

Dear Members

Special Planning Committee (Large Scale Major Application) (1)

A special meeting of the Planning Committee will be held in the **Council Chamber, Martin Street, Stafford** on **Wednesday 12 April 2023** to deal with the business as set out on the agenda.

Please note that this meeting will be recorded.

The Committee will meet at the **rear of the Civic Centre** and depart at **9.30 am** to visit the site as set out in the agenda and re-convene at the **County Buildings, Martin Street, Stafford** at approximately **12 noon** to determine the application.

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

**SPECIAL PLANNING COMMITTEE
(LARGE SCALE MAJOR APPLICATION) (1)
12 April 2023**

**Chairman - Councillor E G R Jones
Vice-Chairman - Councillor P W Jones**

AGENDA

1	Apologies	
2	Declaration of Member's Interests/Lobbying	
3	Planning Applications	Page Nos 3 - 39

MEMBERSHIP

Chairman - Councillor E G R Jones

F Beatty
A G Cooper
A P Edgeller
A D Hobbs
J Hood
E G R Jones

P W Jones
B McKeown
A Nixon
G P K Pardesi
C V Trowbridge

SPECIAL PLANNING COMMITTEE (1) - 12 APRIL 2023

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**:-

	Page Nos
22/36791/FUL Hmyoi Drake Hall, Swynnerton Road, Sturbridge Stafford, Staffordshire, ST21 6LQ	4 - 39
<p>This application has been referred to the Planning Committee because the development is a large scale major application</p> <p>Officer Contact - Richard Wood, Development Lead Telephone 01785 619324</p>	

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.

Application:	22/36791/FUL
Case Officer:	Alfia Cox
Date Registered:	20 December 2022
Target Decision Date:	21 March 2023
Extended To:	
Address:	Hmyoi Drake Hall, Swynnerton Road, Sturbridge, Stafford Staffordshire, ST21 6LQ
Ward:	Eccleshall
Parish:	Eccleshall
Proposal:	Construction of three new closed houseblocks and one new open houseblock; demolition works; internal fence alterations; PV panels; extensions to carparks; one new Offender Management Unit; two plantrooms, relocation of the Farms and Gardens compound and ancillary development
Applicant:	Ministry Of Justice
Recommendation:	Delegated authority to approve, subject to conditions and to the completion of planning obligation to pay the fee of £10,000 towards monitoring of the Travel Plan.

REASON FOR REFERRAL TO COMMITTEE

The planning application is a large scale major development and as such is excluded from the Council's scheme of delegation and therefore requires determination by the Planning Committee.

1.0 CONTEXT

SITE AND SURROUNDINGS

- 1.1 The application site is situated within the existing grounds of the HMP Drake Hall in Eccleshall, which occupies an area of 8ha of land, including areas both within and outside of the existing perimeter fence line.
- 1.2 The HMP Drake Hall is a young offender institution and prison for women aged 18 and over. HMP Drake Hall is currently a training and resettlement prison for adult and young adult women. It specialises in foreign national prisoners and in resettlement.

- 1.3 The site is located approximately 1.9km northeast of the village of Eccleshall and approximately 8.5km north-west of Stafford. To the south-east HMP Drake Hall is bounded by Swynnerton Road. The north-eastern boundary, the site runs parallel to Hilton Drive, is screened by a belt of evergreen trees.
- 1.4 The site is accessed from Swynnerton Road which provides two points of access into the prison on the southern boundary. There are two parking areas which are situated within the main grounds of the prison, with an additional area on opposite side of the prison.
- 1.5 HMP Drake Hall is set within the open countryside and predominantly surrounded by fields in agricultural use. The prison secure area is enclosed by 5.2m high perimeter fence with a solid panel for the lower 2.4m
- 1.6 The nearest residential properties to both the south- western and north-eastern corners of the site. The residential property No. 1 Badenhall Cottages is the nearest house and sited 13m north-west from the site boundary, beyond that is the adjoining semi-detached dwelling and Sleepy Hollow Plant Nursery with the associated agricultural fields and Eagle Park's football pitches. The residential property Hunter's Moon is to the south-west and shares the boundary with the prison. Beyond that is the residential amenities of Field Cross set 200m away from the site boundary and Raleigh Hall Industrial Estate which is some 240m away from the application site boundary. On the opposite side of Swynnerton Road and opposite to Hunter's Moon is Elverra Stud, which is also a residential dwelling.
- 1.7 Whilst the prison occupies a large area, the existing buildings on site are 2 and 3 storey in height.
- 1.8 There are no heritage assets within the site boundary site. The nearest Listed asset is Baden Hall, approximately 800m to the northeast of the prison. Baden Hall is Grade II Listed.
- 1.9 The site lies within Flood Zone 1, which is categorised as less than 1 in 1,000 annual probability of flooding.

PROPOSAL

- 1.10 Permission is sought to increase the prison population by 103 persons. The proposed operational capacity within the secure boundary would increase from 340 to 418 persons and open facility would increase from 25 to 50 persons.
- 1.11 The proposal is primarily construction of 4no. new houseblocks (3no. Closed and 1no. Open).
- 1.12 The following is also proposed:
 - Demolition of existing training unit to enable the erection of 1no. new open houseblock
 - New Offender Management Unit
 - Internal fence alterations

- Photovoltaic Panel (PV) to support the new houseblocks
- A new Offender Management Unit
- 2 new mist tanks
- Extensions to the existing car parks to provide an additional 29 car parking spaces (8 to the western and 21 to the eastern carparks) and
- Relocation of the existing Farm and Gardens compound, which would also include 2no. stables, a classroom, glasshouse and 2No. polytunnels.

Closed Houseblocks

- 1.13 The proposed three closed houseblocks would provide 78 additional bed spaces (26 women per unit). All three houseblocks would be two storey in height with an additional rooftop plant storey and would be within the secure boundary of the prison on the northern periphery of the site. All three buildings would measure approx.. 9m in height with an additional 2.6m high roof top plant. They would be identical in form and appearance, would have a staggered footprint measuring approx.. 574m².
- 1.14 Each houseblock would have communal rooms, communal laundry, quiet activity rooms, kitchen, education room, quiet rooms for semiprivate group work, a multi-function room and bathroom facilities for residents on both ground and first floor levels. On each floor there would be 1 x double bedroom with ensuite, 10 x standard bedrooms with ensuites and 1 x wheelchair accessible bedroom with ensuite. Also additional facilities would include a health suite consisting of consultants room, drug dispensary room and dispensing booth, a servery and wash down facility to serve the canteen.
- 1.15 The roof plant room would contain equipment requiring fresh air, with additional plant rooms on the floors below; the roof top plant room would be enclosed in louvres.
- 1.16 The finishing materials include cladding to the façade, metal louvred cladding to the roof top plant room and solid cladding to the parapet. Solar PV panels are proposed on the roofs.
- 1.17 The new houseblocks would be designed and built to high sustainable standards to achieve at least BREEAM 'Excellent' certification.

Open Houseblock

- 1.18 The open houseblock would provide capacity for 25 people and would be positioned outside the secure boundary of the prison on the eastern boundary; this houseblock would necessitate the demolition of the existing training centre.
- 1.19 The building would also be two-storey, with a flat roof and have enclosed roof top plant. The building would measure approx.. 9.3m in height with the additional louver screening the plant room measuring 2.6m. The houseblock is arranged in a H-shape which provides natural shading to the curtain walling at the central lobby and entrance without completely blocking natural daylight. The footprint of the building would measure approximately 488m². Similar to the closed houseblocks, the open

block would have solar PV panels on the roofs. The finishing materials are similar to those which are to be used in the construction of the closed blocks.

- 1.20 The difference between the use of the closed and open houseblocks is that the residents of the open block would have allowance to leave the open site unattended for limited reasons; primarily for attending a work placement in the local community. Otherwise, they would be escorted by a suitable person from the establishment, such as to attend doctor's appointment or specialist appointment either locally or within the secure establishment.

New Offender Management Unit

- 1.21 This would be a single storey unit with flat roof and rectangular in shape. It would measure approx.. 17m in length, 5m in width and 2.6m in height. The unit would be sized to accommodate 10no. staff desks, 1 interview room, a small tea point and unisex toilet. The external walls will be finished in cladding, with openable windows and secure doorsets. It would be accessed via a ramped entrance and have solar panels on the roof.

Plantrooms

- 1.22 There would be two new plantrooms installed within the secured prison grounds. These would be identical structures each measuring 2.7m in height, 2.7m in length and 4.7m in width. The structures would be installed on concrete pads.
- 1.23 The submitted site layout plans also identify a new transformer and generator unit. This would measure 3.5m in height, 11m in length, 3.2m in width.

Car Parking Extension

- 1.24 The existing car parking provision would be extended in order to support the increased staff numbers. In total there would be 29 new parking bays proposed, of which 2 would be wheelchair accessible and 6 would be provided with an electric car charging points.
- 1.25 The additional parking bays would be provided following removal of all redundant areas. As the result the North car park would be replanned to provide the existing number and an addition 21 parking bays. The South car park would provide 8 additional parking bays.

Farms and Gardens

- 1.26 As the result of construction of the new closed houseblocks, the existing Farms and Gardens enclosure would be relocated to the south-west of the prison grounds. The items that would be relocated include:
- 1no. structure containing staff office, classroom and toilets
 - 1no. Greenhouse
 - 2no. Polytunnels
 - 3no. stables

- Fuel store, vehicle store and equipment store.

PV Panels

1.27 The proposal also entails the following:

- Photo Voltaic (PV) panels which would be mounted on the existing building adjacent to the closed and open houseblocks. Also the PV panels are proposed to be mounted on a frame above parking bays within the existing car park.
- The flat sections of the roofs of the new houseblocks would also feature PV panels

The following information has been submitted in support of the application:

- Design and Access Statement
- Planning Statement
- Drainage Statement
- Noise Assessment
- Bat Survey
- Heritage Impact Assessment
- Arboricultural Survey
- Landscape and Visual Assessment
- Transportation Assessment and Travel Plan

OFFICER ASSESSMENT – KEY CONSIDERATIONS

Section 70 of the Town and Country Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act (2004) set out that the determination of applications must be made in accordance with the development plan, unless material considerations indicate otherwise. The development plan comprises of The Plan for Stafford Borough 2011-2031 of The Plan for Stafford Borough Part 2 2011-2031.

The main planning considerations area as follows:

- Principle of Development
- Scale, Appearance and Visual Impact
- Residential Amenity, including Fear of Crime
- Highway safety/Transport
- Trees and Biodiversity
- Flood Risk and Drainage
- Sustainability / Renewable Energy

2.0 PRINCIPLE OF DEVELOPMENT

2.1 Spatial Principle (SP) 1 of the Plan for Stafford Borough (TPSB) reinforces the presumption in favour of sustainable development as set out in paragraphs 8, 10 and 11 of the National Planning Policy Framework (NPPF).

- 2.2 SP3 then sets out where the majority of future development will be delivered within the Borough in terms of a Sustainable Settlement Hierarchy which consists of Stafford, Stone and 11 Key Service Villages (KSV's).
- 2.3 Spatial Principle 7 (Policy SP7) of the Local Plan seeks to deliver sustainable development that accords with the settlement strategy for the Borough.
- 2.4 The TSPB does not have a specific policy which deals with public service infrastructure, such as criminal justice accommodation. However, policy SP7 can be applied in this case as it supports new development located outwith Settlement Boundaries and within the open countryside and can broadly be applied in this case.
- 2.5 Policy SP7 is relevant as it support new development located outwith Settlement Boundaries if the following criteria applies:
- (i) *If located within the Green Belt, it is consistent with national policies for the control of development, and Policy E5;*
 - (ii) *It is consistent with the objectives of Spatial Principles SP6, Policies E2 and C5 in supporting rural sustainability;*
 - (iii) *It does not conflict with the environmental protection and nature conservation policies of the Plan;*
 - (iv) *Provision is made for any necessary mitigating or compensatory measures to address any harmful implications ...*
- 2.6 Policy SP7 also directs the new development to be located within brownfield and only where insufficient sites on previously development land are available, should the greenfield sites be released. Amongst other requirements, policy SP7 advises that developments should be accessible and related to existing facilities, should not impact adversely on the special character of the area, including protecting open views, all designated heritage assets and appropriately addressing the finding of the Landscape Character Assessment and enhancing particular of the landscape policy zone.
- 2.7 Policy E2 can be applied to the proposal in broad terms as it relates to sustainable rural development by encouraging a number of mechanisms.
- 2.8 Policy C5 is not relevant to the proposal as it deals with residential proposal outside the settlement hierarchy.
- 2.9 Paragraph 96 of the Framework states that local planning authorities should work proactively and positively to plan for public service infrastructure, such as criminal justice accommodation, and resolve key planning issues before submission. This is to ensure the faster delivery of public service infrastructure.
- 2.10 The submitted Planning Statement highlights the on-going demand for prison places and notes that:
- “The prison population is currently forecast to increase over the next 10 years. The MoJ and its executive agency, Hi Majesty’s Prison and Probation Service (HMPPS)*

is embarking on an ambitious programme of prison expansion in over a century, delivering over 20,000 additional prison places through a portfolio of programmes and projects, including the 10,000 Additional Prison Places Programme, first announced by the Prime Minister in August 2019.... As part of this programme a need has been identified to provide additional accommodation within the women's estate providing up to 500 new prison places. These will be delivered through a mix of open and closed provision at existing women's prisons. 103 prison places will be delivered at HMP Drake Hall. "

- 2.11 To that end, permission is sought for the construction of 4 houseblocks to provide criminal justice accommodation for 103 prisoners, new offender management unit, along with the proposed extension to the existing car park (29 car parking spaces). The proposal would only be delivered within the existing prison grounds.
- 2.12 The application site is located outside the settlement boundary and classified as open countryside and therefore is not considered to be a sustainable location. The nearest settlement is Eccleshall, which is identified as a Tier 3 settlement with paragraph 2.48 of the Part 2 of the TPSB describing Eccleshall as one of the larger Key Services Villages. The site is about 2km north-east of Eccleshall settlement boundary.
- 2.13 Whilst the application site is situated within HMP Drake Hall grounds, with the immediate surrounding within the prison compound characterised by built form, the site location itself is not sustainable as it is isolated from the established settlement boundary. Although the wider demands for an increase in criminal justice accommodation and the national policy support for enhanced public service infrastructure is recognised, nevertheless, the proposal would lead to intensifying use of the site, would increase trips to and from the site as the result of additional staff in attendance.

Policies and Guidance:-

National Planning Policy Framework:

Part 2 – Achieving sustainable development

Part 8 – Promoting healthy and safe environment

The Plan for Stafford Borough (Part 1):

The Plan for Stafford Borough - Policies

SP1 Presumption in Favour of Sustainable Development

SP3 Sustainable Settlement Hierarchy

SP7 Supporting the Location of New Development

The Plan for Stafford Borough (Part 2)

3. Scale, Appearance and Visual Impact

- 3.1 Chapter 12 of the NPPF sets out the overarching principles for achieving well-designed places. Paragraph 126 of the NPPF sets out that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Paragraph 134 directs refusal

of poorly designed development that fails to reflect local design policies and guidance. The paragraph further states that significant weight should be given to development that reflect local design policies and guidance which promote a high level of sustainability.

- 3.2 Policy N1 of TPSB requires new development demonstrate a high quality design standards. The policy sets out the general criteria for development proposals, including the requirement that all proposals be well sited and of a scale, design, appearance that is sympathetic taking into account the local character, context, density and landscape, as well as complementing the biodiversity of the surrounding area, including the use of locally distinctive materials.
- 3.3 Policy N8 of TPSB ensures that all development proposal are informed by, and sympathetic to, landscape character and quality in the context of the Staffordshire Landscape Character Assessment.
- 3.4 Policy N9 ensures that all proposals sustain and where appropriate enhance heritage assets and their setting.
- 3.5 The application site area is measured 8ha; however the proposal does not span this entire area of HMP Drake hall and relates to the construction of a total of five buildings within this wider perimeter along with two plantrooms, relocation of the farm and garden compound, construction of ancillary structures and the hardstanding for the car park.
- 3.6 All three closed houseblock accommodations would be identical in scale and appearance and, based on the submitted plans, each building would measure:
- Height: 12m, measured together with additional louver screening to the plantrooms;
 - Width: 14m
 - Length: 46m.

The open block accommodation would measure:

- Height: 13m, measured together with additional louver screening to the plantrooms;
- Width: 20m
- Length: 32.6m

The new Offender Management unit:

- Height: 2.6m
- Width: 5m
- Length: 17.3m.

- 3.7 The three closed block units would be set within the context of the existing prison development which is made of a number of buildings of a similar height and scale. The three buildings would be sited parallel to one another, and replace the existing Farm and Garden features. These would be partially screened both by the 5.2m high prison perimeter fence. The new buildings would still appear higher than the existing prison units, with the top sections projecting above the boundary fence. Having said this, there would be limited views of these buildings when seen from

south along Swynnerton Road and the views of the units would be particularly prominent from west and north and across the open fields and public rights of ways; all to the rear of the prison site.

- 3.8 The proposed open block would be outside the existing perimeter fence line and would be constructed following the demolition of the existing single storey training centre and reconfiguration of both northern and southern car parks. Due to its location, footprint and height, the unit would be the most prominent feature when viewed along the footway along adjacent highway network in comparison to the existing development within this very location, bringing the built form higher and closer to Swynnerton Road. Judging from the submitted photomontages, the open block unit would appear as a heavy wall development and as a large and dominant structure along Swynnerton Road. The views from Swynnerton Road would be partially mitigated by the well established roadside vegetation restricting visibility of the building. It is anticipated however, that during the winter times, filtering would be reduced and the proposed open houseblock unit would be more visible.
- 3.9 In terms of wider landscape considerations, the application is supported by a Landscape and Visual Impact Assessment (LVIA) which set out the detailed impact assessment of the proposal in this regard. The LVIA finds that the proposal would not have any adverse impacts on the key characteristics of wider countryside landscape, namely 'Settled Farmlands' as described in Chapter 2: Regional Character Area 61 – Staffordshire Plain of the adopted 'Staffordshire Planning for Landscape Change and Character Assessment'. However, there would be a slight increase of built form noted when viewed from Public Rights of Way (PRoW) 'SF Eccleshall CP 22' (to the west of the site) and 'SF Eccleshall CP31' (north-east of the site). Based on the photomontages provided the new blocks would be noticeable when viewed from the distant public views resulting in small adverse effects on these views anticipated to range from slight magnitude to minor significance. With the perimeter fencing providing a degree of screening to the closed unit houseblocks and given that the open houseblock seen in the context of the existing prison development, the changes to the landscape as the result of all four buildings would be limited and neutral. In this regard, it could be accepted that the scale and nature of the development would be in keeping with the exiting land use of the prison complex.
- 3.10 The site is not within a conservation area and the nearest designated heritage asset is the grade II listed Baden Hall approximately 750m south-east of Drake Hall. There is a mature tree belt located to the southern boundary of the Baden Hall Fisheries, which provides ample screening of the application site.
- 3.11 The NPPF in paragraph 199 states that when considering the impact of a proposal on the significance of designated heritage asset, great weight should be given to the asset's conservation. The NPPF in paragraph 202 advises that any harm to heritage assets should be weighed against the public benefits of a proposal.
- 3.12 In line with paragraph 202 of the NPPF, a balancing exercise should be undertaken between less than substantial harm to the significance of the designated heritage asset on the one hand, and the public benefits of the proposal, on the other.

- 3.13 With respect to the public benefits of the proposal the main benefits are considered to comprise the provision of the criminal justice accommodations to meet the on-going demand for prison places. As noted previously in this report, the proposed development would make a meaningful contribution to meeting the projected need in a manner that could be delivered in the short term. This is also in accordance with the NPPF, which outlines in Paragraph 96 of the NPPF that local planning authorities should work proactively and positively to plan for public service infrastructure, such as criminal justice accommodation.
- 3.14 In terms of other public benefits, the applicants have suggested that the development would enhance the biodiversity within the prison compound, would be designed to meet the highest building standards, include renewable energy elements, secure optimum viable use within the site; would ensure that the site would continue provision of criminal justice accommodations; and that resulting job creation, both during the construction phase and once the new facilities are in operation. These benefits are of moderate weight.
- 3.15 Council's Conservation Officer has been consulted as part of the application and concluded that, as the new buildings would be read in the context of the existing prison site it is not considered that the additional house blocks would result in any additional harm to the setting of the listed Baden Hall over and above the existing buildings of the prison.
- 3.16 Taking all the above into consideration, on balance, significant weight can be afforded to the public benefits of the proposed development, which would outweigh the harm to the significance of the II listed Baden Hall.
- 3.17 The proposed design of all four units is fairly institutional with materials consisting of cladding but no colour and finish of the panels have been confirmed as part of the submitted information. It could be recommended that a light colour would be preferable as these would limit their visual impact when viewed against the skyline. In terms of more detailed design considerations the final external finishing materials, materials of hard surfaced areas, new walls and enclosures within the site and an overall soft landscaping and planting scheme should be secured by conditions following any grant of consent to the satisfactory appearance of the development.
- 3.18 With regards to other proposed element, including the new Offender Management unit, PV panels, the impact of these pales into visual insignificance against the houseblocks because of their smaller size and lower height. However, control over external materials of these features would be expedient in the interests of mitigating any impact.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 126, 130, 132, 134 and 174

The Plan for Stafford Borough
Policies: N1 Design;

N8 Landscape Character;
 N9: Historic Environment;
 Supplementary Planning Document (SPD) – Design
 Staffordshire Planning for Landscape Change and Character Assessment, adopted
 in 2001

4. Residential Amenity, Including Fear of Crime

- 4.1 Policy N1 of the PfSB and the Design Supplementary Planning Document (SPD) seek to ensure that new development should not detract from residents' amenity, with specific regard to overlooking, daylight and privacy.
- 4.2 The nearest residential houses are to south west and north east of the site. Due to their siting within the eastern section of the site, no adverse visual impacts are anticipated on the amenities of residents of Hunters Moon as the property is located to the south of the prison site. Although the house shares the boundary with the prison, the open houseblock would be sited 325m to west and the nearest closed houseblock would be set some 363m north-west. Having said this, the existing southern parking area would be re-configured to provide additional 8 parking spaces, but this element of the proposal would be limited to the existing compound of the car park. The boundary of site and rear garden to the Hunters Moon does not abut the affected section of the car park and therefore the existing amenities of the property would not be altered as the result of the development.
- 4.3 The nearest house to the east is No. 1 Badenhall Cottages, which is a two-storey semi-detached dwelling. The open houseblock would be sited at some 46m distance from the dwelling and separated by Hilton Drive and the eastern car park. The nearest closed houseblock would be sited 141m away from the rear boundary of the house. As part of the car park re-configuration, the existing hedgerow and some trees on the north-eastern corner of the site would be removed in order to accommodate additional parking spaces. This would allow some glimpse views into the car park area and part eastern elevation of the open houseblock from Hilton Drive.
- 4.4 The first floor windows on the side elevation of the houseblock facing No. 1 Badenhall Cottages would be screened by the intervening existing mature vegetation along the perimeter of the property boundary, which would fully screen the rear garden. Furthermore, the existing timber fencing along the boundary with Hilton Drive would be retained. Although the distant view of the top section of the open houseblock could be possible from the rear amenities of the house during the winter period, there would be no adverse impact through overlooking or loss of privacy or any other impacts anticipated.
- 4.5 With regards to matters related to fear of crime, it should be noted that as part of the pre-application community engagement, based on the submitted Planning Statement, the applicant notified the local councillors and residents by letters about the forthcoming proposal. The applicant also discussed the proposal with Eccleshall Parish Council at their joint meeting. No principle objections were raised.

- 4.6 Similarly, no objections from the local residents have been received as part of the planning application consultation response.
- 4.7 Staffordshire Police has been consulted as part of the application and raised no objection, subject to the recommended advisory to carry out the development in accordance with their Design out of Crime guidance.
- 4.8 Although fear of crime is a material consideration in planning decision, there is no evidence to show that the increased fear of crime would actually occur as the result of the proposal. All additional facilities would be limited to the existing prison boundaries and the necessary measures would be in place to ensure the security of the facility is not compromised as the result of the proposed prison expansion.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs:130

The Plan for Stafford Borough
Policies: N1 Design of New Development
Supplementary Planning Document (SPD) - Design

5. Highway safety/Transport

- 5.1 Swynnerton Road provides a principal link from south to north from the village of Eccleshall to Stoke-on-Trent and is subject to 60mph speed limit. The pedestrian footway is provided along the road in the vicinity of the site.
- 5.2 The existing access arrangements off Swynnerton Road would not be altered as part of the development. The application is supported by a Transportation Statement and Travel Plan. The statement indicates that as the result of the development there would be an increase of 5 staff (3 for closed and 2 for open) and 103 inmates on site.
- 5.3 The existing parking within the HMP Drake Hall provides a total of 190 car parking spaces. As part of the development there would 29 additional spaces, 6 spaces of which would have have Electrical Vehicles charging points. Additional 4 cycle spaces would be provided at the site.
- 5.4 There are no objections on highway safety grounds. The Highway Authority has however noted that the site is not in sustainable location. The nearest bus stop is 2500m away. Having said this, this arrangement would not be changed from the original development. Furthermore, the applicant has produced a Travel Plan, which includes a package of measures that would be used to enable HMP Drake Hall to promote more sustainable travel choices and reduce reliance on the private car amongst staff. The Travel Plan would help to minimise the impact of additional traffic on the highway network.
- 5.5 The Highway Officer has requested a standard fee of £10,000 to support the monitoring and review of the Travel Plan. This matter can be more effectively dealt

with by providing an obligation as part of S106 Legal agreement. The applicant has agreed that this requirement should be secured by way of signing a S106 Legal Agreement.

Policies and Guidance:-

National Planning Policy Framework
Paragraphs: 100,107 & 108

The Plan for Stafford Borough
T1 Transport;
T2 Parking and manoeuvring facilities;
Appendix B – Car parking standards

6.0 Trees and Biodiversity

Trees

- 6.1 There are no TPO's covering the site. The proposed carks would impact on the existing trees around their edges and some trees would also be lost to accommodate the new houseblocks. The trees to be lost are of important visual value, however a large number of trees would still be retained.
- 6.2 Council's Tree Officer has been consulted and raised no objection, subject to measures within the approved Tree Protection Plan and Arboricultural Method Statement being implemented and maintained throughout completion of all construction related activity. A condition could be added accordingly.

Biodiversity

- 6.3 The site is not within any area designated for importance for nature conservation. a Preliminary Ecological Appraisal has been carried out in February 2022 for the areas directly affected by the development. No presence of any European protected species, such as bats, badgers, otter or water voles or great crested newts have been discovered. The site provides suitable foraging habitat for Hedgehogs and has the potential to support breeding birds. Therefore mitigation measures such as further checks prior to clearance are recommended.
- 6.4 Council's Biodiversity Officer has been consulted and recommended conditions related to protection / avoidance of nesting birds, addition of 4 bird boxes and a advised submission a Working Method Statement detailing measures to avoid harm to hedgehogs and birds during site clearance construction works.
- 6.5 Due to a loss of some woodland trees on site which is necessary to accommodate the development, some net loss of biodiversity across the site is also anticipated. The Preliminary Ecological Assessment states that the proposed landscaping scheme of the application would result in ecological enhancements and 11.73% Biodiversity Net Gain, achieved primarily through the retention of woodland and ecological enhancement of the current neutral grassland within the application site.

Council's Biodiversity Officer has reviewed the submitted information and recommended a condition to ensure that the biodiversity enhancement measures are provided in accordance with recommendations set out in the submitted Ecological Assessment. As the submission of landscaping details would be secured by the condition as recommended previously in this report, this should be sufficient to secure the enhancement of existing woodland, replacement tree planting, grass management, including planting management and monitoring plan to ensure the habitats are successfully maintained.

National Planning Policy Framework
Paragraphs 174, 179 and 180

The Plan for Stafford Borough
N1: Design
N4 The Natural Environment and Green Infrastructure

7.0 Flood Risk and Drainage

- 7.1 The application site is located within Flood Zone 1, meaning it is an area with a low probability of flooding. Planning Practice Guidance confirms that the aim is to steer new development to Flood Zone 1.
- 7.2 As the site is greater than 1ha a Flood Risk Assessment (FRA) is required. Such an assessment has been carried out by the applicant and the submission is supported by an FRA. The supporting FRA confirms that the development will not increase the risk of flooding within the prison boundary or in the surrounding area. The Environment Agency has raised no objection to the proposal in this regard.
- 7.3 The County Council's Flood Risk Management (FRM) team has also been consulted as part of the application and confirm that they raise no objection to the proposed subject to the imposition of conditions. Severn Trent Water have also been consulted and confirmed that the proposal is acceptable subject to the imposition of conditions.

Policies and Guidance:

National Planning Policy Framework
Paragraph 159, 160, 167 and 169

Planning Practice Guidance
Flood Risk and Coastal Change

The Plan for Stafford Borough
N1: Design
N2: Climate Change
N8 Landscape Character

8. Sustainability / Renewable Energy

- 8.1 Paragraph 152 of the NPPF requires the planning system to support the transition to a low carbon future in a changing climate, including the requirement to help shape places in ways that contribute to radical reductions in greenhouse gas emissions. Paragraph 154 goes on to require new development to reduce greenhouse gas emissions, such as through its location, orientation and design. This is further iterated in paragraph 157 which sets out that in determining planning applications, new development should take account of landform, layout, building orientation, massing, and landscaping to minimise energy consumption.
- 8.2 Policy N2 of the PfSB requires development should include measures to address and adapt to climate change. The ways in which this could be achieved are then further detailed in the policy, including measures such as use of materials from sustainable sources, maximise solar gain, reduced water consumption and waste minimisation through increased recycling. The policy requires all non-residential development up to 1,000 m² (net) to achieve a BREEAM Very Good rating; and non-residential development greater than 1,000m² (net) to achieve a BREEAM Excellent rating. The area to be affected by the development covers more than 1,000m².
- 8.3 The application is supported by an Energy and Sustainability Statement. This sets down a number of options in terms of technologies, that could be incorporated. Based on the submitted information the proposal would utilise a number of technologies with the overall aim to ensure that the development would be Net Zero Carbon; this would be achieved through the specifications of high fabric energy efficiency, heat pumps, energy efficient lighting, appliances and equipment and on-site renewable energy generation.
- 8.4 The application is also supported by a BREEAM pre-assessment which sets out that the development is targeted at a BREEAM score of 85.95% for the new houseblocks and 77.99% for the Offender Management Unit, which would place the proposals comfortably within the 'Excellent' range (which is 70% and above).
- 8.5 Based on the submitted Design and Access Statement, the proposed houseblocks would require approximately 200m² of PV per block. 100m² can be accommodated on flat roofs of the building, with the remaining 100m² located nearby on site. The submitted plans identify the locations of PV panels on the roofs of the new houseblocks. Additional PV panels are also included in the eastern parking area and existing buildings which are in close proximity to the new buildings, with the supporting infrastructure being also included as part of the proposal; all are shown in the prison enclosure. A condition could be recommended requiring full details of the renewable energy measures be submitted and requiring compliance with the energy statement.

National Planning Policy Framework:
Paragraphs 152, 154 and 157

The Plan for Stafford Borough:
N1: Design

N2: Climate Change

9.0 PLANNING BALANCE AND CONCLUSION

- 9.1 The proposal for construction of three new closed houseblocks and one new open houseblock; demolition works, internal fence alterations, PV panels, extensions to carparks, one new Offender Management Unit, two plantrooms, relocation of the Farms and Gardens compound and ancillary development is considered acceptable as the siting of the proposal would be within the confined boundary of the existing prison and noting wider demands for an increase in criminal justice accommodation and national policy support for enhance public service infrastructure.
- 9.2 The proposals are considered to be acceptable in terms of design and visual impact, subject to the recommended conditions, landscaping and trees, biodiversity, and the proposals would aim to meeting BREEAM 'Excellent' rating. The proposed scheme would result in no adverse impacts on highway safety and the drainage details are satisfactory, subject to the recommended conditions.
- 9.3 Whilst the site itself is not sustainable as it is isolated from the established settlement boundary, the application is supported by the Travel Plan with the aim to reduce the staff's reliance on cars. The completion of planning obligations for £10,000 would ensure that the performance of the Travel Plan is regularly monitored and reviewed accordingly.

Consultations

SCC Highway Authority

The highways department in principle have no objections subject to a condition for the travel plan and a £10,000 monitoring fee under a S106 agreement.

Environment Agency

We note the information provided and wish to provide the following comments in response which relate solely to the protection of 'Controlled Waters', matters relating to Human Health should be directed to the relevant department of the local council.

Reference to the 1:50,000 scale geological map indicates that the site is located on the bedrock of the Mercia Mudstone Formation, designated as a Secondary B Aquifer by the Environment Agency. Superficial aquifer deposits are indicated to be absent. Given the site setting, the groundwater within the Mercia Mudstone Secondary B Aquifer is not considered to be a sensitive controlled waters receptor. The site is not located within a groundwater Source Protection Zone.

We have reviewed the following document submitted in support of this application:

'HMP Drake Hall Phase I GI Report' Hydrock (October 2022).

The above referenced report details a desk study and conceptual site model produced for the development site. Whilst historical mapping and information on previous developments at the site indicates the potential presence of contamination, the setting with respect to controlled water receptors is considered to be of low sensitivity. The surrounding geology includes low permeability and low porosity clays or mudstone/siltstone associated with the Mercia Mudstone Group. It is therefore considered unlikely there will be active pathways in which leachable contaminants from off-site source could impact the site.

Given the absence of sensitive controlled waters receptors at this location we consider that there does not appear to be any significant risk to controlled waters from the proposed development. We therefore have no further requirements into investigation or remediation into controlled waters receptors. We wish only to provide the following information.

We recommend that you refer to our published 'Guiding Principles for Land Contamination' which outlines the approach which should be adopted when managing this site's risks to the water environment.

We also advise that you consult with your Environmental Health/Environmental Protection Department for advice on generic aspects of land contamination management. Where planning controls are considered necessary, we recommend that the environmental protection of controlled waters is considered alongside any human health protection requirements. This approach is supported by paragraph 170 of the National Planning Policy Framework.

In accordance with Government Policy detailed in the National Planning Policy Framework (paragraph 184), 'where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner'. Therefore, should any significant contamination subsequently become apparent then responsibility remains with these parties.

We recommend that developers should:

- Follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination
- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the contaminated land pages on gov.uk for more information

We would like to refer the applicant/enquirer to our groundwater position statements in 'The Environment Agency's approach to groundwater protection', available from gov.uk. This publication sets out our position for a wide range of activities and developments, including:

- Waste management
- Discharge of liquid effluents

- Land contamination
- Ground source heat pumps
- Drainage.

Council's Environmental Health

The Ground Contamination Report section 6 recommends further investigations before recommending any mitigations, a condition should be required to secure this action.

The Acoustic Report is satisfactory for our purposes, the recommendations (Section 6.4) should be secured by planning condition.

Local Lead Flood Risk Authority

We have reviewed the Planning Statement along with the HMP Drake Hall Flood Risk Assessment and Drainage Statement submitted with the application. We understand that the proposals comprise the demolition/ construction/ redevelopment of selected buildings and car parking areas at the existing facility.

A review of the existing and proposed site plans shows that the total impermeable area of the site is likely to remain as per the existing scenario.

As such, the runoff generated from the site is likely to be unaffected by the proposals and given that the site is positively drained by an existing surface water drainage system, the increased risk of surface water flooding to the development or 3rd party land are considered negligible.

Despite this, the LLFA consider that any newly developed buildings or hardstanding parking areas must be positively drained into the existing surface water drainage system in an appropriate manner to both convey surface water to an appropriate outfall point and to provide appropriate water quality treatment.

Therefore, we have no objection to the application at this stage subject to the conditions below being attached to any planning permission, to ensure that the full detailed drainage design is submitted for review and that sufficient measures will be put in place to ensure no increase in flood risk during the construction phase.

We ask to be consulted on the details submitted for approval to your Authority to discharge this condition and on any subsequent amendments/alterations.

Please also consult us again on any future major changes to the proposed development or drainage scheme.

Pre-Commencement Condition

No development shall begin until the final 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 demonstrate:

- For areas of the site where demolition and remediation works are to be followed by construction works (i.e., the new housing blocks and reconfigured car parking areas), evidence of compliance with the principles of the drainage hierarchy, as described in Part H of the Building Regulations should be provided.

If applicable, the drainage systems of these redeveloped areas should promote the use of infiltration for the full (or partial) discharge of surface water to ground and evidence of infiltration testing in accordance with BRE365 should be provided.

If infiltration is not suitable, then a full (or partial) discharge into the existing drainage system should be sought.

- The rate of discharge from newly constructed areas of the site should be restricted to the rates shown in the surface water table of the submitted drainage statement.
- Provision of appropriate attenuation storage to achieve the restricted rate of discharge before connecting into the site's existing drainage system.
- SuDS design to provide sufficient water quality treatment, in accordance with the CIRIA SuDS Manual Simple Index Approach and SuDS treatment design criteria. Mitigation indices are to exceed pollution indices for all sources of runoff.
- Detailed design (plans, network details and full hydraulic calculations) in support of any surface water drainage scheme, including details on discharge rates, any attenuation system, SuDS features and the outfall arrangements.

The plan should include all details of the existing sewer network and the current point of outfall and indicate how the drainage system of any new development will interact with the existing drainage system.

- Finished Floor Levels of newly constructed buildings shall be 150mm above the surrounding ground.
- Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water drainage systems shall be maintained and managed for the lifetime of the development. To include the name and contact details of the body(-ies) responsible.

The development shall thereafter proceed in accordance with the approved details.

Reason

To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development.

Compliance Condition

Developer to ensure that satisfactory arrangements for the control of surface water and pollution are in place as part of any temporary works associated with the permanent development, to ensure that flood risk is not increased prior to the completion of the approved drainage strategy.

Reason

To reduce the risk of surface water flooding to the development and surrounding properties during construction.

To reduce the risk of contamination being passed to watercourses downstream of the site during the development phase.

Please contact us on flood.team@staffordshire.gov.uk if you have any queries about this response.

Severn Trent Water

We have no objections to the proposals subject to the inclusion of the following condition:

- The development hereby permitted should not commence until drainage plans for the disposal of foul and surface water flows have been submitted to and approved by the Local Planning Authority, and
- The scheme shall be implemented in accordance with the approved details before the development is first brought into use. This is to ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution.

NOTE: we would encourage the applicant to go back to the Network Solutions department (STW) to continue discussions relating to Development Enquiry SAP 1053322 with regards to drainage.

IMPORTANT NOTE: This response only relates to the public waste water network and does not include representation from other areas of Severn Trent Water, such as the provision of water supply or the protection of drinking water quality

Please note if you wish to respond to this email please send it to Planning.apwest@severntrent.co.uk where we will look to respond within 10 working days.

Biodiversity Officer

Comments from Biodiversity Officer: 09/01/2023

Policies that affect this proposed development:
NPPF (Section 15)

Government Circular 06/05: Biodiversity and Geological Conservation – Statutory Obligations and their impact within the Planning System.
Stafford Borough Council Biodiversity Strategy
The Environment Act 2021

Protected Species

RSK ADAS undertook a Preliminary Ecological Appraisal during February 2022. This was followed by a Bat Survey - that found no evidence of roosting on site. A Biodiversity Net Gain Assessment has been completed with recommendations to ensure biodiversity net gain is secured.

Nesting birds

All wild birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981. This means that works to vegetation should not be undertaken in the nesting season (March to August), unless it can be demonstrated by the developer that breeding birds will not be affected. This can be done by requesting a method statement for protection / avoidance of nesting birds as a condition – this may include timing of work, pre-work checks, avoiding nesting areas etc,

4x Schwegler 1B bird boxes should be installed on trees around the site.

Hedgehog

A Method Statement should be submitted detailing avoidance measures during construction.

Biodiversity Net Gain

In the Conclusion of the Biodiversity Net Gain Assessment report, (p32), it is stated that -

“Under the current proposals, the proposed development will result in a net loss of -1.00 area habitat units, which represents a biodiversity net loss of -21.68%, and a 0.00% change in terrestrial linear habitats units. Current proposals also do not meet the required trading rules of the metric. If the proposed plans for habitat creation and retention are followed, the proposed plans could achieve a net gain of 0.54 habitat units, which represents a 11.73% net gain in area habitats.”

The mitigation hierarchy sets out that avoidance of loss of habitat is the initial focus of any development proposal.

As the conclusion makes clear, the loss of woodland on site will result in a net loss of biodiversity.

Retention and enhancement of existing woodland, further tree planting, and enhancement of grassland should be actioned in order to achieve the necessary net gain. **Therefore, landscaping plans must conform to the habitat plans set out in Appendix 4 of the BNG report.**

A management and monitoring plan should be submitted, setting out the methodology of BNG works and to ensure the habitats are successfully maintained.

Staffordshire Police Designing Out Crime Officer

The proposal has been reviewed with particular reference to Police CPI's Secured by Design guidance and in accordance with the recognised principles of Crime Prevention Through Environmental Design.

The following comments should be considered in the light of the following:

- Under the heading Promoting Safe and Healthy Communities, Para 91(b) of the NPPF states "Planning policies and decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion."
- Under the heading Achieving Well-Designed Places, Para 127(f) of the NPPF states "Planning policies and decisions should ensure that developments create places that are safe ... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience."
- Under the heading Planning Should Address Crime Prevention, Design Para 10 of the NPPG states "Designing out crime and designing in community safety should be central to the planning and delivery of new development";
- Stafford Borough Council guidance in Policy N1 Design: Require the design and layout of new development to be safe, secure and crime resistant, by the inclusion of measures to address crime and disorder through environmental design and meet "Secured by Design" Standards;
Paragraph 12.8 of the local plan states developers should ensure that 'Secure by Design' principles are incorporated within all development schemes;
- The statutory obligation placed on local authorities to do all they reasonably can to prevent crime and disorder in accordance with Section 17 of the Crime and Disorder Act 1998;
- The 2006 CABI document entitled 'Design and Access Statements: How to Write, Read and Use Them', which states "Statements should demonstrate how development can create accessible and safe environments, including addressing crime and disorder and fear of crime."

Whilst I have no objections to this application, it is important that a high level of physical security is incorporated in these proposals and that the following be considered.

The DAS states 'The building is designed to be aligned to the latest MoJ Technical Standards to ensure safety and security is achieved throughout, for the staff and the residents.' Therefore, the police have no further comments to add.

The DAS also mentions lighting and CCTV around the development, including the car parks.

It should be noted, Photovoltaic (PV) panels are susceptible to criminal damage from thrown missiles and are likely to be the subject of theft as their installation becomes more commonplace. Therefore, PVs should be located on roofs that are difficult to access, other than by legitimate means, and should be secured onto the roof with theft resistant fastenings.

Landscape design should never include the use of loose pebbles for obvious reasons.

Staffordshire Fire and Rescue Service

FIRE MAINS, HYDRANTS AND VEHICLE ACCESS

Appropriate supplies of water for fire fighting and vehicle access should be provided at the site, as indicated in Approved Document B Volume 2 requirement B5, section 15 and 16.

I would remind you that the roads and drives upon which appliances would have to travel in order to proceed to within 45 metres of any point within the property, should be capable of withstanding the weight of a Staffordshire firefighting appliance (G.V.W. of 17800 Kg).

I wish to draw to your attention Staffordshire Fire and Rescue Service's stance regarding sprinklers.

Staffordshire Fire & Rescue Service (SFRS) would strongly recommend that consideration be given to include the installation of Automatic Water Suppression Systems (AWSS) as part of a total fire protection package to:

- Protect life, in the home, in business or in your care.
- Protect property, heritage, environment and our climate;
- Help promote and sustain business continuity; and
- Permit design freedoms and encourage innovative, inclusive and sustainable architecture.
- Increase fire fighter safety
- The use of AWSS can add significant protection to the structural protection of buildings from damage by fire.

Without this provision, the Fire and Rescue Service may have some difficulty in preventing a complete loss of the building and its contents, should a fire develop beyond the stage where it cannot be dealt with by employees using first aid fire fighting equipment such as a portable fire extinguisher.

SFRS are fully committed to promoting Fire Protection Systems for both business and domestic premises. Support is offered to assist all in achieving a reduction of loss of life and the impact of fire on the wider community.

Early consultation with the Fire Service when designing buildings which incorporate sprinklers may have a significant impact on reducing financial implications for all stakeholders.

Further information can be found at www.bafsa.org.uk/ - the website of the British Automatic Fire Sprinklers Association Ltd.

Cadent

To prevent damage to our assets or interference with our rights, please add the following Informative Note into the Decision Notice:

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions.

Prior to carrying out works, including the construction of access points, please register on www.linesearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

This letter does not constitute any formal agreement or consent for any proposed development work either generally or related to Cadent's easements or other rights, or any planning or building regulations applications.

Cadent Gas Ltd or their agents, servants or contractors do not accept any liability for any losses arising under or in connection with this information. This limit on liability applies to all and any claims in contract, tort (including negligence), misrepresentation (excluding fraudulent misrepresentation), breach of statutory duty or otherwise.

This limit on liability does not exclude or restrict liability where prohibited by the law nor does it supersede the express terms of any related agreements.

If you need any further information or have any questions about the outcome, please contact us at plantprotection@cadentgas.com quoting your reference at the top of this letter.

Tree Officer

No objection, subject to the following conditions:

Arb Method Statement/Tree Protection Plan - compliance

All measures within the approved Tree Protection Plan and Arboricultural Method Statement shall be implemented and maintained throughout development until completion of all construction related activity, unless agreed otherwise in writing with the local planning authority.

Ground decompaction for tree planting

Prior to implementation of the approved landscaping scheme of ground decompaction shall be implemented in the areas identified for tree planting. Such a scheme should result in ground suitable for unrestricted root growth for the planted trees to their approximate maximum perceived crown spread and to a depth of 600mm - 1000mm, unless agreed otherwise in writing with the local planning authority.

5 Year Retention/Replacement - compliance

If within a period of 5 years from the completion of the development any of the trees, plants or shrubs that are to be retained or planted in accordance with an approved landscaping scheme are felled, uprooted, removed, destroyed, or in the opinion of the local planning authority die, become seriously damaged or defective, another tree, plant or shrub of the same species and size shall be planted at the same location in the next available planting season, unless the local planning authority agrees in writing to dispense with or vary this requirement.

Conservation Officer (Conservation Surgery)

No objection.

HM Prison & YOI Drake Hall is a prison of mid-20th century date and is located just north-east of the Raleigh Hall Industrial Estate.

The site is not listed or in a conservation area, the nearest designated heritage asset is the grade II listed Baden Hall approximately 750m south-east of Drake Hall. There is no intervisibility between HMP Drake Hall and Baden Hall due to a mature tree belt located to the southern boundary of the Baden Hall Fisheries, which provides ample screening.

The proposed new houseblocks would primarily be located within the prison site itself which is already densely developed. As the new buildings would be read in the context of the existing prison site it is not considered that the additional house blocks would result in any additional harm to the setting of the listed Baden Hall over and above the existing buildings of the prison.

There is no conservation objection to the proposed development.

SCC Archaeological Officer

Whilst the Staffordshire Historic Environment Record (HER) identifies a degree of historic interest within the area, I can confirm that I would raise no archaeological concerns regarding the development in this instance.

Eccleshall Parish Council – no objection

Neighbours (9 properties consulted): no representations received

Site notice expiry date: 11.01.2023

Press notice expiry date: 18.01.2023

Relevant Planning History

07/09124/FUL – Installation of a 1.8m satellite dish at HMP Drake Hall, located on the roof top of the admin block

09/11737/FUL – single storey extension onto existing gatehouse building, the proposed works include modernisation of existing vehicle gates to vehicle lock, existing vehicle lock fencing, existing double leaf gates replaced with the new electronically operated sliding gates, new pedestrian gates and secure fencing to provided – approved on 29.04.2009

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 specifications and to the following drawings, except where indicated otherwise by a condition attached to this consent, in which case the condition shall take precedence:-

Drawing Title	Drawing Number
Site Location Plan	791443_6144-MAC-000-ZZ-D-A-1501, Rev. 01
Demolition Plan	791443_6144-MAC-000-ZZ-D-A-1502, Rev. P0
Proposed Plan P04	791443_6144-MAC-000-ZZ-D-A-1503, Rev. P04
Proposed Closed Site Plan	791443_6144-MAC-000-ZZ-D-A-1505, Rev. P02
Proposed Closed Site Sections	791443_6144-MAC-000-ZZ-D-A-1506, Rev. P01
Proposed Open Site Plan	791443_6144-MAC-000-ZZ-D-A-1508, Rev. P02
Proposed Open Site Sections	791443_6144-MAC-000-ZZ-D-A-1509, Rev. P01
Proposed Farm and Gardens Site Plan	791443_6144-MAC-000-ZZ-D-A-1511, Rev. P02

Proposed OMU Site Plan	791443_6144-MAC-000-ZZ-D-A-1513, Rev. P02
Proposed North Car Park	791443_6144-MAC-201-ZZ-D-A-1515, Rev. P03
Proposed South Car Park	791443_6144-MAC-202-ZZ-D-A-1517, Rev. P02
80kVA Generator 65dB Details	791443_6144-MAC-000-XX-D-E-0010, Rev. P01
Proposed OMU Elevations	791443_6144-MAC-071-00-D-A-1501, Rev. P01
External Fire Misting Plant Details	791443_6144-MAC-000-XX-D-E-0020, Rev. P01
Proposed OMU Floor Plans	791443_6144-MAC-071-XX-D-A-1502, Rev. P01
Landscape Mitigation Plan	791443_6144-CEN-000-XX-D-L-0003, Rev. P01
Open House Block Ground Floor Plan	888888_0000-MAC-H01-00-D-A-1501, Rev. P03
Open House Block First Floor Plan 1502, Rev. P03	888888_0000-MAC-H01-01-D-A-1502, Rev. P03
Open House Block Second Floor Plan Rev. P03	888888_0000-MAC-H01-02-D-A-1503, Rev. P03
Open Houseblock Roof Level Plan Rev. P03	888888_0000-MAC-H01-R0-D-A-1504, Rev. P03
Open Houseblock Proposed Sections Rev. P03	888888_0000-MAC-H01-ZZ-D-A-1506, Rev. P03
Closed Houseblock Ground Floor Plan Rev. P03	888888_1111-MAC-H02-00-D-A-1501, Rev. P03
Closed Houseblock First Floor Plan Rev. P03	888888_1111-MAC-H02-01-D-A-1502, Rev. P03
Closed Houseblock Second Floor Plan Rev. P03	888888_1111-MAC-H02-02-D-A-1503, Rev. P03
Closed Houseblock Roof Plan Rev. P03	888888_1111-MAC-H02-R0-D-A-1504, Rev. P03
Closed Houseblock Proposed Sections Rev. P03	888888_1111-MAC-H02-ZZ-D-A-1506, Rev. P03
Proposed Elevations Open Houseblock	888888_0000-MAC-H01-ZZ-D-A-1505, Rev. P03

Proposed Elevations Closed Houseblock 888888_1111-MAC-H02-ZZ-D-A-1505,
Rev. P03

Planning Statement, dated 14.10.2022, Rev. P04, prepared 14.10.2022

Preliminary Ecological Appraisal, Rev. P04, dated 26.10.2022, prepared by RSK Adas

Biodiversity Net Gain Assessment, Rev. 04, dated 31.10.2022, prepared RSK Adas

Bat Survey Report, Rev. P01, dated 9.09.2022, prepared by RSK Adas

Landscape and Visual Appraisal, Rev. P03, dated 19.10.2022, prepared by Stephenson Halliday

Archaeological Desk-Based Assessment, Rev. P03, dated 26.09.2022, prepared by MACE Group

Phase 1 GI Report, Rev. P04, dated 11.10.2022, prepared by Hydrock

Transport Statement, Rev. P06, dated 27.09.2022, prepared by Hydrock

Travel Plan, Rev. P07, dated 19.10.2022, prepared by Hydrock

Arboricultural Survey, Rev. P03, dated 27.06.2022, prepared by Tyler Grange

Arboricultural Impact Assessment, Rev. P01, dated 24.08.2022, prepared by Tyler Grange

Flood Risk Assessment, Rev. P07, dated 14.10.2022, prepared by Hydrock

Energy and Sustainability Statement, rev. P02, dated 14.09.2022, prepared by MACE Group

Design and Access Statement, Rev. P04, dated 20.09.2022, prepared by MACE Group

Drainage Statement, dated October 2022, prepared by MACE Group

Noise Impact Assessment, Rev. 01, dated 28.09.2022, prepared by MACE Group

Heritage Impact Assessment, Rev. P05, dated September 2022, prepared by The Heritage Advisory.

3. Notwithstanding any description / details in the application documents, details of ground investigation works as outlined in Section 6 of the approved 'Phase 1 GI Report, Rev. P04, dated 11.10.2022, prepared by Hydrock' shall be submitted to and approved in writing by the Local Planning Authority prior to commencement of any above ground works. Thereafter the development shall be carried out in accordance with the approved details.

4. All noise mitigation measures as detailed in Section 6.4 of the approved 'Noise Impact Assessment, Rev. 01, dated 28.09.2022, prepared by MACE Group' shall be adhered to throughout the construction works.
5. Notwithstanding any description / details in the application documents, no above ground works shall commence until final detailed surface water drainage design has been submitted to and approved by the Local Planning Authority. The design must demonstrate:
 - (a) For areas of the site where demolition and remediation works shall be followed by construction works, evidence of compliance with the principles of the drainage hierarchy, as described in Part H of the Building Regulations. If applicable, the drainage systems of these redeveloped areas shall promote the use of infiltration for the full (or partial) discharge of surface water to ground and evidence of infiltration testing in accordance with BRE365 shall be provided.

If infiltration is not suitable, then a full (or partial) discharge into the existing drainage system shall be sought.

- (b) The rate of discharge from newly constructed areas of the site shall be restricted to the rates shown in the surface water table of the approved drainage statement.
- (c) Provision of appropriate attenuation storage to achieve the restricted rate of discharge before connecting into the site's existing drainage system.
- (d) SuDS design to provide sufficient water quality treatment, in accordance with the CIRIA SuDS Manual Simple Index Approach and SuDS treatment design criteria. Mitigation indices are to exceed pollution indices for all sources of runoff.
- (e) Detailed design (plans, network details and full hydraulic calculations) in support of any surface water drainage scheme, including details on discharge rates, any attenuation system, SuDS features and the outfall arrangements.

The plan shall include all details of the existing sewer network and the current point of outfall and indicate how the drainage system of any new development will interact with the existing drainage system and include the following:

- (i) Finished Floor Levels of newly constructed buildings shall be 150mm above the surrounding ground.
- (ii) Provision of an acceptable management and maintenance plan for surface water drainage to ensure that surface water drainage systems shall be maintained and managed for the lifetime of the development. To include the name and contact details of the body(-ies) responsible.

The development shall thereafter be carried in accordance with the approved details.

6. Notwithstanding any description / details in the application documents, no above ground works shall commence until drainage scheme for the disposal of foul and

surface water flows have been submitted to and approved by the Local Planning Authority. Thereafter, the scheme shall be implemented in accordance with the approved details before the development is first brought into use.

7. Notwithstanding any description/details in the application document, no site clearance, demolition and no above ground works shall commence until a Method Statement detailing measures to avoid harm to wildlife during each phase of the works has been submitted to and approved in writing by the Local Planning Authority. Thereafter the works shall be carried out in accordance with the approved details.
8. Notwithstanding any description/details of external materials in the application documents, no above ground construction works shall commence unless and until named samples or named coloured photographic illustrations of the materials to be used in the construction of the external walls and roofs of the buildings have been submitted to and approved in writing by the Local Planning Authority.
9. Notwithstanding any description / details in the application documents, no above ground works shall commence until landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include a schedule of plants noting their species, sizes and proposed numbers / densities and include retention and enhancement of existing woodland, grassland shrubs and other features. The planting schedule shall achieve a minimum biodiversity net gain of 11.73% against the existing site conditions and conform to the habitat plans set out in Appendix 4 of the approved Biodiversity Net Gain Assessment, Rev. 04, dated 31.10.2022, prepared RSK Ada. The hard landscaping shall include details of means of enclosure, permeability of all hard surfaces materials, cycle storage, PV solar panels. The development shall be carried out in full accordance with the approved hard and soft landscaping plan.

If within a period of 5 years from the completion of the development any of the trees, plants or shrubs that are to be retained or planted in accordance with an approved landscaping scheme are felled, uprooted, removed, destroyed, or in the opinion of the local planning authority die, become seriously damaged or defective, another tree, plant or shrub of the same species and size shall be planted at the same location in the next available planting season.

10. Full details of a management and monitoring plan of Biodiversity Net Gains works shall be submitted to and approved in writing by the Local Planning Authority before the development hereby permitted has been brought into use. Thereafter the development shall be carried out in full accordance with the approved plan.
11. Notwithstanding any description/details in the application document, no site clearance, demolition and no above ground works shall commence, until all tree protection measures as detailed within the approved Arboricultural Impact Assessment, Rev. P01, dated 24.08.2022, shall be implemented in full and maintained throughout development until completion of all construction works.
12. The buildings hereby approved shall be constructed to BREEAM 'Excellent' Standard or an equivalent standard and prior to 6 months of occupation the relevant

certificate shall be submitted to and approved by the Local Planning Authority confirming that the required standard has been achieved.

13. The development hereby permitted shall be carried out in accordance with the approved Travel Plan. Reports demonstrating progress in promoting sustainable transport measures shall be submitted annually on each anniversary of the date of the planning consent to Local Planning Authority for approval for a period of 5 years from first occupation of the development hereby permitted.

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 order to safeguard human health and to ensure the necessary measure are taken to avoid any risk to public safety, as recommended by the Environmental Health Manager. (Policy N1e of The Plan for Stafford Borough)
- 4 To safeguard the amenities of the neighbouring occupiers. (Policy N1 of The Plan for Stafford Borough)
- 5 To reduce the risk of surface water flooding to the development and properties downstream for the lifetime of the development. (Policies N1 and N2 of The Plan for Stafford Borough).
- 6 To ensure that the development is provided with a satisfactory means of drainage as well as to prevent or to avoid exacerbating any flooding issues and to minimise the risk of pollution (Policies N1 and N2 of The Plan for Stafford Borough).
- 7 To avoid harm to wildlife during construction works. (Policy N4 of the Plan for Stafford Borough)
- 8 To ensure the satisfactory appearance of the development. (Police N1 of The Plan for Stafford Borough).
- 9 To ensure that biodiversity gains are delivered for enhancement and improvement of habitats and to ensure satisfactory appearance of the development. (Policies N1 and N4 of the Plan for Stafford Borough)
- 10 To ensure the habitats are successfully maintained. (Policy N4 of the Plan for Stafford Borough)
- 11 To ensure adequate protection for trees during construction. (Policy N8 of The Plan for Stafford Borough).

- 12 In the interest of promoting energy efficiency and sustainable development. (Policies N1 and N2 of the Plan for Stafford Borough).
- 13 To promote sustainable means of transport (Policy T1 of The Plan for Stafford Borough).

INFORMATIVE(S)

- 1) In accordance with the requirements of Article 35 of the Town and Country Planning (Development Management Procedure) (England) (Order) 2015, 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 applicant should note comments from Cadent Gas Ltd, which states the following:

Cadent Gas Ltd own and operate the gas infrastructure within the area of your development. There may be a legal interest (easements and other rights) in the land that restrict activity in proximity to Cadent assets in private land. The applicant must ensure that the proposed works do not infringe on legal rights of access and or restrictive covenants that exist.

If buildings or structures are proposed directly above the apparatus the development may only take place following diversion of the apparatus. The applicant should apply online to have apparatus diverted in advance of any works, by visiting cadentgas.com/diversions.

Prior to carrying out works, including the construction of access points, please register on www.linerearchbeforeudig.co.uk to submit details of the planned works for review, ensuring requirements are adhered to.

Your responsibilities and obligations

Cadent may have a Deed of Easement on the pipeline, which provides us with a right of access for a number of functions and prevents change to existing ground levels, storage of materials. It also prevents the erection of permanent/temporary buildings, or structures. If necessary Cadent will take action to legally enforce the terms of the easement.

If you need any further information or have any questions about the outcome, please contact Cadent Gas Ltd by email plantprotection@cadentgas.com quoting your reference at the top of this letter.

- 3) The applicant should note comments from the Council's Tree Officer with regards to advice about ground decompaction for tree planting, which states the following:

Prior to implementation of the approved landscaping scheme of ground decompaction shall be implemented in the areas identified for tree planting. Such a scheme should result in ground suitable for unrestricted root growth for the planted trees to their approximate maximum perceived crown spread and to a depth of 600mm - 1000mm.

- 4) The applicant should note advice from Severn Trent Water to contact the Network Solutions department (STW) to continue discussions relating to Development Enquiry SAP 1053322 with regards to drainage. For more information, please contact Severn Trent Water by email Planning.apwest@severntrent.co.uk .
- 5) The applicant should note advice from County Council's Flood Risk Management Team that it is a developer's responsibility to ensure that satisfactory arrangements for the control of surface water and pollution are in place as part of any temporary works associated with the permanent development, to ensure that flood risk is not increased prior to the completion of the approved drainage strategy.
- 6) The applicant should note the advice from the Environment Agency to refer to their published 'Guiding Principles for Land Contamination' which outlines the approach which should be adopted when managing this site's risks to the water environment.

With regards to land contamination, the Environment Agency's advice is as follows: In accordance with Government Policy detailed in the National Planning Policy Framework (paragraph 184), 'where a site is affected by contamination or land stability issues, responsibility for securing a safe development rests with the developer and/or landowner'. Therefore, should any significant contamination subsequently become apparent then responsibility remains with these parties. The Environment Agency recommend that developers should:

- Follow the risk management framework provided in Land Contamination: Risk Management, when dealing with land affected by contamination
- Refer to our Guiding principles for land contamination for the type of information that we require in order to assess risks to controlled waters from the site - the local authority can advise on risk to other receptors, such as human health
- Consider using the National Quality Mark Scheme for Land Contamination Management which involves the use of competent persons to ensure that land contamination risks are appropriately managed
- Refer to the contaminated land pages on gov.uk for more information

The applicant/enquirer should refer to the Environment Agency's groundwater position statements in 'The Environment Agency's approach to groundwater protection', available from gov.uk. This publication sets out our position for a wide range of activities and developments, including:

- Waste management
- Discharge of liquid effluents
- Land contamination
- Ground source heat pumps
- Drainage.

- 7) The applicant's attention is drawn to the protected status of nesting birds and the requirement that they are not disrupted during the nesting season (March to August).

- 8) The applicant should note the advice from Staffordshire police Design out Crime Officer that the development should be carried out in accordance with Police CPI's Secure by Design guidance.

It should also be noted, Photovoltaic (PV) panels are susceptible to criminal damage from thrown missiles and are likely to be the subject of theft as their installation becomes more commonplace. Therefore, PVs should be located on roofs that are difficult to access, other than by legitimate means, and should be secured onto the roof with theft resistant fastenings.

Landscape design should never include the use of loose pebbles for obvious reasons.

- 9) The applicant should note the following advice from Staffordshire Fire and Rescue Service:

FIRE MAINS, HYDRANTS AND VEHICLE ACCESS

Appropriate supplies of water for fire fighting and vehicle access should be provided at the site, as indicated in Approved Document B Volume 2 requirement B5, section 15 and 16.

Please note that the roads and drives upon which appliances would have to travel in order to proceed to within 45 metres of any point within the property, should be capable of withstanding the weight of a Staffordshire firefighting appliance (G.V.W. of 17800 Kg).

The applicant's attention should be drawn to Staffordshire Fire and Rescue Service's stance regarding sprinklers.

Staffordshire Fire & Rescue Service (SFRS) would strongly recommend that consideration be given to include the installation of Automatic Water Suppression Systems (AWSS) as part of a total fire protection package to:

- Protect life, in the home, in business or in your care.
- Protect property, heritage, environment and our climate;
- Help promote and sustain business continuity; and
- Permit design freedoms and encourage innovative, inclusive and sustainable architecture.
- Increase fire fighter safety
- The use of AWSS can add significant protection to the structural protection of buildings from damage by fire.

Without this provision, the Fire and Rescue Service may have some difficulty in preventing a complete loss of the building and its contents, should a fire develop beyond the stage where it cannot be dealt with by employees using first aid fire fighting equipment such as a portable fire extinguisher.

SFRS are fully committed to promoting Fire Protection Systems for both business and domestic premises. Support is offered to assist all in achieving a reduction of loss of life and the impact of fire on the wider community.

Early consultation with the Fire Service when designing buildings which incorporate sprinklers may have a significant impact on reducing financial implications for all stakeholders.

Further information can be found at www.bafsa.org.uk/ - the website of the British Automatic Fire Sprinklers Association Ltd.

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