

DELEGATED DECISION REPORT

SMD/2025/0150
Valid 30/04/2025

1 AGNES WAY
FORSBROOK

RETROSPECTIVE APPLICATION
FOR RETENTION OF CARPORT

(FULL - MINOR)

MAIN ISSUES

- Principle of development
- Design and visual impact
- Neighbour amenity
- Highways/parking
- Coal (low-risk area)

DESCRIPTION OF SITE

1 Agnes Way is a detached bungalow, one of two bungalows that sit to the rear of number 96 Chapel Street Forsbrook. Access to both bungalows is via a shared drive. Gardens/patios are to the rear of the bungalows; parking is concentrated to the front and sides of the properties. The land upon which the car port sits is level.

For the purposes of planning policy consideration, the application site is located within the Green Belt. The site is not within any Conservation Area and there are no listed buildings/structures and protected trees which need to be considered. The site is within a coal development area (low-risk).

PROPOSAL

Retrospective planning permission is sought for the erection of a timber-framed carport with tiled, pitched roof. The plans show the carport footprint measuring 5.295m deep and 6.15m wide. Eaves height is shown as 2.385m and overall ridge height is 3.646m. The carport is positioned to the front/side of the application property and upon an area of hardstanding.

RELEVANT LOCAL AND NATIONAL PLANNING POLICIES

Staffordshire Moorlands Local Plan

SS1	Development Principles
SS2	Settlement Hierarchy
SS10	Other Rural Areas Area Strategy
H1	New Housing Development
DC1	Design Considerations
DC3	Landscape and Settlement Setting
T1	Development and Sustainable Transport
Appendix 2	Parking Guidance

Supplementary Planning Document

1. Staffordshire Moorlands Design Guide

Supplementary Planning Guidance

1. Design Principles for Development in the Staffordshire Moorlands
2. Space About Dwellings

National Planning Policy Framework

Including sections;

- 2 Achieving sustainable development
- 6 Building a strong, competitive economy
- 9 Promoting sustainable transport
- 12 Achieving well-designed places
- 13 Protecting Green Belt land
- 15 Conserving and enhancing the natural environment

SITE HISTORY / RELEVANT PREVIOUS APPLICATIONS

02/00854/OUT	Residential development (outline). Refused.
03/00881/OUT	Outline application for residential development. Refused.
SMD/2015/0338	Demolition of kennel buildings and erection of 2no. detached bungalows with associated works. Approved.

CONSULTATIONS

Publicity

Site Notice. Expired.
Neighbour consultation period. Expired.

Public Comments

Five representations received, two in support and three objecting to the application. the comments can be summarised as follows;

Support

- Carport would not have been erected if full consent had not been given by all parties/co-owners of said land. All landowners agreed to the carport being erected.
- Carport is within the boundary of their (applicants) property.
- Built with materials and environment in mind
- Does not look out of place
- Same type of carport as one on Stallington Road
- In keeping with what you would expect to see living in the countryside and the look of the properties/land.
- No environmental or hydrological impact having been erected on an existing private driveway
- Not in the visual line of sight of any other adjacent properties in the area.

Objection

- Built out of the building line
- Built over some of the joint drive which would make it difficult for larger vehicles to get to property
- Positioned on a shared drive
- Not built on land solely owned by the applicants and as part owner they do not have our consent.
- Built on private land
- Carport is too high
- Building is an eyesore

Forsbrook Parish Council

No representations received during the statutory consultation period.

Staffordshire County Council Highways

Recommendation Summary: Acceptance

Site Visit Conducted on: 28-May-2025

Notes to Planning Officer

Application is retrospective for a carport. Carport is on private land remote from the highway. Carport is sited on area that appeared to be used as a parking area previously. Proposal will not have an effect on the highway.

OFFICER COMMENTS

Principle of development

For the purposes of planning policy consideration, the application site lies within the Green Belt. Paragraph number 154 of the National Planning Policy Framework states that Local Planning authorities should regard the construction of new buildings as inappropriate in the Green Belt. There are several exceptions listed within paragraph number 154, but it is noted there is no reference to new build, domestic outbuildings. Paragraph number 153 states that *'when considering any planning application, local planning authorities should ensure that substantial weight is given to any harm to the Green Belt, including harm to its openness (footnote 55 states that this is other than in the case of development on previously developed land or grey belt land, where development is not inappropriate).'* Paragraph number 153 goes on to state that *'Inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Very special circumstances will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm resulting from the proposal, is clearly outweighed by other considerations.'*

Local Plan policy SS10 echoes the NPPF Green Belt restrictions by stating that 'Strict control will continue to be exercised over inappropriate development within the Green Belt allowing only for exceptions as defined by Government policy.

The carport clearly constitutes inappropriate Green Belt development and no very special circumstances are demonstrated. The very presence of the building results in harm to the openness of the Green Belt.

Design and visual impact

Local Plan policy DC1 requires that all developments are well-designed and reinforce local distinctiveness by positively contributing to, and complementing the character and heritage of, an area. Development should be of a high quality, adding to the value of a local area, incorporating creativity, be designed to respect the site and its surroundings and promote a

positive sense of place and identity. Policy SS10 requires development to enhance and conserve the quality of the countryside by giving ensuring all development proposals respect and respond sensitively to the distinct qualities of the surrounding landscape. Plan policy DC3 outlines considerations relating to landscape and settlement setting, protecting the countryside from intrusion, resisting adverse harm upon countryside and settlement character and conserving/enhancing biodiversity qualities.

Relevant to note are the council's adopted Supplementary Planning Guidance (SPG) entitled 'Design Principles for Development in the Staffordshire Moorlands' and the adopted Supplementary Planning Document (SPD) entitled the 'Staffordshire Moorlands Design Guide.' The adopted design documents are specific in terms of what is acceptable when considering garage-type developments. Although this application is for a car port, it is still a domestic outbuilding which allows covered parking space for two vehicles. Supplementary Planning Guidance (SPG) stipulates that garages and outbuildings should appear subordinate to the dwelling and that they should be modest in size and height to reflect their purpose as ancillary domestic outbuildings. The Staffordshire Moorlands Design Guide references that new buildings should be well-proportioned and that materials and roof pitch should generally match those of the parent building.

The size of the car port and its positioning forward of the principal elevation of the dwelling, results in a structure which cannot be said to appear subordinate to the host dwelling. The location of the building detracts from the well-designed and simple frontages of the bungalows which should (and were intended to be) the principal, focal features of this site. The structure does not sit comfortably against the two bungalows in which it would be viewed in the context of, by reasons of its siting and design. The carport roof shape, together with the extensive use of timber, results in a building whose materials do not appear in keeping with the host dwelling.

Neighbour amenity

There are no objections to the car port in terms of any overbearing neighbour amenity impact, for example impact upon neighbouring principal windows. Public comments submitted in relation to the application refer to the car port not being built upon land solely owned by the applicant(s), however this is not a reason for refusing the application. The applicants have declared they have served copies of Certificate B upon the owners of 2 Agnes Way and 94 Chapel Street.

Highways/parking

The car port is providing two parking spaces for the applicant's property. No parking space appears to be lost. The County Highways officer raises no objections, stating that the scheme will not have an effect upon the highway.

Coal (low-risk area)

The application site is within a low-risk coal development area. Latest advice contained on the Gov.uk website is that 'If you are submitting a planning application in a Development Low Risk Area then there is no statutory requirement to submit a CMRA to the LPA' however 'the proposed development still lies within a coal mining area and could contain unrecorded hazards.' The advice is that if any coal mining feature is encountered it must be immediately reported to the Coal Authority

CONCLUSION / PLANNING BALANCE

For the reasons outlined within this report it is recommended that the application is refused. A domestic outbuilding is not a development which is supported within section 13 of the NPPF 'Protecting the Green Belt.' The scheme is therefore inappropriate development. There is identifiable harm to the openness of the Green Belt at this point due to the size and location of the

building and the lack of support for it in principle. No very special circumstances have been demonstrated. Furthermore the siting and design of the car port is not satisfactory due to its positioning and visual relationship relation to the existing bungalows

OFFICER RECOMMENDATION : Refuse

Case Officer: Lisa Jackson

Recommendation Date: 25.06.2025

X *B.J. Haywood*

Signed by: Ben Haywood

On behalf of Staffordshire Moorlands District Council