

The application is for full planning permission for a combined conservatory and shed for greenhouse and storage use.

The site comprises a semi-detached property located on Moorthorne Crescent, Bradwell, within the urban area of the borough, as indicated on the Local Development Framework Proposals Map. The application has been called in on the grounds that the proposal is not in keeping with the other properties within the street.

The 8-week period for the determination of this application expired on 3rd November 2025 but an extension of time has been agreed to 11th November 2025.

RECOMMENDATION

Permit, subject to conditions relating to the following matters: -

- 1. Time limit**
- 2. Approved plans**
- 3. Materials**

Reason for Recommendation

The proposed outbuilding is an appropriate form of development which would not cause harm to the amenities of neighbouring properties and only marginally falls short of meeting permitted development requirements. It is considered that planning permission should be granted subject to the imposition of appropriate conditions.

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

The proposal is considered to be a sustainable form of development that complies with the provisions of the National Planning Policy Framework.

Key Issues

The application is for part retrospective permission for a detached outbuilding. The site comprises a semi-detached residential property located that lies within the urban area of the borough, as indicated on the Local Development Framework Proposals Map.

The key planning matters in the determination of the application are:

- Design of the proposal and impact on the form and character of the area
- Is the impact upon neighbouring occupiers in terms of amenity acceptable?
- Other matters

Design of the proposal and impact on the form and character of the area

Paragraph 131 of the National Planning Policy Framework (the 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 135 of the Framework lists 6 criteria, 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.

Policy CSP1 of the Council's Core Spatial Strategy 2006-2026 requires that the design of the development is respectful to the character of the area.

The outbuilding sits 7.2m from the host property's rear single storey extension and 0.3m away from the boundary with No. 26 Moorthorne Crescent. The structure is 9.8m in length and 2.4m in width. The ground levels within the property's rear garden gradually rise with distance from the dwelling. As a result, the outbuilding is 3.2m at the highest part of its pitched roof.

Concerns have been raised regarding the size of the footprint of the outbuilding. Whilst officers recognise that the footprint of the outbuilding is large, there is more than 50% of the total ground area of the property's curtilage left undeveloped, which means that the proposal would be allowable under permitted development legislation. Given this fallback position the structure's footprint is considered acceptable.

Representations also state that the outbuilding is an eyesore and not in keeping with development at other properties on the vicinity. The design of the outbuilding is not typical in appearance, as it has been constructed partially from the applicant's original greenhouse, with an attached wooden element. However, permitted development legislation does not specify requirements in terms of the appearance of residential outbuildings, and should the outbuilding have been constructed 0.7m shorter, or set away from the boundary by 2m, then no planning permission would have been required. Whilst some views of the upper section of the outbuilding are visible from the neighbouring properties, the shared boundary treatments which run around the property do help to screen the proposal from view. It should also be recognised that outbuildings of this height are common features within the Borough.

Overall, it is not considered that the proposal would have any significant impact on the character of the original dwelling, neighbouring properties, or the surrounding area. Based on the above it is considered that the proposed development accords with Policy CSP1 of the CSS and the aims and objectives of the NPPF.

Residential Amenity

Paragraph 135 of the National Planning Policy Framework states that development should create places that are safe, with a high standard of amenity for existing and future users.

Supplementary Planning Guidance (SPG) Space Around Dwellings provides guidance on new dwellings including the need for privacy, daylight standards, and environmental considerations.

Representations state that the position of the outbuilding, including the location of its guttering, would be inappropriate, causing issues with boundary access and maintenance and generally causing harm to the amenities of neighbouring properties.

It is not considered that the distance between the outbuilding and neighbouring buildings would be detrimental in terms of causing loss of privacy, light nor outlook to other properties. It is considered that there would be an acceptable separation distance between it and neighbouring properties of at least 9m.

Concerns are raised that users of the outbuilding would have clear and intrusive sightlines across adjoining gardens. Given that the outbuilding is single storey, it would not have a vantage point from which to intrude on the privacy of other residents. There is an outbuilding in situ, as well as a mature hedge that sits along the property boundary at No. 26 Moorthorne Crescent, which obscures the outbuilding from the view of residents of that property.

Furthermore, the outbuilding's roof alone is 0.65m high. Therefore, a marginally shorter outbuilding with a flat roof but otherwise same design (including multiple glass windows) could have been constructed at a similar location within the host property's curtilage and have also met permitted development.

The proposal accords with the guidance outlined in the SPG and so there is not considered to be any detrimental impact on the amenity of neighbouring properties because of the development. Based on the above the development would accord with the guidance and requirements of the NPPF.

Other

Representations suggest the outbuilding might be used as a granny annexe. The description of development is a combined hybrid conservatory and shed for greenhouse and storage use. This therefore is the accepted use of the outbuilding by the Local Planning Authority.

Representations also state that the outbuilding has been constructed without the proper planning permissions. Although the outbuilding was constructed without planning permission, this has been rectified through the submission of a retrospective planning application.

Concerns have been raised stating that the applicant did not consult their neighbours on the development. This is not a matter for the Local Planning Authority to address.

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

The development 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 ASP5: Newcastle and Kidsgrove Urban Neighbourhoods Area Spatial Policy

Policy CSP1: Design Quality

Other Material Considerations include:

[National Planning Policy Framework](#) (2024)

[Planning Practice Guidance](#) (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

24/00740/FUL - Proposed single storey side extension, and 1 and 2 storey rear extension - Permitted

24/00740/NMA - Application for a non-material amendment of planning permission 24/00740/FUL to move the side extension window from the rear to the front, and to move the position of the skylight to the existing roof – Pending consideration

Views of Consultees

None.

Representations

5 letters of objection have been received. A summary of the comments made is as follows:

- The outbuilding is an eyesore for neighbouring properties;
- There is uncertainty regarding what the resident will use the outbuilding for;
- The council did not notify a resident regarding this planning application;
- The footprint of the outbuilding is too big;
- The position of the outbuilding within the property's curtilage is inappropriate;
- The outbuilding's guttering is likely to overhang the neighbouring property.
- The outbuilding has already been built and has been done so without the proper permissions.

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/25/00667/FUL>

Background papers

Planning files referred to

Planning Documents referred to

Date report prepared

22nd October 2025