

Dear Members

### **Planning Committee**

A meeting of the Planning Committee will be held on **Wednesday, 18 August 2021** at **6.30pm** in the **Craddock Room, Civic Centre, Riverside, Stafford** to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

Members are reminded that contact officers are shown in each report and members are welcome to raise questions etc in advance of the meeting with the appropriate officer.



Head of Law and Administration

## **PLANNING COMMITTEE – 18 AUGUST 2021**

**Chairman - Councillor B M Cross**  
**Vice-Chairman - Councillor E G R Jones**

### **A G E N D A**

- 1 Minutes**
- 2 Apologies**
- 3 Declaration of Member's Interests/Lobbying**
- 4 Delegated Applications**

Details of Delegated applications will be circulated separately to Members.

	<b>Page Nos</b>
<b>5 Planning Applications</b>	<b>3 - 24</b>
<b>6 Planning Appeals</b>	<b>25 - 28</b>

### **MEMBERSHIP**

**Chairman - Councillor B M Cross**

A G Cooper	P W Jones
B M Cross	W J Kemp
A P Edgeller	B McKeown
A D Hobbs	G P K Pardesi
J Hood	M Phillips
E G R Jones	

**(Substitutes - F Beatty, A T A Godfrey, R Kenney, C V Trowbridge)**

ITEM NO 5

ITEM NO 5

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PLANNING COMMITTEE – 18 AUGUST 2021

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**Ward Interest - Nil**

## **Planning Applications**

*Report of Head of Development*

### **Purpose of Report**

To consider the following planning applications, the reports for which are set out in the attached **APPENDIX:-**

		<b>Page Nos</b>
<b>20/33158/FUL</b>	<b>Site of Former Truview, 12 Sandon Road, Stafford</b>	4 - 24
	The application was called in by Councillor A T A Godfrey	
	Officer Contact - John Holmes, Development Manager Telephone 01785 619302	

### **Previous Consideration**

Nil

### **Background Papers**

Planning application files are available for Members to inspect, by prior arrangement, in the Development Management Section. The applications including the background papers, information and correspondence received during the consideration of the application, consultation replies, neighbour representations are scanned and are available to view on the Council website.

<b>Application:</b>	20/33158/FUL
<b>Case Officer:</b>	Craig Miles
<b>Date Registered:</b>	16 October 2020
<b>Target Decision Date:</b>	13 January 2021
<b>Extended To:</b>	-
<b>Address:</b>	Site of former Truview, 12 Sandon Road, Stafford ST16 3ES
<b>Ward:</b>	Common
<b>Parish:</b>	-
<b>Proposal:</b>	Proposed development consisting of ten self contained apartments with two self contained staff units for C3(b) use (supported housing) together with new access
<b>Applicant:</b>	PKM Properties Ltd
<b>Recommendation:</b>	Approve, subject to conditions and S106 agreement

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## REASON FOR REFERRAL TO COMMITTEE

This application has been called in by Councillor A T A Godfrey (Ward Member for Common) for the following reason:

*“Neighbour concerned that development will reduce light to adjacent properties.”*

## Background

This application relates to a brownfield site consisting of the former Truview electrical store and associated car parking located between Marston Road to the west and Sandon Road to the east within Stafford.

The Site measures approximately 0.13 hectares in area within a predominately residential area to the north of Stafford town centre. There are two-storey terraced housing facing directly onto the site from Marston Road and Sandon Road. There are small commercial shops along Marston Road also facing onto the site, and to the south of the site is a Public House.

The site has been vacant for a number of years and consists of predominately large areas of hardstanding and part of the walls of the former Truview store itself. Any former buildings on the northern part of the site have been demolished.

Outline consent was previously granted in August 2017 for the development of 11 apartments on the site. That consent was not implemented and has since expired.

## **Context**

This full application proposes a development of apartments to provide supported-living accommodation for adults with learning disabilities. In total, it would consist of 10 x one-bedroom self-contained apartments, and 2 x one-bedrooomed staff apartments. Following the demolition of the former Truview electrical store, the apartments would be separated into three separate two-storey buildings. Each of them would be two-storey in height with a hipped-pitched roof. They would be similar in character. One apartment building would face onto Sandon Road containing 4 apartments. One would face onto Marston Road containing 3 units, and another on the northern part of the site would contain 5 units. The Design and Access statement details that “all buildings would be constructed in brickwork facings and have pitched tiled roof.”

Pedestrian and vehicular access to and from the site would be from Marston Road as one of the proposed apartment buildings would be formed in place of the existing site access from Sandon Road. A new footpath would be formed to replace the drop kerb. A total of 16 car parking spaces would be provided within the site. The majority of these spaces would be located on the northern part of the site to the rear of a two-storey apartment building. There would be small pockets of landscaping along the frontage of Sandon Road and Marston Road and small grassed areas alongside the proposed car parking.

An Operations Site Management Plan has been submitted in support of the application. It explains that “tenants living there would be adults with disabilities who need some assistance in their daily lives. The support proposed by Aspirations Care aims to increase the independence of each tenant at a time they dictate due to their specific needs. The focus is on enabling people to move into the community and become active citizens with a focus on gaining and developing independence and social skills to develop a more meaningful day, including social integration and employment opportunities.”

It also states that “It is proposed that the facility will employ 25 full time staff, 3 part time staff and 1 full time equivalent member of staff, working shift patterns across a 24-hour day and night. The staffing levels are determined by a need led assessment based on the individual needs of each tenant. There will always be a member of staff on-site, i.e., 24 hours a day, 7 days a week.”

The application site is located within Flood Zone 2 according to the indicative Environment Agency’s Flood Map for Planning (Rivers and Sea). A Flood Risk Assessment (FRA) has been submitted in support of the proposals and is considered in detail below.

## **Officer Assessment – Key Considerations**

### **1. Principle of the Proposed Development**

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires decisions to be made in accordance with the development plan unless material considerations indicate otherwise. The Plan for Stafford Borough 2011 – 2031 is the development plan.

The site lies within the Settlement Boundary of Stafford which is at the top of the Sustainable Settlement Hierarchy for residential development as defined in Spatial Principle (SP) 3 of The Plan for Stafford Borough (TPSB).

Policy C3 – Specialist Housing also seeks to secure the provision of new Extra Care facility. Whilst this proposal is not for extra care, the supporting text (paragraph 11.10) for Policy C3 states, ‘Specialist housing provides a range of housing options to adults and children with a variety of care and support needs to enable them to live independently. This includes provision for older people (known as Extra-care / Flexi-care housing) and other groups, such as people with learning disabilities .....’

The site is also previously developed land and represents a sustainable location for residential development.

On this basis the proposal is considered acceptable in principle, subject to relevant material considerations being satisfied.

Policies and Guidance: -

National Planning Policy Framework:

Paragraphs 11, 64, 69, 119.

The Plan for Stafford Borough:

Spatial Principle (SP) 1 Presumption in Favour of Sustainable Development

SP 3 Stafford Borough Sustainable Settlement Hierarchy

Policy SB1 Settlement Boundaries

## **2. Character and Appearance**

The character of the wider area is primarily residential in nature comprising mainly of rows of closely-knit red-brick terraced housing. However, as Sandon Road and Marston Road effectively merge to a head (at the Four Crosses public house), the character is more commercial in nature. The site is adjoined in part by a public house, it is overlooked by a row of commercial properties on Marston Road and faces onto the former Sandon Road car garage site where a new housing development is nearly complete, and a car park. The site sits amongst these commercial uses and traditional rows of terraced housing. The site has been vacant for a number of years comprising some walls of the former buildings and large overgrown areas. At present it adds nothing positive to the wider character of the area.

The proposals are broadly to replace the former buildings and land associated with the former Truview electrical store in the form of three separate two-storey apartment buildings around a central parking area. The design of each apartment building is very simplistic in design terms, this aligns with the traditional plain terraced house frontages.

The Design Officer has been consulted on the application. He is generally supportive of the overall spatial approach and disposition of built form across the site as “it would largely reflect the locally prevalent patterns of urban structure and grain.” However, he suggests that there should be separate entrances from Sandon Road and that the elevations should be re-considered to include an even simpler design. He also considers that some of the materials and surfacing are inappropriate.

The function of the buildings are for assisted living which necessitates having a common point of access, particularly for disabled occupants. Whilst an access onto Sandon Road would help to re-instate the character of the former terraced housing, it is considered that it is not essential to meeting the requirements of Policy N1. Furthermore, the proposed design also needs to be balanced against the benefit of the proposals, primarily bringing a derelict brownfield site back into use, and the wider economic benefits in the form of job creation.

In relation to the materials used for external surfaces, a pre-commencement condition could require the applicant to submit all external materials and for them to be agreed before development commences.

It is considered that the overall form of development as proposed in terms of its layout, scale and massing would be consistent with the character of the immediate area, and pattern of development in accordance with Policy N1. The appearance in terms of the materials for external surfaces can be controlled by condition.

Policies and Guidance: -

National Planning Policy Framework (NPPF) – Section 12. Achieving well-designed places  
The Plan for Stafford Borough (TPSB) 2011-2031

Policies: N1 Design; N8 Landscape Character

Supplementary Planning Document (SPD) – Design

### **3. Residential Amenity**

The proposals relate to the development of three separate two-storey apartment buildings. There is a variety of residential and commercial uses facing onto the application site from Marston Road / Sandon Road.

There has been representation made regarding the potential for over-looking and the loss of sunlight / daylight from neighbouring occupiers. Each two-storey apartment building is considered separately below.

In relation to the two-storey apartment building nearest Marston Road (units 1-3), it would be positioned close to the west roadside boundary. Its main elevation would face towards Marston Road. The commercial properties on the west side of Marston Road would face directly onto it. At ground-floor the opportunity to directly overlook into a commercial property from a dwelling would not create any significant harm, at first floor there would be an opportunity for directly overlooking as the two buildings would only be around 10.25m apart. Whilst it is acknowledged that the character of Marston Road is that terraced dwellings face one-another within close proximity, and that the spacing standards set out in the council's Design - Supplementary Planning Document (SPD) generate only relate to new dwellings, there would still be an opportunity to directly overlook residential properties at first floor level at close proximity, particularly 9a Marston Road which appears to be a first-floor flat. It is therefore recommended that the first-floor bedroom window would need to be obscurely glazed in unit 3. There would be no other opportunities for directly over-looking.

As it appeared that the rear of 6 Sandon Road could be in shadow for part of the day from units 1-3, the applicant was requested to provide a sunlight / sun path analysis to show the impact of the proposed development on neighbouring properties during daylight hours throughout the year.

The Shadow Appraisal received on 21<sup>st</sup> July shows that units 1-3 can cause shadowing to the rear of 6 Sandon Road, and the development could cast shade for up to 167 minutes per day between 15<sup>th</sup> May and 2<sup>nd</sup> August and for shorter periods ranging from 7 minutes to 125 minutes between 30<sup>th</sup> March and 14<sup>th</sup> May, and between 3<sup>rd</sup> August to 8<sup>th</sup> September, and this shadow would occur from 19.33 hours. However the shadow plans provided show that the existing buildings on the opposite side of Marston Road already shadow sunlight from the rear of 6 Sandon Road, although to a lesser extent.

6 Sandon Road has a modest sized rear yard enclosed by a metal fence to the side and a high (approximately 2.9m) brick wall to the rear and is covered by a corrugated clear plastic roof, which means that sunlight is diffused by the roof and cannot directly reach ground floor windows.

In relation to the two-storey apartment building that would occupy the northern part of the site (units 6-10), its front and rear elevation would generally face into the application site or towards proposed parking to the rear. A single small kitchen window would be on each side elevation (east and west), but would not directly face into another residential property. It would be positioned a sufficient distance from the existing properties along Marston Road not to have any significant impact on the sunlight / daylight.

The two-storey building would be positioned some 5.15m from the rear elevation of 16 Sandon Road. Whilst the rear garden (and effectively the ground-floor of the dwelling) would be screened by an existing brick wall approximately 2m in height, the dwelling has a bedroom window and bathroom window overlooking the site at first-floor level. The existing bathroom window is already obscurely glazed and would not be affected by the proposals. The existing bedroom would face towards the entrance of the two-storey apartment building and car parking spaces, rather than directly towards any proposed windows. There would be no issues of directly overlooking. Any potential loss of sunlight would be limited because the apartment building would be marginally north of 16 Sandon Road.

In relation to daylight, Supplementary Planning Document (SPD) – Design states that a 25-degree rule is used to ensure that adequate levels of daylight for habitable rooms is provided when extensions or new buildings directly face principal windows of existing properties. It also states that to ensure that the 25 degree rule is complied with, new development should ensure that “no part of a 25 degree vertical angle, drawn from the centre of the lowest principal window in the horizontal plane, on end elevation view, on the existing property, is obstructed”. In this instance the existing dwelling and the proposed apartment building are not aligned to one another which makes applying the 25-degree rule difficult. It is accepted that a proportion of this apartment building would exceed the 25 degree rule if they were aligned, however owing to the single window that would be affected on the entire dwelling together with the hipped roof of the proposed apartment building (helping to limit loss of daylight compared to a traditional pitched roof), it is considered that this arrangement would not cause such harm to potential occupiers in terms of having a significant harmful impact.



In relation to the proposed apartment building on the southern part of the site (units 4 and 5 and 2 staff units), would essentially infill the gap of the former terraced housing. The front elevation would face towards an existing car park and the rear elevation would face towards the proposed car parking area. It would not create issues of direct overlooking.

There is a first-floor window forming a non-habitable room (stairway on the side elevation of 6 Sandon Road). The Supplementary Planning Document (SPD) – Design explains that the purpose of the guidance is to protect sunlight and daylight into a habitable room and the stairway window is not considered to be a habitable room. In terms of day light, as noted above 6 Sandon Road has a modest sized rear yard enclosed by a metal fence to the side and a high (approximately 2.9m) brick wall to the rear and is covered by a corrugated clear plastic roof, the proposed development would not have any material impact on the sunlight or daylight given that the application site is located to the north of the dwelling. Similarly, there are no windows on the side (south) elevation of 16 Sandon Road facing towards the proposed apartments.

Owing to the height of the proposed dwellings together with the proximity and orientation of nearby dwellings, there would be no unacceptable loss of sunlight or daylight. As such, it is considered that there would not be any significant harm in regard to the outlook and/or privacy between the three proposed apartments buildings and any neighbouring property. The three apartment buildings would also be sufficiently spaced apart not to create any significant levels of direct overlooking between them.

The Environmental Health Officer also raises no objection to the proposals, subject to a condition requiring a Construction Environmental Management Plan to protect neighbouring amenity in terms of the effects of noise, vibration, dust, etc during constructing. He also requests that a noise management plan be submitted and approved to ensure that undue disturbance is not caused to nearby residents from noise generated by service users of the proposed development. These suggested conditions are accepted and would ensure adequate measures are in place to protect neighbours during construction.

Policies and Guidance: -

The Plan for Stafford Borough (TPSB) 2011-2031

Policies: N1 Design

Supplementary Planning Document (SPD) - Design

#### **4. Parking and Access**

The application proposes to formally block up the existing access to the site from Sandon Road and instead create a new vehicular and pedestrian access from Marston Road. Within the site, it is proposed to form 16 off-street car parking spaces to serve 10 x 1-bed roomed apartment and 2 staff apartments.

The Highway Authority has responded in relation to the proposals. They state that there are no objections on highway grounds as the proposed use should result in less traffic using the site when compared to the existing consented use of the site for retail. They also confirm that the overall amount of parking proposed within the site is acceptable having regard the Borough Council's Parking Standards and following the submission of a plan detailing the visibility splay from the site that the means of access is also acceptable.

They suggest that several conditions to ensure that the parking and turning areas within the site are completed prior to the occupation of any apartment. It is also recommended that a Travel Plan be submitted to and approved by the planning authority and a financial contribution be requested for further monitoring of it.

Subject to these conditions, it is considered that the proposals are considered acceptable in the context of access and parking and the requirements of Policies T1 Transport, T2 Parking and Manoeuvring Facilities, Appendix B – Car Parking Standards.

Policies and Guidance: -

National Planning Policy Framework (NPPF) – Section 9. Promoting sustainable transport  
The Plan for Stafford Borough (TPSB) 2011-2031 – Policies T1 Transport, T2 Parking and Manoeuvring Facilities, Appendix B – Car Parking Standards

## **5. Flood Risk and Surface Water Drainage**

The application site is located in Flood Zone 2 according to the indicative Environment Agency's Flood Map for Planning (Rivers and Sea).

The National Planning Policy Framework (NPPF) requires a site-specific Flood Risk Assessment (FRA) for developments located in Flood Zones 2 and 3. A site-specific FRA has been submitted in support of the application. It concludes that the proposed development is appropriate for the defined flood risk and by being managed by suitably raising the finished floor-levels and the implementation of a Flood Warning and Evacuation Plan, and in conclusion it is not expected to increase the risk of flooding elsewhere.

The Environment Agency have been consulted on the proposals. Following consideration of

the applicant's FRA, they state that the proposed development would only meet the requirements of the NPPF if the finished floor levels as specified in the FRA are in place. They therefore recommended a condition requiring that the finished floor levels for units 1-5 be set no lower than 78.40m Above Ordnance Datum (AOD), and that the finished floor for units 6-10 shall be set no lower than 78.54m (AOD), prior to occupation.

In relation to drainage, the FRA concludes that there will be an overall decrease in impermeable area under the proposal and so the rate and volume of surface water runoff is expected to fall. There is an opportunity to provide further betterment through the use of SuDS as part of the development. A separate drainage assessment has also been provided.

The Lead Flood Authority has been consulted on the application in respect of surface water drainage, in particular owing to the large extent of hardstanding associated with the proposed car parking arrangements. They originally objected to the application on the basis of a lack of information. However, following the submission of updated plans and technical information, the Lead Flood Authority advise that the updated Drainage Strategy demonstrates that an "acceptable drainage strategy can be achieved within the proposed development." However, they also advise that final full details have not yet been submitted and therefore, the proposed development would only be acceptable if the final detailed

surface water drainage strategy is secured by way of a pre-commencement planning condition. In addition, they advise a further condition is recommended to ensure that flood risk is not increased during the construction phase (which can be included in a construction environmental management plan also recommended by the Highway Authority and Environmental Health).

Subject to these conditions, it is considered that that the proposals would ensure protection from, and not worsen the potential for flooding in accordance with Policy N2 – Climate Change of the Plan for Stafford Borough and the NPPF.

Policies and Guidance: -

National Planning Policy Framework

Paragraph 167

The Plan for Stafford Borough (TPSB) 2011-2031 – Policy N2 - Climate Change

## **6. Cannock Chase Special Area of Conservation (SAC)**

The site is within 8 km of the Special Area of Conservation (SAC) and the number of dwellings proposed is above the threshold not requiring contribution towards mitigation of visitor impact.

Policy N6 Cannock Chase Special Area of Conservation (SAC), this policy seeks to ensure that the Cannock Chase SAC is not harmed and all development that leads to a net increase in dwellings within 15km of the site must take all necessary steps to avoid or mitigate any adverse effects upon the SAC's integrity.

To mitigate these effects Strategic Access Management and Monitoring Measures (SAMMMs) would deliver sufficient mitigation and avoidance measures to prevent any likely significant effect arising towards the Cannock Chase SAC from the proposed residential development and that a financial contribution towards the SAMMMs would be required.

A contribution of £1,749 (11 x £159) for the mitigation of any impact from the possible increased recreational use of the SAC by prospective occupiers would therefore be secured by a Section 106 Agreement under the established formula. Natural England concur with this approach contained in the Council's Appropriate Assessment under the Habitat Regulations.

The applicant has agreed with this approach and has provided a draft S106 agreement requiring payment prior to development commencing.

Policies and Guidance: -

National Planning Policy Framework:

Paragraph 174

The Plan for Stafford Borough (TPSB) 2011-2031

N4 The Natural Environment and Green Infrastructure

Policy N6 – Cannock Chase Special Area of Conservation

## 7. Other Planning Obligations

The response from the Sport and Outdoor Leisure Officer indicates in relation to the provision of open space that “due to the size of this development the Council is reasonably entitled to request a quantitative provision of 30.81m<sup>2</sup> per person of open space provision under its current policy. In accordance with the financial contributions guide for new development provision of Open Space and commuted sums, the contribution required for this development should be £10,986.88” and a further £1,428.72 in relation to future maintenance. The applicant has agreed with this approach and has provided a draft S106 agreement requiring payment prior to development commencing.

The Highway Authority response considered above requires a Travel Plan to be submitted and approved prior to the occupation of any unit. It is also made on the assumption that the developer enters into a Section 106 Agreement to secure the following £2,400 capital contribution towards monitoring of the approved Travel Plan Framework to ensure that the desired outcomes are secured once the site has been occupied. The applicant has agreed with this approach and has provided a draft S106 agreement requiring payment prior to occupation.

In relation to education contributions the School Organisation team has confirmed that no education contribution will be requested as it is not our current policy to request a contribution from developments purely consisting of 1 or 2 bed apartments.

It is considered that these contributions are reasonable and necessary, and given that the applicant has agreed to provide them through a S106 Agreement it is clear that they can be secured as part of the development proposals.

Policies and Guidance: -

National Planning Policy Framework: Section 9. Promoting sustainable transport, para 34, 57

The Plan for Stafford Borough (TPSB) 2011-2031

N4 The Natural Environment and Green Infrastructure

Policies T1 Transport, T2 Parking and Manoeuvring Facilities, Appendix B – Car Parking Standards

## Conclusion

In terms of the planning balance, the proposed would enable the re-development of a derelict brownfield site and create 10 units for supported care for disabled persons. It would also create 25 full-time staff and 3 part-time staff and provide a service to the local community. The applicant has already drafted a S106 agreement agreeing to all developer contributions.

In relation to design, it is considered that the overall form of development as proposed in terms of its layout, scale and massing would be consistent with the character of the immediate area, and pattern of development in accordance with Policy N1.

In relation to amenity, it is considered that there would not be any significant harm in regard to the outlook and/or privacy between the three proposed apartments buildings and any

neighbouring property and that the recommendations from Environmental Health would adequately manage noise and disturbance during construction.

In relation to parking and access the Highway Authority do not object to the proposals and therefore it is considered that the proposals are considered acceptable in the context of access and parking and the requirements of Policies T1 Transport, T2 Parking and Manoeuvring Facilities, Appendix B – Car Parking Standards.

In relation to flooding and drainage, subject to the condition that flood levels are raised and pre-commencement conditions regarding drainage are in place, it is considered that the proposals would ensure protection from, and not worsen the potential for flooding in accordance with Policy N2 – Climate Change of the Plan for Stafford Borough and the NPPF.

As such the proposals are considered acceptable subject to the conclusion of a S106 agreement relating to the developer contributions, and a series of pre-commencement conditions discussed above.

## **Consultations**

Environmental Health:

No objections subject to the following conditions:

No objection is made to this application subject to the following conditions made in order to safeguard nearby residential occupiers from undue disturbance during development:

1. No development shall take place until a site specific Construction Environmental Management Plan has been submitted to and been approved in writing by the Council. The plan must demonstrate the adoption and use of the best practicable means to reduce the effects of noise, vibration, dust and site lighting. The plan should include, but not be limited to:

- Procedures for maintaining good public relations including complaint management, public consultation and liaison
- Arrangements for liaison with the Council's Pollution Control Team
- All works and ancillary operations which are audible at the site boundary, or at such other place as may be agreed with the Local Planning Authority, shall be carried out only between the following hours: 08 00 Hours and 18 00 Hours on Mondays to Fridays and 08 00 and 14 00 Hours on Saturdays and; at no time on Sundays and Bank Holidays.
- Deliveries to and removal of plant, equipment, machinery and waste from the site must only take place within the permitted hours detailed above.
- Mitigation measures as defined in BS 5528: Parts 1 and 2 : 2009 Noise and Vibration Control on Construction and Open Sites shall be used to minimise noise disturbance from construction works.
- Procedures for emergency deviation of the agreed working hours.
- Control measures for dust and other air-borne pollutants. This must also take into account the need to protect any local resident who may have a particular susceptibility to air-borne pollutants.
- Measures for controlling the use of site lighting whether required for safe working or for security purposes There should be no burning on site during development

2. Occupation of the proposed development shall not take place until a comprehensive noise management plan has been submitted to and been approved in writing by the Council. The noise management plan must adopt measures to ensure that undue disturbance is not caused to nearby residents from noise generated by service users of the proposed development.

The approved plan shall be implemented prior to the commencement of the use and be permanently maintained thereafter.

#### School Organisation Team:

In response to the above planning application the School Organisation team has the following comments: This development falls within the catchments of John Wheeldon Primary School and Sir Graham Balfour High School. The development is scheduled to provide 12 apartments. No education contribution will be requested as it is not our current policy to request a contribution from developments purely consisting of 1 or 2 bed apartments.

#### Natural England:

No objection. Based on the plans submitted, Natural England considers that the proposed development will not have significant adverse impacts on designated sites and has no objection.

#### Environment Agency:

(30.10.2020) We have reviewed the information submitted and have no objections to the proposed development. We have the following comments to make: The site is located in Flood Zone 2 according to the Environment Agency's Flood Map for Planning (Rivers and Sea). We have reviewed the Flood Risk Assessment (FRA) by RAB Consultants dated 12 October 2020 submitted in support of this application. The proposed development will only meet the requirements of the NPPF if the following planning condition is included: Condition

The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) produced by RAB consultants, Ref: RAB 2517L, Version 2.0, dated 12 October 2020 and the following mitigation measures detailed within the FRA:

A) Finished Floor Levels for units 1-5 shall be set no lower than 78.40m Above Ordnance Datum (AOD).

B) Finished Flood Levels for units 6-10 shall be set no lower than 78.54m (AOD)

These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing / phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

Advice to Applicant: The Environment Agency operates a free flood warning service. The service offers three levels of flood warning and can give the applicant vital time to prepare their property for flooding. Warnings can be received by telephone, text message and email. To sign up call Floodline on 0345 988 1188 or visit [www.gov.uk/flood](http://www.gov.uk/flood).

Housing Strategy and Research Officer:  
No response

Police Advisory Service:  
Technical design advice for the purposes of crime prevention.

Design Officer:

Although I am generally supportive of the overall spatial approach and disposition of built form across the site as it would largely reflect the locally prevalent patterns of urban structure and grain, there are several key elements of the design that are considered to hold the scheme back from being supportable in design terms and which should be reconsidered. While the scale, massing, form and materiality of the new block forming the Sandon Road elevation is considered an appropriate response to the sites context, the building presents an entirely inactive frontage to the street scene and is therefore considered as an inappropriate response. It is acknowledged that the layout of the site would necessitate the servicing of these units from the rear, but these units should also be provided with principle entrances to the Sandon Road street scene. This would provide a far more contextually sensitive and appropriate response.

Highway Authority:

(18.12.2020) There are no objections on Highway grounds to the proposed development subject to the following conditions being included on any approval: -

The proposed use should result in less traffic using the site and the parking is acceptable regarding the Borough Councils guidelines.

The development hereby approved shall not be occupied until the access to the site has been completed.

The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plans.

The development hereby permitted shall not be brought into use until the existing site access, on Sandon Road, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development hereby permitted is permanently closed and the access crossing reinstated as verge/footway.

The development hereby permitted shall not be brought into use until the visibility splays shown on the approved plan have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.

No part of the development permitted by this consent shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including a timetable) to promote travel by sustainable modes which are acceptable to the Local Planning Authority. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of the planning consent to the Local Planning Authority for approval for a period of five years from first occupation of the development permitted by this consent.

Prior to the commencement of any construction, including demolition, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The approved management plan shall include details relating to construction access, hours of construction, routing of HGV's, delivery times and the location of the contractors compounds, cabins, material storage areas and contractors parking and a scheme for the management and suppression of dust and mud from construction activities including the provision of a vehicle wheel wash. It shall also include a method of demolition and restoration of the site. All site operations shall then be undertaken strictly in accordance with the approved CEMP for the duration of the construction programme.

Reasons: In order to minimise the impact of construction activity on the surrounding environment in accordance with section 11 of the National Planning Policy Framework. In the interest of Highway Safety and to comply with The Plan for Stafford Borough 2014

Note to Planning officer: This Form X is issued on the assumption that the developer enters into a Section 106 Agreement to secure the following: £2400 Capital contribution towards monitoring the Travel Plan Framework with Outcomes and Measures (amend as appropriate) - A Travel Plan with Outcomes and Measures Informative The conditions requiring off-site highway works shall require a Minor/Major Works Agreement (delete as appropriate) with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provides a further link to a Minor/Major Works (delete as appropriate) Information Pack and an application form for the Minor/Major Works Agreement (delete as appropriate). Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire ST16 2DH. (or email to [nmu@staffordshire.gov.uk](mailto:nmu@staffordshire.gov.uk))

<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>

The Planting area in front of units 1 to 3 need to be planted with low level shrubs in order that a maximum height of 0.6m can be maintained, for the visibility splays.

Sport and Outdoor Leisure Policy Officer:

With regard to the above mentioned development I wish to submit the following observations that affect the interests of the Sport and Outdoor Leisure. Sports pitch provision and built associated facilities within the area fall short of national standards as identified within the Open Space, Sport and Recreation Facilities Strategy 2009 Assessment and are in need of refurbishment to address significant quality deficiencies. This has been supported by the draft revised 2013 assessment and the Sport and Recreation Investment Strategy 2017. The National Planning Policy Framework, (NPPF) supports the Council current policy by ensuring that all developments are designed to be sustainable both now and in the future. Paragraph 7 states that sustainable developments must support health, social and cultural well-being and contribute to protecting and enhancing the natural environment. Paragraph 69 states planning policies should promote accessible developments with high quality public open space, which encourage the active and continual use of public areas. Paragraph 70 requires planning policies and decisions to plan positively for the provision and use of shared space, community facilities, (such as meeting places and sports venues), to enhance the sustainability of communities and residential environments. The Councils policy reflects this by ensuring that new developments contribute to enhancing or providing green space.



Contributions towards open space: Due to the size of this development the Council is reasonably entitled to request a quantitative provision of 30.81m<sup>2</sup> per person of open space provision under its current policy. In accordance with the financial contributions guide for new development provision of Open Space and commuted sums, the contribution required for this development should be: £10,986.88. In order for developers to calculate the open space requirements, the cost of open space per dwelling is set out below:

Table 1: Open Space requirement per dwelling

Open space required per person (M <sup>2</sup> )	Capital Cost	Onsite Maintenance	Offsite Maintenance
30.81	£915.57	£1,705.60	£119.06

Whilst we would like to have the open space provision onsite in order to provide accessible green space on the doorstep, we recognise the constraints of the site and therefore recommend the open space contribution be towards an existing open space. If the applicant believes some element of communal accessible open space can be provided onsite we would support this. Sports Provision: Due to the specific nature of this proposal we do not seek a sports contribution at this stage. Adoption of footpaths and cycle ways and associated lighting: Sport and Outdoor Leisure will not be seeking the adoption of any footpath or cycle way and associated infrastructure including lighting as part of this development. These paths should be adopted by the County Council who are the Highways authority for the Borough.

Flood Attenuation/Sustainable Drainage Systems: Leisure and Culture inform the applicant of a flood attenuation scheme as a result the Council will not be seeking adoption of any of the open space upon site and alternative management methods must be secured. This should be discussed with Severn Trent Water as we are aware they will be unlikely to adopt the drainage system on the development site. Site planting: All trees should be native to the UK. Sycamore should not be planted under any circumstances. Where trees are planted adjacent to footpaths or hard standing, trees should be planted in tree pits and liner pavement protection should be installed.

Lead Local Flood Authority:

(16.02.202) Thank you for reconsulting us on this application for full planning permission. Our updated response is detailed below. Staffordshire County Council Flood Risk Management position The submitted Sandon Road Stafford Drainage Strategy (Waterco, Rev 01, 21-01-2020) demonstrates that an acceptable drainage strategy can be achieved within the proposed development. However, final full details have not yet been submitted. Therefore, the proposed development will only be acceptable if the final detailed surface water drainage strategy is secured by way of the following pre-commencement planning condition. In addition, a further condition is recommended to ensure that flood risk is not increased during the construction phase. Condition:

No development shall commence until a detailed surface water drainage design has been submitted to and approved by the Local Planning Authority in consultation with the Lead Local Flood Authority. The design must be in accordance with the overall strategy and key design parameters set out in the Sandon Road Stafford Drainage Strategy (Waterco, Rev 01, 21-01-2020). The design must demonstrate:

a) Surface water drainage system(s) designed in accordance with national and local standards, including the non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).

- b) SuDS design to provide adequate water quality treatment in accordance with the Simple Index Approach and SuDS treatment design criteria (The SuDS Manual, CIRIA C753, 2015).
- c) Limiting the discharge rate for all events to 2l/s and provide the attenuation storage necessary to limit flows to 2l/s for all events up to and including the 100-year plus 40% climate change event.
- d) Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 30 year, and 1 in 100 year plus climate change return periods.
- e) Evidence of a connection agreement where applicable and compliance with the drainage hierarchy.

(18.11.2020)

Staffordshire County Council Flood Risk Management position. There is insufficient detail to demonstrate that an acceptable drainage strategy is proposed and that the risk of flooding has been properly considered. We would therefore recommend that planning permission is not granted.

Reason. The proposed development may present risks of flooding on-site and/or off-site if surface water runoff is not effectively managed. The absence of an adequate drainage strategy is therefore sufficient reason in itself for a refusal of planning permission. We ask to be reconsulted with the results of a surface water drainage strategy. Our objection will be maintained until an adequate analysis has been submitted.

Neighbours (56 notified): 3 letters of support were received together with 7 letters of objection.

The matters raised in relation to the objections were:

That the proposals would lead to loss of daylight as a result of close proximity to existing dwellings, that the development would have an adverse impact on parking because of the lack of on-street car parking, it would be create adverse noise, it would be in-compatible with other adjacent land uses and add to existing social problems in the wider area.

Site Notice:

Expiry date: 03.11.2020

Advert:

Expiry date: 25.11.2020

### **Relevant Planning History**

17/25523/OUT - Construct up to 11 apartments (outline) – Approved 8 August 2017

13/19614/OUT – Residential Development (outline) – Approved 17 March 2014

00/39875/FUL – Proposed Extension To Retail Sales - Approved 31 January 2000

## Recommendation

Approve subject to the following conditions:

1. 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.
2. This permission relates to the submitted details and specification and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-  
  
 Existing Site Plan, Ref: JPK/20/4436/1 (Scale 1:250)  
 Proposed Site Plan, Ref: JPK/20/4436/2 Rev E (Scale 1:250)  
 Planning Drawing Units 1-3 Elevations and floor plan, Ref: JPK/20/4461/3 Rev C (Scale 1:100)  
 Planning Drawing Units 4-5 and Staff Units Elevations and floor plan, Ref: JPK/20/4461/4 Rev B (Scale 1:100)  
 Planning Drawing Units 6-10 Elevations and floor plan, Ref: JPK/20/4461/5 Rev B (Scale 1:100)  
 Location Plan Rev A (Scale 1:1250) received 14.10.2020  
 Block Plan inc vis splay Rev C (Scale 1:500) received 26.11.2020  
 Sandon Road Stafford Drainage Strategy (Waterco, Rev 01, 21-01-2020)
3. The development hereby permitted shall not be brought into use until the access, parking, servicing and turning areas have been provided in accordance with the approved plans.
4. The development hereby permitted shall not be brought into use until the existing site access, on Sandon Road, which shall include the access crossing between the site and carriageway edge made redundant as a consequence of the development hereby permitted is permanently closed and the access crossing reinstated as verge/footway.
5. The development hereby permitted shall not be brought into use until the visibility splays shown on the approved block plan (received 26.11.2020) have been provided. The visibility splay shall thereafter be kept free of all obstructions to visibility over a height of 600 mm above the adjacent carriageway level.
6. No part of the development permitted by this consent shall be occupied until a Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall set out proposals (including a timetable) to promote travel by sustainable modes which are acceptable to the Local Planning Authority. The Travel Plan shall be implemented in accordance with the timetable set out in that plan unless otherwise agreed in writing by the Local Planning Authority. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of the planning consent to the Local Planning Authority for approval for a period of five years from first occupation of the development permitted by this consent

7. Prior to the commencement of any construction, including demolition, a Construction Environmental Management Plan (CEMP) shall be submitted to, and approved in writing by, the Local Planning Authority. The approved management plan shall include details relating to construction access; hours of construction; routing of HGV's; delivery times and the location of the contractors compounds cabins; material storage areas and contractors parking; a scheme for the management and suppression of dust, other air-borne pollutants and mud from construction activities including the provision of a vehicle wheel wash. It shall also include a method of demolition and restoration of the site, procedures for maintaining good public relations including complaint management, public consultation and liaison, arrangements for liaison with the Council's Pollution Control Team; noise mitigation measures; measures for controlling the use of site lighting whether required for safe working or for security purposes. All site operations shall then be undertaken strictly in accordance with the approved CEMP for the duration of the construction programme.
  
8. No development shall commence until a detailed surface water drainage design has been submitted to and approved by the Local Planning Authority in consultation with the Lead Local Flood Authority. The design must be in accordance with the overall strategy and key design parameters set out in the Sandon Road Stafford Drainage Strategy (Waterco, Rev 01, 21-01-2020). The design must demonstrate:
  - a) Surface water drainage system(s) designed in accordance with national and local standards, including the non-statutory technical standards for sustainable drainage systems (DEFRA, March 2015).
  - b) SuDS design to provide adequate water quality treatment in accordance with the Simple Index Approach and SuDS treatment design criteria (The SuDS Manual, CIRIA C753, 2015).
  - c) Limiting the discharge rate for all events to 2l/s and provide the attenuation storage necessary to limit flows to 2l/s for all events up to and including the 100-year plus 40% climate change event.
  - d) Detailed design (plans, network details and calculations) in support of any surface water drainage scheme, including details on any attenuation system, and the outfall arrangements. Calculations should demonstrate the performance of the designed system for a range of return periods and storm durations inclusive of the 1 in 30 year, and 1 in 100 year plus climate change return periods.
  - e) Evidence of a connection agreement where applicable and compliance with the drainage hierarchy.
 Development shall only commence in accordance with the approved details and shall be thereafter retained.
  
9. The development shall be carried out in accordance with the submitted Flood Risk Assessment (FRA) produced by RAB consultants, Ref: RAB 2517L, Version 2.0, dated 12 October 2020 and the following mitigation measures detailed within the FRA:
  - A) Finished Floor Levels for units 1-5 shall be set no lower than 78.40m Above Ordnance Datum (AOD).
  - B) Finished Flood Levels for units 6-10 shall be set no lower than 78.54m (AOD)
 These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing / phasing arrangements

embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the local planning authority. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development

10. Occupation of the proposed development shall not take place until a comprehensive noise management plan has been submitted to and been approved in writing by the Council. The noise management plan must adopt measures to ensure that undue disturbance is not caused to nearby residents from noise generated by service users of the proposed development. The approved plan shall be implemented prior to the commencement of the use and be permanently maintained thereafter.
11. Notwithstanding any description/details of external materials in the application documents and before any above ground construction works are commenced , samples of the materials to be used in the construction of the external wall(s) and roof(s) of the building(s) shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be implemented in accordance with the approved details unless alternative materials are otherwise first approved in writing by the Local Planning Authority.
12. No above ground construction works shall take place until details of hard landscape works have been submitted to and approved in writing by the local planning authority. Such details shall include means of enclosure and hard surfacing materials. The approved hard landscaping works shall thereafter completed prior to the occupation of the development.
13. No building or use hereby permitted shall be occupied or the use commenced until there has been submitted to and approved in writing by the Local Planning Authority a scheme of soft landscaping. The approved scheme shall be implemented so that planting is carried out no later than the first planting season following the occupation of the building(s) or the completion of the development whichever is the sooner. All planted materials shall be maintained for five years and any trees or plants removed, dying, being damaged or becoming diseased within that period shall be replaced in the next planting season with others of similar size and species to those originally required to be planted unless the council gives written consent to any variation.
14. No development shall take place until full details of the finished levels, above ordnance datum, of the ground floor(s) of the proposed building(s), in relation to existing ground levels have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved levels.

15. The first floor west facing bedroom window to serve Unit 3, hereby permitted shall not be occupied until the window has been fitted with obscured glazing, and no part of that window that is less than 1.7 metres above the floor of the room in which it is installed shall be capable of being opened. Details of the type of obscured glazing shall be submitted to and approved in writing by the local planning authority before the window is installed and once installed the obscured glazing shall be retained thereafter.
16. All construction works, including demolition and associated deliveries to the site shall only take place between the hours of 8.00am and 6.00pm Monday to Friday; 8.00am to 2.00pm Saturdays and not at all on Sundays or bank holidays.

The reasons for the Council's decision to approve the development subject to the above conditions are:

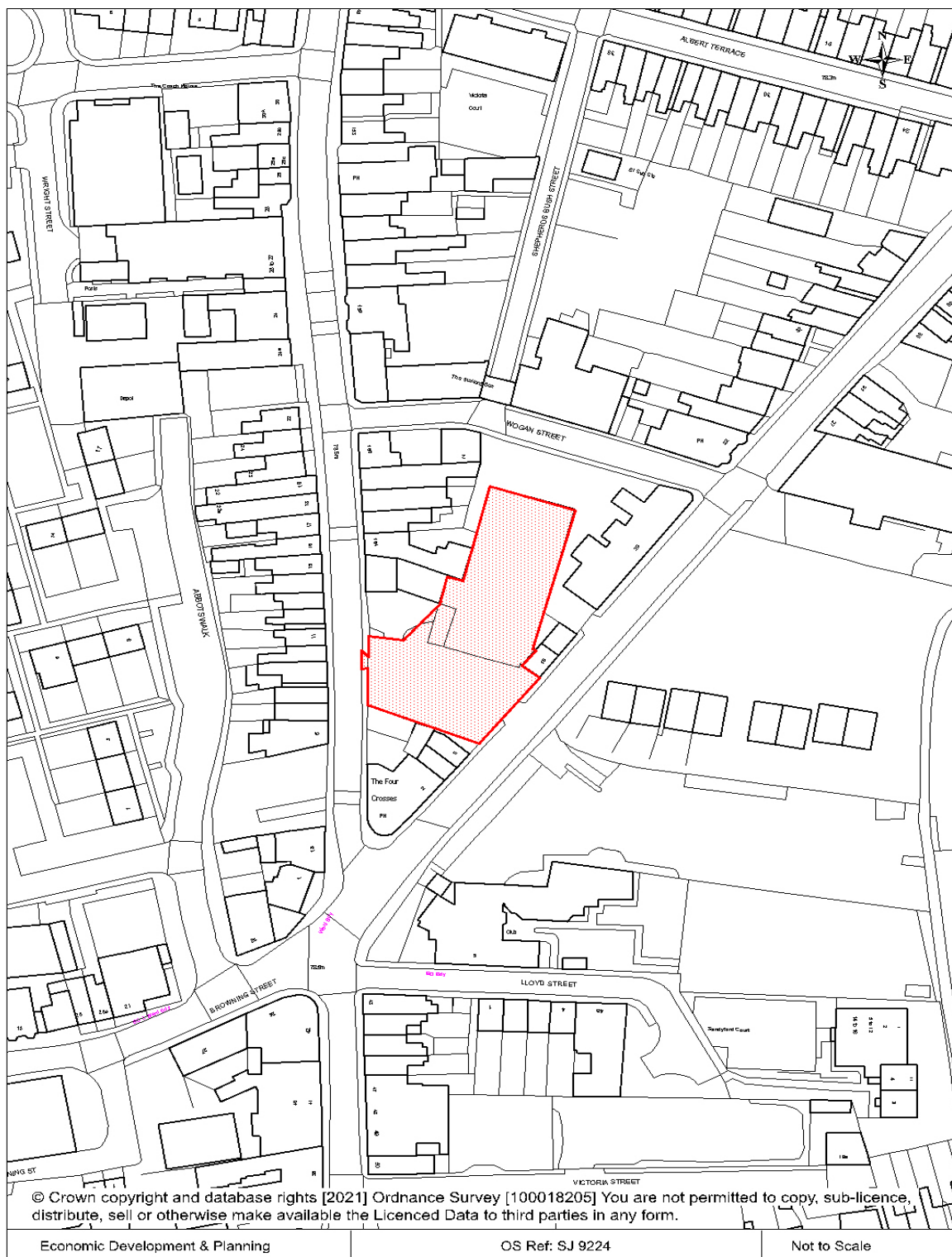
1. To comply with the requirements of Section 51 of the Planning and Compulsory Purchase Act 2004.
2. To define the permission.
3. In the interests of the safety and convenience of users of the highway and to comply with Policy T1c of The Plan for Stafford Borough.
4. In the interests of the safety and convenience of users of the highway and to comply with Policy T1c of The Plan for Stafford Borough.
5. In the interests of the safety and convenience of users of the highway and to comply with Policy T1c of The Plan for Stafford Borough.
6. In the interests of the safety and convenience of users of the highway and to comply with Policy T1c of The Plan for Stafford Borough.
7. In the interests of the safety and convenience of users of the highway and to comply with Policy T1c of The Plan for Stafford Borough.
8. To minimise the risk of flooding and to comply with Policy N2 of The Plan for Stafford Borough.
9. To reduce the risk of flooding to the proposed development and future occupants and to comply with Policy N2 of The Plan for Stafford Borough.
10. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1e of The Plan for Stafford Borough).
11. To ensure the satisfactory appearance of the development (Policies N1 g and h of The Plan for Stafford Borough).

12. To ensure the satisfactory appearance of the development and to ensure an adequate level of privacy for occupiers of the proposed and adjacent dwellings. (Policies N1 e, g, and h of The Plan for Stafford Borough).
13. To protect and enhance the character of the site and the area, and to ensure the satisfactory appearance of the development and to ensure an adequate level of privacy for occupiers of the proposed and adjacent dwellings. (Policies N1 e, g, and h of The Plan for Stafford Borough).
14. To ensure the satisfactory appearance of the development and to protect amenity of neighbouring occupiers (Policies N1 g and h of The Plan for Stafford Borough).
15. To limit direct overlooking, to protect amenity of neighbouring occupiers and to comply with Policies N1 g and h of The Plan for Stafford Borough.
16. To safeguard the occupiers of nearby residential properties from undue noise and general disturbance. (Policy N1e of The Plan for Stafford Borough).

#### Informative(s)

- 1 In accordance with the requirements of Article 31 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2010, as amended, and the National Planning Policy Framework 2021, the Council has worked in a positive and proactive way in determining the application and has granted planning permission.
- 2 The conditions requiring off-site highway works shall require a Minor/Major Works Agreement (delete as appropriate) with Staffordshire County Council and the applicant is therefore requested to contact Staffordshire County Council in respect of securing the Agreement. The link below provides a further link to a Minor/Major Works (delete as appropriate) Information Pack and an application form for the Minor/Major Works Agreement (delete as appropriate). Please complete and send to the address indicated on the application form which is Staffordshire County Council at Network Management Unit, Staffordshire Place 1, Wedgwood Building, Tipping Street, STAFFORD, Staffordshire ST16 2DH. (or email to [nmu@staffordshire.gov.uk](mailto:nmu@staffordshire.gov.uk))  
<http://www.staffordshire.gov.uk/transport/staffshighways/licences/>
- 3 The landscaped area detailed as planting in front (west) of units 1 to 3 need to be planted with low level shrubs in order that a maximum height of 0.6m can be maintained, for the associated visibility splays to and from the application site.

**20/33158/FUL**  
**Site Of Former Truview**  
**12 Sandon Road**  
**Stafford**





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PLANNING COMMITTEE – 18 AUGUST 2021

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**Ward Interest - Nil**

**Planning Appeals**

*Report of Head of Development*

**Purpose of Report**

Notification of new appeals and consideration of appeal decisions. Copies of any decision letters are attached as an **APPENDIX**.

**Decided Appeals**

<b>Application Reference</b>	<b>Location</b>	<b>Proposal</b>
<b>20/32426/FUL Appeal Dismissed</b>	73 Oxford Gardens Stafford	Replace existing garage with a self contained one bedroom flat

**Previous Consideration**

Nil

**Background Papers**

File available in the Development Management Section

**Officer Contact**

John Holmes, Development Manager Tel 01785 619302



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## Appeal Decision

Site Visit made on 29 June 2021

**by Benjamin Clarke BA (Hons.) MSc MRTPI**

**an Inspector appointed by the Secretary of State**

**Decision date: Tuesday, 03 August 2021**

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**Appeal Ref: APP/Y3425/W/21/3267719**

**73 Oxford Gardens, Stafford, Staffordshire ST16 3JB**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Mr R. Dixon against the decision of Stafford Borough Council.
  - The application Ref 20/32426/FUL, dated 20 May 2020, was refused by notice dated 27 July 2020.
  - The development proposed is to replace existing garage with a self-contained one bedroom flat.
- 

### Decision

1. The appeal is dismissed.

### Procedural Matter

2. The Government published the latest version of the National Planning Policy Framework (the Framework) on the 20 July 2021. However, given the issues raised in this appeal, I do not believe it would cause prejudice to any party to proceed with reference to the new Framework.

### Main Issue

3. The main issue in this appeal is the effect of the development upon the character and appearance of the surrounding area.

### Reasons

4. The appeal site consists of an end of terrace dwelling located at the junction of Oxford Gardens and Freeman Street. The existing dwellings are arranged in a linear form and constructed to traditional designs. Furthermore, garden lengths are consistent. To the rear of the appeal site is a further road. From this road, there are pedestrian accesses to other residential areas. In addition, there is a school near to the appeal site.
5. The proposed development would create a detached, single storey, dwelling to the rear of the existing building that would face Freeman Street. The proposed development would therefore appear discordant given that it would be constructed in a style of architecture that diverges from the traditional style of architecture that is prevalent in the surrounding area. This would occur irrespective of the materials from which the building is constructed.
6. The proposed development would have a much smaller garden than those present in the surrounding area. This also creates an incongruous form of development given that a significant proportion of the neighbouring dwellings

- have gardens of a consistent length. The additional boundary treatments would contribute to a cramped form of development.
7. These matters give rise to concerns given the prominence of the appeal site. Views of the front elevation of the proposed dwelling would be possible from the junction between Freeman Street and Oxford Gardens. In addition, the development would be viewable from the road that runs to the rear of the appeal site.
  8. This road is hard surfaced, has road markings and provides pedestrian access to other residential areas. The appeal site is near to a school. Therefore, views of the proposed development would also be visible through a gate of the school. Therefore, the proposed development would have the potential to be experienced by a greater number of people rendering it strident.
  9. My attention has been drawn to a garage at the nearby 75 Oxford Gardens. Whilst this has similar proportions to the appeal proposal, it has a different design given its use as an ancillary garage. Furthermore, as an ancillary garage, it has not resulted in a subdivision of the plot. In result, the proposed development would give rise to different effects.
  10. I have also been referred to an outbuilding elsewhere in Oxford Gardens. However, whilst this has a similar footprint to the appeal proposal, it has a different design. In result, its more open character means that it does not have the same effects as the appeal scheme would have.
  11. My attention has also been drawn to an extension at 75 Oxford Gardens. I do not have the full information regarding the planning circumstances of this, which lessens the amount of weight that can be attributed to it. However, I note that the service road to the rear of this property does not directly lead to other residential areas and there is no school adjacent to it. In consequence, I find that this existing development is less prominent than the appeal proposal would be. In consequence, the presence of a development elsewhere does not overcome my previous concerns.
  12. I therefore conclude that the proposed development would have an adverse effect upon the character and appearance of the surrounding area. The development, in this regard, would conflict with Policy N1 of the Plan for Stafford Borough (2014). Amongst other matters, this requires that developments have high design standards that have regard to the local context.

### **Other Matters**

13. I understand that there is an extant permission for a garage at the appeal site. However, this would have a different appearance and layout to the scheme before me. The development would create an additional dwelling, although such benefits would be limited by reason of the scale of the development. I therefore find that these points do not outweigh my previous conclusions.
14. The proposed development would not have an adverse effect upon the living conditions of the occupiers of neighbouring properties. Whilst a matter of note, this is only one of all the matters that must be considered. It therefore does not overcome my findings in respect of the main issue.

15. The development would increase the level of natural surveillance of Freeman Street. Whilst this would be of some benefit, it does not overcome the previously identified adverse effects.
16. The appeal site is within 15km of the Cannock Chase Special Area of Conservation (the SAC). However, as I have found harm arising from the main issue, I do not need to further consider the effects of the development upon the SAC.

### **Planning Balance and Conclusion**

17. The proposal would therefore have an adverse effect upon the character and appearance of the surrounding area. The scheme would therefore conflict with the development plan taken as a whole. There are no material considerations, including the National Planning Policy Framework, that indicate the decision should be made other than in accordance with the development plan. Therefore, for the preceding reasons, I conclude that the appeal should be dismissed.

*Benjamin Clarke*

INSPECTOR