

This application seeks full planning permission for the replacement of an existing garage and porch with a new single storey side and rear extension at the property known as 'Brookside', which is located on School Lane, Onneley.

The application site falls within the rural area of the Borough and is within a Landscape Maintenance Area as indicated on the Local Development Framework Proposals Map.

The 8 week determination period expires on the 1st February 2023.

RECOMMENDATION

PERMIT subject to conditions relating to the following matters:-

- 1. Time limit condition**
- 2. Approved Plans**
- 3. Materials**

Reason for Recommendation

The proposed extension is considered to represent a proportionate addition to the dwelling that would not have any adverse impact on the character or appearance of the original building or quality of the landscape. There would also be no detrimental impact on highway safety. The proposals accord with Policies H18 and N19 of the Newcastle under Lyme Local Plan 2011, Policy CSP1 of the Newcastle under Lyme and Stoke on Trent Core Spatial Strategy 2006-2026, Policy DES1 of the Neighbourhood Plan 2022 and the guidance and requirements of the National Planning Policy Framework 2021.

Statement as to how the Local Planning Authority has worked with the applicant in a positive and proactive manner in dealing with this application

The development is considered to be a sustainable form of development in accordance with the National Planning Policy Framework and therefore no amendments have been sought and no amendments or additional information had to be sought.

KEY ISSUES

This application seeks full planning permission for the replacement of an existing garage and porch with a new single storey side and rear extension at the property known as 'Brookside', which is located on School Lane, Onneley.

The application site falls within the rural area of the Borough and is within a Landscape Maintenance Area as indicated on the Local Development Framework Proposals Map.

The property has no immediate neighbours and so the only key issues in the determination of this application are;

- The design of the proposals and the impact upon the character and quality of the landscape, and
- Parking and the impact on highway safety.

The design of the proposals and the impact upon the character and quality of the landscape

Paragraph 126 of the National Planning Policy Framework states that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

Paragraph 130 of the framework lists 6 criterion, a) – f) with which planning policies and decisions should accord and details, amongst other things, that developments should be visually attractive and sympathetic to local character and history, including the surrounding built environment and landscape setting while not preventing or discouraging appropriate innovation or change. Paragraph 134 of the Framework states that development that is not well designed should be refused, especially where it fails to reflect local design policies and government guidance on design, taking into account any local design guidance and supplementary planning documents such as design guides and codes.

Policy CSP1 of the adopted Newcastle under Lyme and Stoke on Trent Core Spatial Strategy (CSS) details that new development should be well designed to respect the character, identity and context of the area.

Policy DES1 of the Neighbourhood Plan states that new development should complement the local context and should avoid the appearance of overdevelopment and over urbanisation, taking account of the rural character of the area.

Saved policy N19 of the local plan seeks development that will maintain high quality and characteristic landscapes that would not erode the character or harm the quality of the landscape.

The proposal would result in the removal of a small single storey flat roofed section of the property and its replacement with a single storey dual pitched roof extension of a larger footprint. The proposed extension would measure 5.6 x 5.4m in plan and would have an eaves height of 2.43 with a ridge height of 4.86m, which is approximately 2.13m lower than that of the main dwelling. The proposed alterations will allow the proposal to be seen as a subordinate addition to the host property and the removal of the existing flat roofed part of the property is welcomed in design terms.

On the basis of the above, it is considered that the proposed development accords with policies H18 and N19 of the local plan, policy DES1 of the neighbourhood plan, policy CSP1 of the CSS and the aims and objectives of the NPPF.

Parking and the impact on highway safety

In the consideration of proposed development, paragraph 111 of the NPPF states it should be ensured that safe and suitable access to the site can be achieved and that significant impacts on the transport network or on highway safety can be mitigated.

The proposal includes the replacement of an existing single garage with a double garage. Therefore, off street car parking provision will be improved.

The Highway Authority (HA) has raised no objections but they have requested a condition which prevents the garage from being converted into living accommodation.

Paragraphs 55 and 56 of the NPPF advises that local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions but they should only imposed where they are necessary, relevant to planning and to the development to be permitted, enforceable, precise and reasonable in all other respects.

In this instance the parking arrangements would be improved and the condition advised by the HA is not considered reasonable or necessary because ample off street car parking for the dwelling would be maintained, even if the garage was converted in the future.

A highway safety objection could not be sustained and the proposed development accords with the provisions of the NPPF.

Reducing Inequalities

The Equality Act 2010 says public authorities must comply with the public sector equality duty in addition to the duty not to discriminate. The **public sector equality duty** requires **public authorities** to consider or think about how their policies or decisions affect people who are **protected** under the

Equality Act. If a public authority hasn't properly considered its public sector equality duty it can be challenged in the courts. The duty aims to make sure public authorities think about things like discrimination and the needs of people who are disadvantaged or suffer inequality, when they make decisions. People are protected under the Act if they have protected characteristics. The characteristics that are protected in relation to the public sector equality duty are:

- Age
- Disability
- Gender reassignment
- Marriage and civil partnership
- Pregnancy and maternity
- Race
- Religion or belief
- Sex
- Sexual orientation

When public authorities carry out their functions the Equality Act says they must have due regard or think about the need to:

- Eliminate unlawful discrimination
- Advance equality of opportunity between people who share a protected characteristic and those who don't
- Foster or encourage good relations between people who share a protected characteristic and those who don't

With regard to this proposal it is considered that it will not have a differential impact on those with protected characteristics.

APPENDIX

Policies and proposals in the approved development plan relevant to this decision:-

[Newcastle-under-Lyme and Stoke-on-Trent Core Spatial Strategy \(CSS\) 2006-2026](#)

Policy ASP6: Rural Area Spatial Policy
Policy CSP1: Design Quality

[Newcastle-under-Lyme Local Plan \(NLP\) 2011](#)

Policy H18: Design of residential extensions where subject to planning control
Policy N17: Landscape Character – General Considerations
Policy N19: Landscape Maintenance Areas

[Madeley Neighbourhood Development Plan 2018 – 2037](#)

Policy DES1: Design

Other Material Considerations include:

[National Planning Policy Framework \(2021\)](#)

National Design Guidance (2021)

[Planning Practice Guidance \(March 2014, as updated\)](#)

[Supplementary Planning Guidance/Documents](#)

[Space Around Dwellings SPG \(SAD\) \(July 2004\)](#)

[Newcastle-under-Lyme and Stoke-on-Trent Urban Design Guidance Supplementary Planning Document \(2010\)](#)

[Relevant Planning History](#)

NNR2021 - Alterations to House and Erection of Garage – permitted.

Consultees

The **Highway Authority** has raised no objections subject to a condition which prevents the garage from being converted.

Madeley Parish Council has not responded by the due date of the 13th of January 2022 and therefore it is assumed that they have no observations to make on the application.

Representations

None received.

Applicant's/Agent's submission

All of the application documents can be viewed on the Council's website using the following link:
<http://publicaccess.newcastle-staffs.gov.uk/online-applications/PLAN/22/01051/FUL>

Background papers

Planning files referred to
Planning Documents referred to

Date report prepared

17th January 2022