic Approach
- CP3: - Chase Shaping – Design

- CP5: - Social Inclusion and Healthy Living
- CP8: - Employment Land
- CP9: - A Balanced Economy
- CP10: - Sustainable Transport
- CP12: - Biodiversity and Geodiversity
- CP13: - Cannock Chase Special Area of Conservation (SAC)
- CP14: - Landscape Character and Cannock Chase Area of Outstanding Natural Beauty
- CP16: - Climate Change and Sustainable Resource Use

### 3.4 Minerals Local Plan for Staffordshire

- Policy 3: - Safeguarding Minerals of Local and National Importance and Important Infrastructure

### 3.5 Relevant paragraphs and chapters within the NPPF:

- 8: Three dimensions of Sustainable Development
- 11-14: The Presumption in favour of Sustainable Development
- 47-50: Determining Applications
- 60, 75, 76, 77, 78: Delivering a Sufficient Supply of Homes
- 131, 135, 137, 139: Achieving Well-Designed and Beautiful Places
- 180, 191: Conserving and Enhancing the Natural Environment
- Chapter 13: Protecting Green Belt Land

### 3.6 Other relevant documents include: -

- (i) Design Supplementary Planning Document, April 2016.
- (ii) Cannock Chase Local Development Framework Parking Standards, Travel Plans and Developer Contributions for Sustainable Transport.
- (iii) Manual for Streets
- (iv) Cannock Chase AONB Design Guide

## 4 Determining Issues

The determining issues for the proposed development include:

- i) Principle of the development within the Green Belt.
- ii) Design and impact on the character and form of the AONB and surrounding area.
- iii) Impact on residential amenity.
- iv) Highway Implications.
- v) Impact on Nature Conservation Interests.
- vi) Mineral Safeguarding.

## **4.1 Principle of the development within the Green Belt**

4.1.1 The site is located within the West Midlands Green Belt, wherein there is a

presumption against inappropriate development. Chapter 13 of the NPPF; Protecting Green Belt land outlines that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances, and that when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt.

4.1.2 Paragraph 154 of the NPPF sets out the exceptions to new development in the Green Belt. Paragraph 154 c) states that:

“the extension or alteration of a building provided that it does not result in disproportionate additions over and above the size of the original building is an acceptable form of development within the Green Belt.”

4.1.3 However, the term 'disproportionate' is not defined within either the NPPF or the Local Plan. On the basis of planning appeal decisions, it has been established that extensions exceeding 25-30% of the volume of the original building, taken singularly or cumulatively with other extensions, are approaching the upper limits of what is considered to not be disproportionate.

4.1.4 In this instance, the proposal would extend the existing building by some 40 sqm (the building is approximately 163sqm and the total area including the proposal is approximately 203 sqm).

4.1.5 Notwithstanding, the original dwelling has been substantially extended over a period of 20 years with the most substantial development being the addition of a storey to create a two-storey dwelling in 2001 (CH/01/0405). This addition was equivalent in length to the original single storey dwelling and represented a significant increase in volume.

4.1.6 Given the above, it is considered that the extensions carried out to date are to such an extent that the cumulative increase of the building in terms of floorspace and volume already constitutes disproportionate additions over and above the size of the 'original' building.

4.1.7 As such, it is considered that the extension now proposed would give rise to disproportionate additions over and above that of the original dwelling, in conflict with Core Policy 8 of the Local Plan and the aims of Chapter 13 of the NPPF.

4.1.8 Given the above, the proposal would therefore be inappropriate development in the Green Belt and as very special circumstances to justify it in this instance have not been submitted it would not comply with the aims of the NPPF chapter 13. On this basis it is recommended that the application be refused.

## **4.2 Design and impact on the character and form of the AONB and surrounding area**

4.2.1 The site is located within the Cannock Chase Area of Outstanding Natural Beauty. Paragraph 182 of the NPPF sets out that great weight should be given to conserving the landscape and scenic beauty of an AONB.

- 4.2.2 The proposed building would comprise a design that replicates that of the existing dwelling and would not appear incongruous against the existing property and associated outbuildings.
- 4.2.3 The proposed extensions would comprise a mixture of brick to match the existing and white render. New windows will comprise dark anthracite grey aluminium/UPVC windows. As such, a planning condition requiring materials to match those as set out within the application form has been imposed.
- 4.2.4 Mature trees and vegetation border the site, screening the bulk of the existing building and proposed extensions. Therefore, having had regard to Policy CP3 of the Local Plan and the appropriate sections of the NPPF it is considered that the proposal would be well-related to existing buildings and their surroundings and successfully integrate with existing features of amenity value such that it would be acceptable in respect to its impact on the rural setting.

### 4.3 **Impact on Residential amenity**

- 4.3.1 Given the nature and scale of the development proposal and the generous size of the plot in which the existing dwelling and associated outbuildings are located, the development proposals are a sufficient distance from neighbouring properties to the east to not give rise to issues relating to overlooking or overshadowing.
- 4.3.2 As such, the scheme is considered to be compliant with Policy CP3 of the Local Plan as well as relevant guidance contained within the NPPF.

### 4.4 **Highway Implications**

- 4.4.1 The proposal does not put forward any alterations in respect of the existing access and parking arrangements and so there are no concerns in respect of highway safety and access.
- 4.4.2 Given the scale and nature of the scheme in that it proposes minor extensions to an existing dwelling without the creation of new bedrooms, additional and unprecedented trips to and from the site are not anticipated. As such, the scheme is considered to comply with the provisions of CP10 of the Local Plan and relevant sections contained within the National Planning Policy Framework.

### 4.5 **Impact on Nature Conservation Interests**

- 4.5.1 The application site is not subject to any formal or informal nature conservation designation and is not known to support any species that is given special protection, or which is of particular conservation interest. As such the site has no significant ecological value and therefore the proposal would not result in any direct harm to nature conservation interests.
- 4.5.2 Given the above it is considered that the proposal, would not have a significant adverse impact on nature conservation interests either on, or off, the site. In this respect the proposal would not be contrary to Policies CP3, CP12 and CP13 of the Local Plan and the NPPF.

### 4.6 **Mineral Safeguarding**

- 4.6.1 The application site is located within an area identified within the Local Plan as a 'Mineral Safeguarding Area'.

- 4.6.2 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 industrial area and is not classified as a 'major application'.

## **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.
- 5.2 The recommendation to refuse accords with the policies of the adopted Local Plan and the applicant has the right of appeal against this decision.

### **Equality Act 2010**

- 5.3 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 This application has been assessed against relevant policies in the development plan and other material considerations and the principle of development is not considered to be acceptable, given that the proposal will result in the disproportionate addition to an original dwelling within the Green Belt.
- 6.2 It is considered that the adverse impacts of granting permission would significantly and demonstrably outweigh any benefits of the development when assessed against policies in the NPPF – in particular, Chapter 13 which indicates that development should be restricted in the Green Belt – and other material considerations. As such, the planning application is recommended for refusal.